

Charter Schools on
Military Installations:

A Planning Guide

dodea

DEPARTMENT OF DEFENSE EDUCATION ACTIVITY

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United States Government Accountability Office
Report to Congressional Committees

CHARTER SCHOOLS

Guidance Needed for Military Base Schools on Startup and Operational Issues

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GAO
Accountability * Integrity * Reliability

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I. EXECUTIVE SUMMARY

A February 2013 report by the Government Accountability Office (GAO) entitled, “Charter Schools: Guidance Needed for Military Base Schools on Startup and Operational Issues,” recommended that the Department of Defense (DoD) develop and set standards for operating charter schools on military installations. GAO accurately noted that there are unique challenges to establishing and operating a public charter school on a military installation, and DoD has developed five recommended standards to guide individuals who are interested in establishing and operating a charter school on an installation.

This planning guide prescribes the DoD-recommended standards and provides an overview of charter schools, the phases of establishing and operating a charter school and information on those charter schools already operating on DoD installations. The objective of this planning guide is to provide interested parties with the information and resources necessary to successfully navigate the startup and operational phases of a charter school.

Recommended Standard #1: *Community Support for a Charter School*

- Sufficient demand for an on-base charter school must be demonstrated to justify its operation on a military installation

Recommended Standard #2: *Charter School Founders and Ongoing DoD Involvement in Charter School Operations*

- Ensure maximum legal and allowable involvement of DoD personnel and uniformed Service members in establishing a charter school on a military installation is in full compliance with the law, governing DoD ethics standards and the Joint Ethics Regulations.

Recommended Standard #3: *Enrollment Considerations*

- Ensure the charter school under consideration will benefit military-connected students as well as the civilian student population.

Recommended Standard #4: *Facility Use on Military Installations*

- Provide surplus or available facility space or land to charter schools whenever viable, given there is no plan to use the space or land for military purposes in the foreseeable future and all rules are followed for leasing under-utilized land and buildings, use and renovation of existing buildings and requirements to build a new facility on an installation.

Recommended Standard #5: *Base Security Requirements*

- Establish policies and procedures for civilian students and families that allow access to the installation for all eligible students to the greatest extent possible, while maintaining public safety and ensuring mission security by meeting DoD requirements for physical access security requirements.

The GAO report also recommended that the Military Services develop guidance based on the recommended standards set forth in this document. The Military Services will develop and finalize Service-specific guidance consistent with these DoD-recommended standards.

II. INTRODUCTION

Elementary and secondary schools have operated on military installations since 1816, being managed and owned by either a Military Service, the Department of War or the DoD. In 1950, this disparate group of schools on military installations in the United States was consolidated and placed under the Secretary of Education's authority and subsequently was transferred back to DoD in 1981. Over time, some of these schools, whether run by the Secretary of Education or DoD, were transferred to local educational agencies (LEAs), closed as military installations moved or were closed. Today, DoD operates 60 schools in 7 states: Alabama, Georgia, Kentucky, North Carolina, New York, South Carolina and Virginia. These schools are known as the Domestic Dependent Elementary and Secondary Schools (DDESS) and are operated by the Department of Defense Education Activity (DoDEA), which is located in the Office of the Secretary of Defense. DDESS enrolls about 26,000 military-connected students. Students are eligible to attend DDESS if they live on a military installation in the Continental United States, Puerto Rico or Guam, and the DDESS school program is operated in accordance with Section 2164 of title 10, United States Code.

LEAs operate about 150 public schools on military installations throughout the United States as well, educating about 80,000 students. Schools on installations run by LEAs serve primarily military-connected students and, in some cases, the general student population. Student attendance in schools on installations run by LEAs is subject to local laws and policy, and generally, students must live in the school's attendance zone unless the LEA has an inter- and/or intra-district transfer policy. Eight of the public schools on military installations are charter schools. As of the drafting of this planning guide, it appears that charter schools are likely the only schooling sector on military installations that may experience growth in the near future. This assessment makes the deployment of recommended standards for establishing and operating a charter school on a military installation particularly relevant.

The purpose of this planning guide is to provide recommended standards to interested parties, military installations and charter founders for establishing and operating public charter schools on an installation. A February 2013 report by GAO entitled, "Charter Schools: Guidance Needed for Military Base Schools on Startup and Operational Issues," recommended that DoD develop recommended standards for establishing and operating charter schools on-base and that the Military Services develop more specific guidance. This planning guide and recommended standards are the response to the GAO recommendation.

