



**MONTANA  
COMMUNITY  
CHOICE SCHOOLS**

# Commission’s Corrective Action Intervention Guidebook

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## Corrective Action Intervention Process

### Conditions for Corrective Action Intervention

Preceding Corrective Action Intervention, Commission staff will have monitored the warning signs of distress using the Indicators of Distress Monitoring Tool to determine if a recommendation to the Commission for Corrective Action Intervention is necessary. Upon receiving a recommendation for Corrective Action Intervention, the Commission will consider a school's context, additional quantitative and qualitative data, and other information to determine if Corrective Action Intervention is appropriate. The Commission will ultimately use professional judgment in determining whether, and at what level, to initiate intervention. The Commission reserves the right to forgo intervention or skip levels of intervention, including moving straight to revocation, as may be appropriate.

Community Choice Schools Act 20-11-117(4)

(c) In the event that a choice school's performance or legal compliance appears unsatisfactory, the authorizer shall promptly notify the choice school of the perceived problem and provide a reasonable opportunity for the school to remedy the problem.

(d) An authorizer may take appropriate corrective action or exercise sanctions short of revocation in response to apparent deficiencies in choice school performance or legal compliance. The action or sanctions may include, if warranted, requiring a choice school to develop and execute a corrective action plan within a specified timeframe.

### Corrective Action Intervention Process

1. Initial Meeting: In the event a Community Choice School begins to exhibit early warning signs of distress, the Commission Director, school leadership, and the governing board shall convene to collect additional data to determine the severity of the distress.
2. Commission Deliberation: Following the initial meeting, the Commission Director will present the early warning signs of distress, additional data collected, and a possible recommendation for Corrective Action Intervention to the Commission for deliberation.
3. Written Notice: If the Commission determines Corrective Action Intervention is necessary, the Commission Director will detail the concern(s) and potential consequences in written notice to the school leadership and governing board. Written notice will include the Commission's identification of tiered intervention determination according to the Tiered Interventions Protocol, expectations and timeline for remedy, and a copy of the Corrective Action Intervention Plan template.
4. Corrective Action Intervention Plan Completion: The Commission Director will meet with school leadership, and governing board members to review the expectations for completion of the Corrective Action Plan. The Director will draft a SMART goal (Specific, Measurable, Attainable, Relevant, and Timebound) detailing expectations for remedying the issue for refining in collaboration with school leadership and the governing board. The school leadership team and governing board will complete the rest of the Corrective Action Plan, submitting it to the Commission Director within 3 business days.
5. Corrective Action Plan Review by Commission Director: Within 2 business days of receipt, the Commission Director will review the completed Corrective Action Plan submitted by the school leadership and governing board to determine sufficiency of the plan to achieve required outcomes. If the plan is determined inadequate, the Commission Director will provide written feedback detailing where more information is needed and the school team will be provided an opportunity to revise and re-submit the plan. The Director will not require or recommend specific remedies providing autonomy to the school team. The school team will have 2 business days from receipt of Director's feedback to submit a final Plan.
6. Corrective Action Plan Review by Commission Executive Committee: The Commission Director will provide a copy of the Corrective Action Plan to the Commission Executive Committee. The Executive Committee will call for an immediate meeting with the Commission to discuss and approve or deny the Corrective Action Plan..
7. Action Plan Implementation: The school team implements their plan monitored by the governing board and Commission Director.

8. Final Evaluation: Upon the completion date, the school team presents their final results to the Commission Director. The Director shall make a final recommendation to the Commission as to adequacy of the progress. The Commission will determine whether or not the school moves out of Corrective Action Intervention or to a more severe level of Intervention or Revocation. If the recommendation is for Revocation, the Revocation Policy is initiated.



