



# Considerations to Promote Collaboration and Partnership by Charter Schools and Authorizers Planning for COVID19

## Introduction

With the state of emergency in Colorado this spring due to COVID19, it was clear that all schools were expected to implement distance learning. Charter schools were generally expected to align their facility closure plan with the approach of the geographic district in which they were located. While transitioning to distance learning was challenging for all schools, there has been no substantive conflict between charter schools and authorizers over the need to establish distance learning programs for all students.

Next year, guidance could be more ambiguous about how schools should operate. Public health conditions and orders from the state or county health officials could vary by community and change over time based on the trajectory of infection. The state may allow a range of modes of operating, including:

- Full in-person instruction;
- In-person learning under social distancing restrictions;
- Hybrids of in-person and remote instruction;
- Temporary restriction of individual students or schools based on instances of infection; or
- Full remote instruction.

There could be instances in which authorizers and their charter schools choose different approaches to instruction. Some variation between charters and authorizers is reasonable and predictable. In these uncertain or new circumstances, there is potential for charter schools and their authorizers to disagree about the best way to provide a safe and effective education.

These disagreements could lead to conflict between charter schools and authorizers. These issues could be subject to a variety of influences, including Colorado charter school law; each charter school's contract; authorizer regulations, policies, and administrative practices; executive orders from the Governor, and recommendations or requirements established by local health officials.

In all circumstances, it would be best for authorizers and charter school leaders to remain focused on how to serve all students effectively and safely. All stakeholders are encouraged to work together, with transparency, respect, communication, and a problem-solving orientation to navigate these challenges. Below are considerations for charter schools and authorizers as they work together to educate all students and protect everyone's health and safety.

## Considerations

1. Stay focused on what is good for all students and what is safe for everyone.
2. Respect charter school autonomy as well as the responsibility of authorizers following Colorado Principles for Quality Charter School Authorizing to manage charter contracts towards enhanced student learning and protection of public interest.
3. Promote partnership, communication, consultation, and collaboration between charters and authorizers to find mutually positive solutions in this challenging time.
4. Recognize that all charter schools and districts may be planning to provide distance learning to some or all of their students. The Colorado Department of Education (CDE) has clarified that brick and mortar schools that are considering providing some level of on-line instruction during the 2020/2021 school year to address the health emergency may do so without seeking the state approval that could be necessary in normal circumstances.
5. Acknowledge we are in a situation that is entirely new, extremely challenging, and that there is much that is unknown. With this uncertainty and challenge, reasonable people can disagree about the best way to serve students and how to keep them safe. Therefore, we should acknowledge that different approaches may make sense for different schools, communities, and circumstances. Whenever possible, allow charter schools the autonomy and discretion to determine how they can best safely serve students while pursuing their mission. That may mean that a charter school and a district implement different approaches to schooling.
6. Charters and authorizers should examine their charter contracts and pay attention to provisions touching on health and safety, particularly regarding compliance with authorizer policies, unless waived. Communicate during planning for the fall and during implementation to clarify the applicability of county and state health and emergency recommendations; current authorizer policies and regulations; and future procedures, regulations, or policies enacted by the state, county, or authorizer.
7. Consider what happens if a district implements an approach to distance learning that is more restrictive than the applicable health authority requires. In that case, consider that a charter school might want to follow the less restrictive guidelines of the health authority in serving the charter's community as well as its original educational model.
8. In the alternative, consider what happens if a charter school plans to implement a more restrictive approach to schooling than their authorizer or the geographic district in which they are located. There could be cases in which charter schools want to implement a 100 percent distance learning model when the district is following an approach that includes in-person instruction.

Considerations such as these should be addressed by charters and authorizers sooner rather than later. Robust and clear communication and flexibility by all parties will be critical in the days to come, keeping in mind that the paramount considerations are to deliver the best educational models possible while maintaining public health and safety.