The first public charter school on a military installation, Wheatland Charter School, opened in 2001 on Beale Air Force Base (AFB), California. Over the eleven years, seven more charter schools opened on installations throughout the United States, with more considering and exploring this schooling option for military-connected students. There are about 2,800 students enrolled in these 8 schools, and about two-thirds of these students are military-connected:

- Jacksonville Lighthouse Charter School: Flightline Upper Academy, Little Rock AFB, Arkansas;
- Sonoran Science Academy Davis-Monthan, Davis-Monthan AFB, Arizona;
- Manzanita Public Charter School, Vandenberg AFB, California;
- Wheatland Charter Academy, Beale AFB, California;
- Sigsbee Charter School, Naval Air Station Key West, Florida;
- LEARN 6 in North Chicago, Naval Station Great Lakes, Illinois;
- Belle Chasse Academy, Naval Air Station/Joint Reserve Station New Orleans, Louisiana; and
- Imagine Andrews Public Charter School, Joint Base Andrews-Naval Air Facility, Maryland.

Each of these charter schools were started to provide an additional educational option for military-connected students. Although the schools are located on a military installation, they are not operated by DoD. All of these charter schools are locally operated and managed public schools that are organized under state law and funded by some combination of Federal, state and local tax dollars. While charter schools on military installations are a relatively new phenomenon, it is not uncommon for local education agencies (LEAs) to operate elementary and secondary public schools on installations.

The following sections of this planning guide provide:

- An overview of charter schools and the important aspects of state charter legislation;
- A summary of the eight charter schools that are located on military installations and some of their characteristics;
- A discussion of the process of establishing a charter school with the DoD-recommended standards embedded at the appropriate place in the process; and
- A conclusion.



III. CHARTER SCHOOLS OVERVIEW

Charter schools are public schools authorized and regulated by state law. As public schools, they do not charge tuition. They are open to all students, except in states that allow specific preferences¹, and are frequently referred to as a “school of choice.” Similar to traditional public schools, charter schools are non-sectarian and are obligated to satisfy special education and civil rights, public safety and student health requirements. Currently, 42 states have legislation allowing charter schools, and the vast majority of military-connected students and military installations are located in those states (the eight states without charter laws are Alabama, Kentucky, Montana, Nebraska, North Dakota, South Dakota, Vermont and West Virginia).

The first charter school opened in Minnesota in 1992. Many other states soon followed suit, including New Jersey, Michigan, North Carolina, Florida, California and Ohio. By the year 2000, there were about 1,500 charter schools in the United States, growing to about 4,300 schools in 2008 and further increasing to over 5,700 today (6.3% of all schools). Today, charter schools educate over two-million students (4.6% of all students) (National Alliance for Public Charter Schools, 2014). California has more charter schools and students than any other state, with just over 1,000 schools and enrollment over 400,000 students, while Virginia, Wyoming and Iowa all have five or fewer charter schools. The ten largest military-connected states have two-thirds of all military-connected students, and each of them allows charter schools.

Table 1: Top 10 Military-Connected States in School Year 2011-12 According to the United States Department of Education’s Federal Impact Aid Program (Center for Education Reform, 2013)

#	State	Military Enrollment SY2011-12	Charter Schools SY2012-13	Charter School Enrollment
1	Virginia	93,566	4	354
2	Texas	66,831	444	149,348
3	California	48,974	1,008	410,157
4	North Carolina	42,607	105	37,407
5	Florida	36,095	517	179,254
6	Georgia	32,525	125	61,821
7	Maryland	27,456	46	11,549
8	Washington*	27,377	N/A	N/A
9	Hawaii	25,348	31	8,798
10	Colorado	22,735	185	79,963

***Washington State passed charter legislation in 2012.**

The concept of charter schooling was founded on the principle that schools should be freed from many of the operational restrictions on traditional public schools in exchange for increased accountability for student learning. Charter schools are intended to be free of potentially limiting policies governing curriculum, discipline, the school day, teacher certification and union contracts, to name a few possibilities (depending on the state), so that educators and advocates would be free to innovate and produce results (National Alliance for Public Charter Schools, 2014). Public charter schools generally operate as a school of choice open to anyone, and a random lottery is conducted when demand exceeds capacity.

¹ For example, Maryland allowed Imagine Andrews Public Charter School on Joint Base Andrews to allot 65% of the seats to military-connected students and 35% to the general student population.

State charter school legislation varies significantly from state to state, and it is critical to the start-up of a charter school to know the governing state law and existing charter school landscape in the state (i.e., how many charter schools there are, who are the primary authorizers of the schools, etc.). Although the original intent of charter schools was to increase educational autonomy and choice for parents in exchange for increased accountability for student learning, each state's law allows for varying degrees of autonomy.

State Public Charter School Laws

The purpose of this section is to provide an overview of the key components of charter school laws and some variances between the states. The ability to effectively establish and operate a public charter school is highly dependent on the requirements in the state charter school law, and there are a number of critical factors that affect the expansion of charters.

Authorizers

Authorizers are entities established by states to review and approve or reject charter school applications (or petitions) and are responsible for overseeing and monitoring the charter schools they approve. Each state with a charter school law has at least one approved authorizer. Some states allow multiple entities to authorize charter schools, while some only have one allowable authorizer, generally LEAs or a state-level entity. Authorizing bodies can be institutions of higher education, the state board of education, an independent charter board or a nonprofit organization, among others.