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## Corrective Action Tiered Intervention Protocols

Intervention Status	Conditions that May Trigger Status	Tiered Interventions			
<b>Level I:</b> Notice of Concern	<ul style="list-style-type: none"> <li>• Indications of weak or declining performance identified through routine monitoring, site visits, or other means;</li> <li>• Repeated failure to submit requirements on a timely basis.</li> </ul>	Written notification to school leader and governing board	Meeting with school leadership and governing board		
<b>Level II:</b> Notice of Breach	<ul style="list-style-type: none"> <li>• Failure to satisfactorily remedy or make substantial progress toward remedying previously identified concern(s);</li> <li>• Failure to meet multiple performance targets;</li> <li>• An overall “Does Not Meet” rating on any Annual Report Performance Framework measure;</li> <li>• One or more indicator-level “Approaches” ratings on any Annual Report Performance Framework measure;</li> <li>• Failure to comply with applicable law or breach of contract.</li> </ul>	Written notification to school leader and governing board	Meeting with school leadership and governing board	Specialized site visit	Corrective Action Intervention Plan developed by the school and approved by the Commission
<b>Level III:</b> Notice of Probationary Status	<ul style="list-style-type: none"> <li>• Any overall “Approaches” rating on any Annual Report Performance Framework measure;</li> <li>• Continued failure to comply with applicable law or with the charter;</li> <li>• Failure to meet or make sufficient progress toward meeting terms of remedial action plan, as relevant.</li> </ul>	Written notification to school leader and governing board	Meeting with school leadership and governing board	Specialized site visit	Corrective Action Intervention Plan developed by the school and approved by the Commission
<b>Level IV:</b> Notice of Revocation Review	<ul style="list-style-type: none"> <li>• Continued failure to comply with applicable law or with the charter contract;</li> <li>• Failure to meet or make sufficient progress toward meeting terms of the remedial action plan, as relevant;</li> <li>• Noncompliance with an applicable health or safety standard.</li> </ul>	Written notice stating intent to consider revocation	Meeting with school leadership and governing board	Specialized site visit	Corrective Action Intervention Plan developed by the school and approved by the Commission
<b>Level V:</b> Notice of Revocation	<ul style="list-style-type: none"> <li>• Extended pattern of failure to comply or to meet performance targets;</li> <li>• Failure to satisfactorily address or make sufficient progress toward meeting terms of prior interventions;</li> <li>• Applicable conditions for revocation set forth in Community Choice Schools law.</li> </ul>	Revocation process must be conducted in accordance with CCS Revocation Policy			



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[DATE]

Dear [SCHOOL LEADER AND GOVERNING BOARD CHAIR NAMES],

This notice is to inform you that [SCHOOL NAME'S] performance has become a concern of the Commission. The Commission has considered your school's context with additional quantitative and qualitative data to determine Corrective Action Intervention is appropriate at this time. The Commission has determined Corrective Action Tiered Intervention as indicated by the box checked below.

- Level I: Notice of Concern
- Level II: Notice of Breach
- Level III: Notice of Probationary Status
- Level IV: Notice of Revocation Review

The following are specific concerns noted by the Commission requiring remediation:

Indicator(s) of Distress	SMART Goal Expectation to Remedy Concern (draft)

At this time, the Commission is requiring the following Interventions.

- Meeting with school leadership and governing board
- Specialized site visit
- Corrective Action Intervention Plan developed by the school and approved by the Commission

The Commission Director will proceed with scheduling a meeting to include both school leadership and a representative of the governing board to discuss specifics of the Commission's concerns, the Corrective Action Plan Process, [and completion of a Corrective Action Intervention Plan. Please find attached a copy of the Corrective Action Intervention Plan template. This template will be due to the Commission not later than [XX-XX-XXXX].]

Upon satisfactory remedy of the concern, your school will be removed from Corrective Action. Please note, if the Commission's expectations are not met, the Intervention may escalate to revocation. A copy of the Commission's Corrective Action Plan Intervention Process is attached.