The National Association of Charter School Authorizers (NACSA, 2013) identifies three essential functions of authorizers:

1. Authorizers must ensure that charter applicants and schools that are up for renewal are held to high standards. Authorizers are entities within the charter sector that are responsible for making certain that schools are of high quality. A unique aspect of charter schools and responsibility of the authorizer is the ability to close a school down for poor performance.
2. Authorizers maintain charter autonomy necessary for school excellence, which is crucial for charter school innovation to get results, rather than satisfy mandates. A report by the Thomas B. Fordham Foundation noted that LEAs can be particularly restrictive of charter schools by requiring them to have the same policies, curriculum and budgeting practices (Brinson and Rosch, 2010). The report also noted that states with less restrictive authorizing requirements tended to have more charter schools as well.
3. Authorizers ensure the public interest is well-served by monitoring and maintaining fair treatment for students and for the use of funds. Although autonomy is an important component of charters, authorizers must ensure students are learning and that public funds are properly allocated.

Autonomy and Accountability

The concept of charter schools is based on the theory that when educators are provided autonomy from policies, they have the freedom to be innovative and focus on student outcomes. The autonomy charter schools have is balanced with additional accountability for obtaining positive student outcomes. There are a number of policies or rules applicable to traditional public schools from which charters might be exempted by law. Some states provide charter schools an alternative to teacher certification requirements, allowing them to hire teachers who are experts from business or other talented individuals. Other states free up charters from teacher union contracts that can restrict innovation in hiring and replacing teachers, compensation and work time, to name a few. Brinson and Roach (2005) note that

two of the most important flexibilities charter leaders can have are the freedom to hire their own staff and control over instructional practices. Another common freedom is providing charters with the ability to choose their own curriculum and discipline policies. Many charter schools have a particular curricular focus, such as mathematics and technology, arts or exploratory learning, to name a few possibilities.

Charter schools are still subject to state and Federal accountability requirements, including those contained in the Elementary and Secondary Education Act, except where the law specifically notes that charters are exempt based on state law (e.g., the requirement for certification in the highly qualified teacher requirements). Civil rights laws, health and safety regulations, special education requirements, teacher background checks and financial accountability are some other ways in which charter schools are held accountable by the public, and such are appropriate limitations on charter school autonomy. Authorizers are a primary source of accountability and hold charter schools to the terms of the contract, or school charter, to include such things as student performance, attendance, discipline, budget, contracting and procurement. The level of accountability or autonomy provided by an authorizer is dependent on the specific authorizer.

Charter Support Organizations (CSOs)

CSOs are independent organizations that exist to provide resources, support and advocacy to charter schools and can serve as a potential resource in navigating the process of establishing and operating a charter school. Engaging with a CSO for support can provide a helpful community of understanding for the unique state landscape and available resources, including training and consulting services. Some CSOs will review and provide feedback on charter school petitions. They also can provide assistance on funding opportunities and communications for charter schools. CSO support varies by state, with some providing comprehensive services, while others are more limited in what they provide.

Funding

As with any startup venture, funding is critical for success. A report by the Thomas B. Fordham Institute (2005) examined charter and traditional school funding in 16 states and the District of Columbia and found significant disparities between them—an average of nearly 22 percent (\$1,801) per student in favor of the traditional schools. The primary reason for the discrepancy is charter schools' lack of access to two sources of funding that are available to traditional public schools, local tax revenue and funding for facility. Funds for charter schools generally come from the state, grants, the Federal Government and from charitable donations. Charter funding may be significantly lower in states that support education predominately through local funding sources such as property taxes.

LEAs provide traditional public schools with a facility; however, in some states, the charter school is responsible for securing its own facility. Facility funding can be obtained through loans, nonprofit grants, state funds (where available) and also grantees under the United States Department of Education's (ED) Credit Enhancement for Charter School Facilities Program. The ED Charter School Program (CSP) also provides funding for startup activities, such as planning, program design and implementation. The CSP requires, however, that grant recipients have an open lottery for students, making charter schools on military installations ineligible if they provide an enrollment preference for military dependents.

Types of Schools

Many states allow charter schools the freedom to implement innovative instructional programs and unique school culture. A number of charter schools provide all, most, or some instruction online. Some schools focus on instructional methods such as exploratory learning, project-based learning or classical education, while others focus more on content areas such as performing arts; science, technology, engineering, and mathematics (STEM); or career readiness. The ability to be innovative in curricular

approach and content allows charter schools to focus on unique groups of students and emphasize content and methods. Charter founders can identify gaps in curriculum and educational opportunities in traditional public schools and design a program that meets the needs of students and the community.

Caps on New Charter Schools

Some states have implemented limits on the number of charter schools that may be started each year, or “caps” that either permanently or temporarily stop the start of new charters. This is a purposeful approach to stop or slow charter school growth. There are various reasons why a state may cap the number of new and/or total number of charter schools. A 2011 publication from the National Conference of State Legislatures noted that caps are frequently the result of concerns about charter school quality (NCSL, 2011).

Charter School Operations

Charter Management Organizations (CMOs) and Education Management Organizations (EMOs) may manage one or more aspect of charter schools operations. CMOs are nonprofit organizations, while EMOs are for-profit entities. The advantage of using either a CMO or an EMO is they can provide one or more functions, including managing administrative staff, hiring, educational services (professional development and curriculum), public relations, advocacy and other core school tasks. Some states restrict involvement from both or either CMOs and EMOs. The benefit of using a management organization is they provide the experience and expertise of running schools that may not exist among the charter school founders and staff.

The majority of charter schools are run by nonprofit organizations that receive funds from public sources and also solicit monies from private entities, while a small number of charters are run by for-profit corporations.

Open Enrollment and the Lottery

A defining characteristic of public charter schools is that they accept all students and must hold a lottery when applicants exceed school capacity. Traditional public schools are generally confined or limited by territorial boundaries, but charter schools usually do not have school zones. Charters also do not typically impose admission requirements on students. Some states do allow charter schools to provide priorities for some students, primarily if the school is designed to serve a specific subpopulation. Louisiana and Florida both allow charter schools that are primarily for dependents of active-duty members to provide a preference for those students (this flexibility makes charter schools not eligible for Federal CSP grants).

Conclusion

These are only some of the key areas of state legislation that impact the ability to establish and operate a high-performing charter school. Understanding the state law applicable to the potential charter school startup is critical to the success of a charter school and will impact the entire planning and execution phases of school development.

IV. CHARTER SCHOOLS ON MILITARY INSTALLATIONS

There are currently eight charter schools on military installations throughout the United States. Six of the charters are on AFBs (one is a joint base with the Navy), while the other two are on Navy installations. All of the schools opened between 2001 and 2012, with the first being Wheatland Charter School on Beale AFB and the last, LEARN 6 in North Chicago on Naval Station Great Lakes. Four of the charters are their own LEA—Flightline Upper Academy, Manzanita Public Charter School, Sonoran Science Academy Davis-Monthan and Belle Chasse Academy, while the other four are part of an LEA.

Table 2: Public Charter Schools on Military Installations

State	School	Installation	Academic Focus	Grades	Operations	Enrolled in SY 2011-12
AZ	Sonoran Science Academy	Davis Monthan Air Force Base	STEM	6-10	CMO	185
AR	Jacksonville Lighthouse Charter School:Flightline Upper Academy	Little Rock AFB	Arts-Infused Curriculum	5-8	CMO	164
CA	Manzanita Public Charter School	Vandenberg AFB	Dual Immersion Language	K-6	Independent	438
CA	Wheatland Charter Academy	Beale AFB	Montessori-Blended Curriculum	K-5	Independent	104
FL	Sigsbee Charter School	Naval Air Station Key West	Environmental Studies/Marine Studies	PK-7	Independent	410
IL	LEARN 6 in North Chicago	Naval Station Great Lakes	College Prep	K-3,6-8	CMO	250 (12-13)
LA	Belle Chasse Academy	Naval Air Station Joint Reserve Base	Comprehensive Core Curriculum in Liberal Arts	K-8	Independent	942
MD	Imagine Andrews Public Charter School	JointBase Andrews	Liberal Arts	K-4	CMO	265

Source: GAO Charter Schools: Guidance Needed for Military Base Schools on Startup and Operational Issues, 2013

Of the more than 2,500 students in attendance at the 8 charter schools, the majority are military-connected students. Additionally, half of the schools are run independently and the other half by a CMO, including Imagine Schools, Lighthouse Academies, Sonoran Schools, Inc., and LEARN Charter School Network. Based on interviews with the charter schools and military officials, the GAO report also identified interest groups and their motivations that are important for establishing charter schools on base. The report specifically noted that individuals at Imagine Andrews, Belle Chasse Academy and LEARN 6 in North Chicago wanted a Charter school to provide alternative higher quality educational programs than they thought existed in the local community. School officials at Sonoran Science Academy and Imagine Andrews credited military interests, in particular the base commander, as the key force in establishing

a charter school. In other districts, military realignment and closure contributed to the demand for more learning options on base. At the Naval Station Great Lakes, declines in the military population threatened the local district with potential loss of significant Federal Impact Aid if it was not possible to attract and retain military families. Some military commanders drove the establishment of some on-base charter schools because the commander believed that the choice of a charter school would be perceived as an incentive to attract and retain Service members. Contractors on Joint Base Andrews teamed with Imagine Schools to start Imagine Andrews, with the goal of attracting more families to on-base housing. Additionally, Lighthouse Academies sought to meet the needs of military-connected students at Little Rock AFB and obtained approval to start an on base school.

Whatever the motivations and interest group support for a charter school, compliance with state and Federal laws must be at the forefront of the charter advocates' efforts, while meeting the tenets of the DoD-recommended standards.