Sincerely,

Commission Director

Commission Chair



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### Corrective Action Intervention Plan

Tiered Intervention Level	
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#### School Information

School Name		Date	
School Leader		Board Chair	
Mission			

#### Section I: Action Plan

##### Completed by Commission

Indicator of Distress	SMART Goal Expectation to Remedy Concern (draft)

##### Completed by School Team

Action Item	Person(s) Responsible	Timeline	Evidence of Success (upon completion)

Section II: Timeline

(completed by School Team and Commission Director)

Due Date	Action Items
	Initial Corrective Action Intervention Planning Meeting between school leadership, governing board, and Commission Director
	Corrective Action Intervention Plan due to Commission (3 business days from initial meeting)
	Commission Director Review of Corrective Action Intervention Plan (within 2 business days)
	If needed, School Team Revisions to Corrective Action Implementation Plan (within 2 business days of feedback from Commission Director)
	Implementation of Corrective Action Intervention Plan Begins
	Progress Monitoring Check-in with Commission Director
	Progress Monitoring Check-in with Commission Director
	Presentation of Completed Action Plan to Commission for Final Determination

Section III: School's Self-Reflection and Plans to Ensure Future Compliance

(upon completion of plan)

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Section IV: Commission's Final Determination

Tiered Intervention Level		Next Steps
	No Intervention, All Conditions Remedied	
	Level I: Notice of Concern	
	Level II: Notice of Breach	
	Level III: Probationary Status	
	Level IV: Notice of Revocation Review	
	Level V: Notice of Revocation	



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## Indicators of Distress Monitoring Tool

### Process

Upon initial concern, Commission staff first consult the Indicators of Distress Checklists to determine if concerns align with Indicators of Distress. If so, the Commission Director, school leadership, and the governing board convene using this template to document and monitor the warning signs to determine if Corrective Action Intervention is necessary.

School Information			
School Name		Date	

### Section I: Progress Monitoring

(insert model component)				
Indicator of Distress	Evidence of Indicator in Practice	Data to Determine Impact	Data Collection Activity	School Specific Notes
			Informal <input type="checkbox"/> Check-ins <input type="checkbox"/> Board Meetings <input type="checkbox"/> Board Meeting Materials <input type="checkbox"/> Other Formal <input type="checkbox"/> Site Visit <input type="checkbox"/> Annual Reports & Audits <input type="checkbox"/> Surveys <input type="checkbox"/> Compliance Reports	

Section II: Findings from Meeting with School Leadership and Governing Board

Section III: Next Steps

Recommendation	
	No Intervention, All Conditions Remedied
	Corrective Action Intervention



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## Indicators of Distress Checklist - Leadership

### Process

Upon initial warning signs, Commission staff first consult the Indicators of Distress Checklists to determine if warning signs align with Indicators of Distress. If so, proceed to use the Indicators of Distress Monitoring Tool to document and monitor the warning signs to determine if Corrective Action Intervention is necessary.

Mismatched Leadership Competencies to Context	
Evidence of Indicator in Practice	Data to Determine Impact
Leader's inability to share decision-making authority	<input type="checkbox"/> Academic data trends <input type="checkbox"/> Leader evaluation reports <input type="checkbox"/> Teacher interviews/focus groups <input type="checkbox"/> Annual report or audit data
Leader's inability to gain respect/trust of staff or families	
Leader's inability to respect/trust staff	
Leader's failure to demonstrate instructional leadership as necessary; for example, by taking minimal interest or time in classroom instruction	
Leader's failure to manage time efficiently and appropriately	
Core school operational or instructional tasks drop in quality	
Leader is failing in operational leadership; for example, by delegating all business functions to the extent that the leader cannot answer questions about core school operations	
Leader does not demonstrate the ability to make changes, handle complaints/concerns, leverage board and staff skills and time appropriately	
Leader is unable to create or maintain effective teams	

Inability to Sustain Leadership	
Evidence of Indicator in Practice	Data to Determine Impact
High or increased leader turnover	<input type="checkbox"/> Staff retention data <input type="checkbox"/> Annual report data <input type="checkbox"/> Interviews or conversations with current leaders and board members
Lack of leadership pipeline development	

Lack of Systemic Leadership Development	
Evidence of Indicator in Practice	Data to Determine Impact
Lack of succession planning for key leadership and other positions	<input type="checkbox"/> Staff retention data <input type="checkbox"/> Interviews or conversations with current leaders or board members
“Founder’s syndrome” demonstrated by a leader who develops and starts a school but fails to develop shared or distributed leadership structures	