V. ESTABLISHING AND OPERATING A CHARTER SCHOOL ON A MILITARY INSTALLATION AND DOD-RECOMMENDED STANDARDS

Establishing a charter school requires a significant investment of time from a dedicated founding group with a clear vision for the school. Although it depends on the state, taking a school from the conceptual to operational phase can take two or more years. Understanding the planning, startup and implementation processes in your state is crucial for success. Obtaining resources and guidance from other successful charter founding groups, a statewide CSO, reputable CMO or EMO are good starting points. The objective of each phase is not just to satisfy state requirements, but to take all of the necessary foundational steps to ensure that the charter school on base is set up for success. In addition to discussing these factors, this section provides interested parties and charter founding groups with the unique issues that exist in the military environment. Included in the relevant sections are the five DoD-recommended standards that must be adhered to while planning to establish and operate a charter school on a military installation.

The Planning Phase

This phase starts with a team of founding members with a vision for a charter school on an installation. The founders should be composed of a team of leaders who have experience in elementary and secondary education, school budgets, legal, fundraising, human resources and community outreach. Diversity on the team will help to establish the capacity to solve a wide array of issues that will arise in time and support multi-perspective planning. During this phase, the founders should develop a clear understanding of state charter school legislation to understand the parameters in which they will operate and also should become familiar with how other charter schools operate. Training opportunities available from CSOs or state charter school offices should be utilized as well as other resources that provide state-specific guidance. Applying for nonprofit status as a 501(3), which can be a lengthy process, should also be done early in the planning phase.

During this phase, the founding team must identify the needs of the military-connected student and those of the larger student community that the charter school will serve. Identifying these needs should help to establish the preliminary vision and mission for the school. An important step is to conduct a market analysis to identify eligible students in the geographical region, competition, marketing approaches and provide evidence of support from the community. This market analysis will help in deciding what grade levels to begin serving, expansion possibilities and the educational approach to be provided.

Recommended Standard #1: Community Support for a Charter School: Sufficient demand for an on-base charter school must be demonstrated to justify its operation on a military installation. Conducting a market analysis is common practice in the planning phase and is critical to developing a charter school that meets the needs of the community. The analysis should utilize a number of methods to gather data, including surveys, interviews, focus groups and community meetings. Analysis should not be limited to the military community, but it should include the general population around the installation.

The market analysis needs to cover a number of topics and provide sufficient data for charter founders to plan a charter school that meets the demands of the community. The analysis should assess support for the proposed mission of the school and identify the extent of student/family interest and the grade levels that are most needed. It should also gauge interest in the curricular and pedagogical focuses of the proposed school. The market analysis must also consider the other schools in the area, their strengths and weaknesses and how the proposed charter school will fill a need. A common reason for starting a charter school is the lack of quality educational options. The market analysis of competing

schools should examine the academic achievement, disciplinary issues and other concerns about quality of surrounding schools.

Other factors to consider include on-base facility options and available funding sources. A facility does not need to be secured immediately, but an analysis of the options available will be beneficial to the planners. Another aspect of community support is the availability and willingness of an authorizer for the school. If an LEA will be authorizing the school, identifying their level of support for a new school cannot be overlooked. Determining the level of support from authorizers may be a significant factor in the success of the charter school.

A publicly available report should be the final product of the analysis that includes the results of the methods employed and letters of interest from community groups and parents. Some states, such as California, require signatures of support as part of the petition.

Checklist:

- ✓ Quantify interest from military-connected families on and off the installation as well as civilian families (including grade levels to serve).
- ✓ Identify support for the school's proposed mission and pedagogical focus.
- ✓ Analysis of competing area schools (options and academic achievement).
- ✓ Examine facility options.
- ✓ Identify potential authorizers.

CSOs are designed to support founding members by providing training and guidance on navigating the stages of startup. Accessing CSO resources from the start will help to develop a high-quality plan and petition. For example, the California Charter Schools Association provides information on the California charter school law, the timeline, guidance on developing the petition, creating a budget, engaging the community and finding a facility as well as trainings and one-on-one support.

During the planning phase, founders should also consider whether or not they will work with an established EMO or CMO. Identifying an EMO or CMO that fits the school's educational philosophy, meets an operational need or provides the demonstrated record of success that is desired is an important consideration. The EMO or CMO can assist in navigating the startup process, leveraging the founders' knowledge and experience.

Recommended Standard #2: Charter School Founders and Ongoing DoD Involvement in Charter School Operations: Ensure maximum legal and allowable involvement of DoD personnel and uniformed Service members in establishing a charter school on a military installation is in full compliance with the law governing DoD ethics standards and the Joint Ethics Regulations.

Immediately consult with the Base Operating Support (BOS) Military Service Commanders who are tenants on a particular military installation upon consideration of an on-base charter school to coordinate activities and ensure that proper roles are maintained. The Military Services will provide additional guidance on allowable actions and involvement during the initial planning stages as well as operation of the charter school. In one instance, the effort to establish a charter school on an installation was thwarted by a conflict of interest that could have been prevented.

The DoD Standards of Conduct provides guidance on relationships between non-Federal entities (in this case it is the charter school) and DoD and its employees. DoD personnel and uniformed Service members may not in their official capacity be involved in matters of management or control of a charter school.

However, they may be appointed as a liaison to represent DoD interests to the charter school when there is a significant and continuing DoD interest in such representation. DoD personnel may, in their personal capacity, voluntarily participate in the charter school but must exclusively act outside the scope of their official position. Some DoD positions will likely result in prohibiting the employee from participating in their personal capacity with the charter school because their actions in particular matters may directly and predictably affect the charter school (e.g., Garrison Commander).

At Joint Base Andrews, the housing contractor led the effort to start Imagine Andrews Public Charter School on the installation. DoD personnel and uniformed Services members had a limited role but were able to assist in the planning phase. A spouse or group of constituents may also lead the effort to start a charter school, but regardless, they must coordinate with the Military Service tenants on a particular installation to ensure communication and compliance with all legal, regulatory and departmental guidance.

Checklist:

- ✓ Consult with the Military Service BOS Commander prior to any planning.
- ✓ Understand the requirements in the Joint Ethics Regulation.
- ✓ Verify conflict of interest requirements in state law.
- ✓ Explore legality of including a Service representative on the board of trustees.

Organizers may benefit by identifying the state-approved charter school authorizers and choosing one that best fits the school's educational philosophy and approach (if the state has more than one approved authorizer). In some instances, the LEA may support the charter school effort and be a good fit, but in other cases, it may be necessary to choose a statewide-approved charter authorizer (state board of education, community college, nonprofit organization, etc.).

Research and vision building will form the basis of the charter school application or petition. The petition must outline a business plan for everything required by state laws and regulations, including (but not limited to) educational, facility, financial, management and operational plans. Harnessing the collective expertise of the charter school founding board will be critical to addressing all of the required application elements. The petition also outlines the measurable and realistic goals of the charter school and how they will be achieved, which will form the performance contract with the authorizer. The charter school authorizer, upon submission, will review and either approve, reject or conditionally approve the charter school petition.

If the goal of the school is to serve primarily military-connected students or a subpopulation, such as active-duty dependents, the school founders will need to determine if state law allows military-connected students to receive an enrollment preference. The plan should also identify possible sources of teachers and other requirements to hire staff, physical facilities and their respective costs, potential renovation expenses and timelines for acquiring or renovating the facilities as well as the sources of funds to support these activities and when those funds may be available.

Recommended Standard #3: Enrollment Considerations: Ensure the charter school under consideration will benefit military-connected students as well as the civilian student population. The ability to provide an enrollment preference for military-connected students to enroll in a charter school on an installation must be considered in the early planning stages. Charter schools are open-enrollment schools and are usually required to hold blind lotteries if demand exceeds capacity. Some states have ruled that charter schools can provide an enrollment preference for military-connected students if the mission of the school is to serve such students. For example, Belle Chasse Academy in Louisiana provides such a preference and

has a hierarchy to determine who has priority to enroll. Sigsbee Charter School also received permission from the state of Florida to enroll military-connected students to satisfy the mission of the school. In Maryland, a state law was changed to allow Imagine Andrews Public Charter School to reserve 65 percent of the enrollment for military-connected students. Although no charter schools currently reside on installations in the state, South Carolina passed a law in 2013 allowing on-base charters to provide an enrollment preference for military dependents. Illinois went a step further in 2013 to allow LEAs that are adjacent to a military installation to set aside up to 33 percent for the student slots for dependents of military members who are assigned to the base.

Exploring how the charter school will serve military-connected students who move to the installation during the school year is another important consideration. The Sigsbee Charter School addresses this issue by moving transferring active-duty dependents to the top of the waiting list, which is allowed by state law. Other charter schools in different states may not have this flexibility, but contemplating the options available is important.

The other five on-base charter schools do not have an enrollment preference and are open to the general population. While that is the case, all of the eight schools had enrollments of at least 40 percent military-connected students. Only two schools were under 50 percent (data from the 2011–12 school year).

Providing a preference for military-connected students may make the school ineligible for funding through the CSP from ED. If receiving funding from the CSP for startup and a facility is critical to establishing an on-base charter school, seeking an enrollment preference may not be in the best interest of the school. Weighing these pros and cons is important during the planning stage.

Checklist:

- ✓ Understand state enrollment requirements for students.
- ✓ If applicable, determine if changes will be sought to state rules to provide a preference for military-connected students.
- ✓ Examine options and opportunities for serving mobile military-connected students.