Lack of Leadership	
Evidence of Indicator in Practice	Data to Determine Impact
Leader is unable to make decisions	<input type="checkbox"/> Leader interviews <input type="checkbox"/> Check-ins
Lack of academic and organizational leadership	
Decreased frequency or quality of communication with Commission or delays responding to Commission requests	
Leader is not able to report on key progress indicators	
Leader is not present at the school for significant amounts of time or to the extent that staff work or school functions are negatively impacted	
Leader is not accessible to families, board, or Commission	



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## Indicators of Distress Checklist - Governance

### Process

Upon initial warning signs, Commission staff first consult the Indicators of Distress Checklists to determine if warning signs align with Indicators of Distress. If so, proceed to use the Indicators of Distress Monitoring Tool to document and monitor the warning signs to determine if Corrective Action Intervention is necessary.

Inability to Convene the Board	
Evidence of Indicator in Practice	Data to Determine Impact
Failure to recruit or retain sufficient and appropriate membership based on bylaws	<input type="checkbox"/> Board meeting observations <input type="checkbox"/> Board meeting minutes <input type="checkbox"/> Interviews with board members <input type="checkbox"/> Review of these data against board policies, board bylaws, state open meeting laws
Failure to recruit or retain sufficient depth and diversity of expertise necessary for successful board governance	
Low or decreasing attendance at board meetings	
Low engagement in the school's work	
Minimal knowledge of the school's mission, core operations, or improvement status	

Board's Deteriorating Relationship with Commission	
Evidence of Indicator in Practice	Data to Determine Impact
Inability to accept feedback from staff or Commission	<input type="checkbox"/> Check-ins <input type="checkbox"/> Board minutes <input type="checkbox"/> Conversations with board members <input type="checkbox"/> Conversations with staff members
Decreased frequency or quality of communication with Commission or increased time responding to Commission requests	

Board's Inability to Hold School Leaders Accountable	
Evidence of Indicator in Practice	Data to Determine Impact
Poor relationship between board and school leaders	<input type="checkbox"/> Board minutes <input type="checkbox"/> Check-ins <input type="checkbox"/> Board and school leader evaluations
Inadequate review of school leaders' decisions	
Lack of appropriate structures or tools to execute its strategic vision	
Lack of ability to work with school leaders to implement changes or improvements as necessary	

**Inadequate Board Capacity to Govern**

Evidence of Indicator in Practice	Data to Determine Impact
Lack of ability to work with school leaders to implement changes or improvements as necessary	<input type="checkbox"/> Board minutes  <input type="checkbox"/> Board evaluations
Board practices reflect a lack of distinction between governance vs. management in charter schools (i.e., board attempts to manage the daily operations of a school beyond its formal purview)	
Board does not demonstrate strong governance oversight	
Board members fail to engage with the school	
Board members fail to engage with the community	
Board members do not have requisite content expertise related to core board functions, such as academics, school finances, and school operations	



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## Indicators of Distress Checklist - Operations

### Process

Upon initial warning signs, Commission staff first consult the Indicators of Distress Checklists to determine if warning signs align with Indicators of Distress. If so, proceed to use the Indicators of Distress Monitoring Tool to document and monitor the warning signs to determine if Corrective Action Intervention is necessary.

Breakdown in Compliance and Reporting Functions	
Evidence of Indicator in Practice	Data to Determine Impact
Decision-making that lacks oversight or internal accountability among school leadership and/or the board	<input type="checkbox"/> Documentation of process and procedures for operational decisions  <input type="checkbox"/> Reports to the school's authorizer, state education department, and federal authorities: <input type="checkbox"/> Annual charter report  <input type="checkbox"/> Annual audit reporting package  <input type="checkbox"/> Documentation of compliance activities
Lack of process and procedures for operational decisionmaking among school leadership and the board	
Lack of compliance with relevant reporting requirements (i.e., applicable laws, rules, regulations, and provisions of the charter) to the Commission, OPI, and/or federal authorities	
Missed compliance activities or missed deadlines, such as failure to comply with state and local security and building safety requirements	
Lack of fulfillment of Generally Accepted Accounting Principles (GAAP)	
Evaluation showing the charter holder's annual audit reporting packages do not reflect sound operations	