The Startup Phase

The startup phase includes a number of activities to formalize the charter school. An important step is to establish the charter school trustees, or governing board, and they must have the experience to oversee and execute plans for community outreach, budgeting, legal, contracts, facility and education, even if a CMO or EMO is implementing these plans. Including representation from DoD and the Military Departments as liaisons to the board is a logical choice, since the school will be operating on base and serving military-connected students. One example of a resource for building effective charter boards is the Charter Board Partners Web site, which includes standards for charter school governance. Additionally, some states have requirements about who can or must serve on a board. For example, the District of Columbia requires a certain percentage of charter board members to be residents of the District.

Establishing a charter contract with the authorizer is also required, unless the accepted charter application serves as the contract (depends on the state). The contract sets the terms of performance and accountability between the school and the authorizer. Along with developing a contract, charter schools are nonprofit organizations—the founding team will need to have the Internal Revenue Service grant the charter school recognition as an Internal Revenue Code 501c(3) organization.

During the startup phase, an important focus is to begin putting plans in place in preparation for opening

the charter school. These include identifying facilities and renovating them if necessary, implementing human resource activities, hiring teachers and staff, making curriculum purchases and training educators. Identifying mechanisms and a plan for measuring progress towards the goals stated in the charter is also important, as authorizers should expect progress reports to be provided on a regular basis. Other important tasks to accomplish in this phase are negotiating agreements with the military installation, such as base security requirements and facility agreements. A competent, experienced and effective leader must be hired to run the school. In addition, contracts for food services, busing and the EMO or CMO (if applicable) must be generated, adhering to best practices and governing procurement laws and regulations. Ongoing support from a CSO can assist in the execution of these functions and ensure the maintenance of a proper legal and ethical relationship between the governing board and charter school contractors.

Standard #4: Facility Use on Military Installations: Surplus or available (non-excess) facility space or land to charter schools may be made whenever viable, provided there are no plans to use the space or land for military purposes in the foreseeable future and all rules are followed for leasing under-utilized land and buildings, use and renovation of existing buildings and requirements to build a new facility on an installation.

In order to obtain a facility for use as a charter school, the chartering organization may inquire into the opportunity to lease an existing on-base facility identified by the installation or construct a new facility on land owned by the installation. If offered terms for a lease of an existing facility, the chartering organization may be required to complete renovations necessary to raise the building to current DoD standards and local building codes to make the facility usable as a school. The costs for such renovations would be addressed in the lease. Existing charter schools have obtained facilities in multiple ways. Two of the current on-base charter schools (Jacksonville Lighthouse Charter School-Flightline Upper Academy and LEARN 6 in North Chicago) renovated existing military facilities to house the schools, while two others (Belle Chasse Academy and Imagine Andrews) built new on-base schools. In the case of Sonoran Science Academy of Arizona, the LEA vacated the property to Davis-Monthan AFB, and the base leadership and constituents eventually approved a charter school in the existing facility.

The key to successfully addressing facility issues is communication between the charter founders and the installation's engineering or public works department, specifically the Installation Master Planning Board or Office, which serves as the land use and facilities manager for the installation.

Outgrants (Leases) of DoD Facilities or Land: DoD facilities and land may be leased in accordance with Section 2667 of title 10, United States Code, and DoD Instruction (DoDI) 4165.70, "Real Property Management." Paragraph 6.2.4 of DoDI 4165.70 specifically addresses outgrants for schools. The lease will specify items such as the monetary payment in terms of the fair market value of the land/building(s), where such payments would be made, maintenance and repair of the building(s), reimbursement for utility usage and condition of the land/building(s) at the termination of the lease.

Construction or Renovation: Charter schools constructed or renovated on a military installation shall comply with all applicable state and local codes as well as the International Building Codes and DoD Unified Facility Criteria (UFC). Charter schools located on DoD property with building occupancy levels of "inhabited building" or "primary gathering building" as defined in Appendix A of UFC 4-010-01, DoD Minimum Antiterrorism Standards for Buildings, must comply with all the antiterrorism/force protection standards of that UFC applicable to DoD buildings of similar occupancy levels. Information regarding the UFC is provided on the Whole Building Design Guide Web site at <http://www.wbdg.org/>. The installation's engineering or public works department will be able to provide guidance on adhering to these overarching requirements and will also have information on topics, such as design reviews, the

installation's architectural compatibility standards (e.g., exterior finishes, base signage and landscaping) and any sustainability requirements.

Post Construction: All facilities on military installations must be accessible for security and fire/safety inspections. DoD lacks authority or funding to assist charter schools or other non-DoD organizations with financing or funding the purchase of land, constructing facilities or the lease of real property (land or facilities). Charter schools interested in operating on a military installation may request assistance in identifying potential sources of Federal financing or funding assistance by contacting the DoD Office of Economic Adjustment within the Office of the Undersecretary of Defense (OUSD) for Acquisition Technology and Logistics, DoDEA within the OUSD for Personnel and Readiness, or ED Office of CSP and Impact Aid Office.

Checklist:

- ✓ Establish clear communication between the charter founders and the installation's engineering or public works department.
- ✓ Identify your options for an on-base facility:
 - Outgrants (lease)
 - New Construction
 - Renovation
- ✓ Identify funding sources for the facility.

Taking advantage of community support established in the planning phase can be a major asset in the startup phase. Leveraging community resources, such as obtaining donations of supplies or services, is important given the potential limited resources for charter schools. Frequently, charter schools are financially supported by private citizens and foundations as well, which can provide a vital source of support. In addition, working with the military installation to provide volunteer support and resources should not be overlooked. Care must be taken that DoD personnel use resources and official time only in accordance with ethical guidelines and guidance provided by the respective Military Department.

Grants are another source of funding that should be considered upon approval of the charter petition. The ED CSP provides grants through state educational agencies for charter schools, as well as directly to charter schools, for both startup costs and facilities.

Recommended Standard #5: Base Security Requirements for Civilians: Establish policies and procedures for civilian students and families that allow access to the installation for all eligible students to the greatest extent possible, while maintaining public safety and ensuring mission security by meeting DoD physical access security requirements.

Installation security requirements pose a challenge for charter schools operating within the security perimeter, primarily in providing access to civilian students and families during the week and on weekends. DoD policy states that the installation commander has the responsibility for defining access control measures for their installation (DoDI 5200.08, "Security of DoD Installations and Resources and the DoD Physical Security Review Board (PSRB)"). Charter school planners need to coordinate with installation access control personnel to identify the installation's access control policies. The policies for each installation should be taken into consideration when deciding if a charter school is a viable option for that location. Installation access control policies and local procedures should be provided to school staff, students, parents and visitors associated with daily and special events.

Limitations on civilian access to the base may reduce the opportunities to provide after-school and

weekend activities at the school. The GAO report (2013) noted that security restrictions at Davis-Monthan AFB (Sonoran Science Academy Davis-Monthan) inhibited the school's ability to hold events open to the community on the weekend. Planning and coordinating weekend and night events long in advance with installation access control personnel may be a possible way to alleviate this problem.

Another consideration is how to allow access for students whose parents fail background checks. Accommodations must be provided to these students, as admission to the charter school cannot be contingent on parents passing a background check, but the responsibility of escorting students is the responsibility of the charter school. GAO noted that at Imagine Andrews, students whose parents do not pass background checks are escorted by school personnel. School staff members who do not meet background check standards will be prohibited from entering the installation, while parents and guests who fail background checks may be escorted at the responsibility of the charter school.

Developing a plan to address civilian base access early in the planning stages will help to determine what activities can or cannot be held on base during the week and weekends. It will also help ensure that civilians who are considering enrolling their child in the charter school can obtain information on the requirements for on-base access. Imagine Andrews has posted all security information online for families to access and understand and it is recommended that each school have similar information readily available online and in print for families (see <http://imagineandrews.org/families/security-base-clearance/>). Including security requirements in student enrollment documents should also increase awareness of this issue with families.

Checklist:

- ✓ Base access for civilian families and students
 - How students will access the installation if their parents are not able to obtain access.
 - How students who bike or walk to school will have access to the school.
 - Access to the base on weekends for school activities.
 - How students of parents who have failed background checks will access the school.
- ✓ Clear and thorough communication of the security policy online and available in print.
- ✓ Include security requirements in enrollment documents.

The Implementation Phase

The implementation phase starts when students enter through the school doors and continues as long as the school exists. This is the point where all the planning comes together and the mission of the school is executed. For many charters, the first year is the beginning of an expansion phase of increasing capacity for students, grade levels and athletics until the intended size is reached. As the school matures, it may be necessary to revisit the mission of the school and make appropriate revisions to the program in response to internal and external circumstances.

Attention must be focused on the goals and actions in the charter contract. Renewal of the contract, generally every five years, is based upon progress in meeting the agreed-upon terms of the contract. In addition to the contract, applicable academic and fiscal accountability laws and regulations must be adhered to and met, along with accreditation requirements if mandated or desired.

VI. CONCLUSION

Establishing and operating a charter school on a military installation is a viable option to educate military-connected students and provides some advantages not available to off-base charter schools. Military installations provide a ready student population and the possibility to use an existing facility allows charter school planners to overcome a major hurdle. Charter school planners must be aware and address the challenges inherent for an on-base school and must focus on developing a high-performing school that meets the needs of military-connected students.

The eight current charter schools operating on base have demonstrated that challenges and obstacles can be overcome. Base security and enrollment requirements may be limiting factors; however, they are not insurmountable complications as evidenced by the charter schools that were approved to provide enrollment preferences, and each of the schools have adequately addressed security issues. Understanding these challenges and others from the start, including adequate community support, facility requirements, and proper involvement from DoD and uniformed personnel, will facilitate effective and efficient planning. Knowing the coordination required among DoD and military entities and how and where it fits into the planning stages of establishing an on-base charter school is critical to the success of efforts to bring new public schooling options to military-connected students.

The references to non-Federal entities within this planning guide does not imply endorsement of the non-Federal entity by DoD or DoDEA.

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