Failure to be Responsive to Market Needs	
Evidence of Indicator in Practice	Data to Determine Impact
Decrease in student enrollment	<input type="checkbox"/> Enrollment data  <input type="checkbox"/> Student retention data  <input type="checkbox"/> Estimated enrollment figures from the budget  <input type="checkbox"/> Parent surveys Informal parent and community feedback  <input type="checkbox"/> Documentation of community engagement policies and practices
Decrease in student re-enrollment	
Decrease in actual enrollment compared to projected enrollment	
Poor reputation in community, decreasing reputation, or lack of a reputation	
Poor community engagement policies or practices	



## Indicators of Distress Checklist - Finance

### Process

Upon initial warning signs, Commission staff first consult the Indicators of Distress Checklists to determine if warning signs align with Indicators of Distress. If so, proceed to use the Indicators of Distress Monitoring Tool to document and monitor the warning signs to determine if Corrective Action Intervention is necessary.

Failure to Properly Manage Finances	
Evidence of Indicator in Practice	Data to Determine Impact
Unclear budgeting/reporting process	<input type="checkbox"/> Documentation of internal controls <input type="checkbox"/> Borrowing history <input type="checkbox"/> Site visits and/or facility reviews <input type="checkbox"/> Planning and budgeting documentation around facilities <input type="checkbox"/> Documentation of debt default <input type="checkbox"/> Annual and renewal reporting/ audits  Financial reporting metrics: <input type="checkbox"/> Enrollment data Current ratio (current assets divided by current liabilities) <input type="checkbox"/> Unrestricted days of cash on hand <input type="checkbox"/> Debt-to-asset ratio <input type="checkbox"/> Cash flow <input type="checkbox"/> Total margin (net income divided by total revenue)/aggregated 3-year margin <input type="checkbox"/> Debt service coverage ratio (net income + depreciation + interest expense)/(principal and interest payments)
Unaddressed facilities upgrades or repairs	
Debt default (i.e., the school is in default of loan covenant[s] and/or is delinquent with debt service payments)	
Poor near-term financial viability: Falling or variable student enrollment	
Poor near-term financial viability: Low current ratio	
Poor near-term financial viability: Low unrestricted days of cash on hand	
Poor financial sustainability measures: High debt-to-asset ratio	
Poor financial sustainability measures: Low or negative cash flow	
Poor financial sustainability measures: Low or negative total margin/aggregated 3-year margin.	
Poor financial sustainability measures: Low debt service coverage ratio	

Misappropriation of Funds	
Evidence of Indicator in Practice	Data to Determine Impact
Lack of checks and balances in financial decisions among the board and/or school leadership	<input type="checkbox"/> Whistleblower reports or feedback from school stakeholders <input type="checkbox"/> Background checks on school leaders and governing board members <input type="checkbox"/> Cash flow
Mismanagement of financial systems	
Hiring of individuals with histories of misappropriation of funds	



## Indicators of Distress Checklist - Talent

### Process

Upon initial warning signs, Commission staff first consult the Indicators of Distress Checklists to determine if warning signs align with Indicators of Distress. If so, proceed to use the Indicators of Distress Monitoring Tool to document and monitor the warning signs to determine if Corrective Action Intervention is necessary.

Hiring Challenges	
Evidence of Indicator in Practice	Data to Determine Impact
Low or decreased student-to-qualified-staff ratios	<input type="checkbox"/> HR policies and procedures, timelines, and strategy <input type="checkbox"/> Staff roster and student enrollment <input type="checkbox"/> Open staff positions <input type="checkbox"/> Staff credentials data
Poor/lowered qualifications of hires	
Lack of key personnel to meet student needs (i.e., special educators and subject matter experts)	

High Teacher Turnover/Loss of Specialized Staff	
Evidence of Indicator in Practice	Data to Determine Impact
Falling or variable student enrollment	<input type="checkbox"/> Staff retention, annual trends <input type="checkbox"/> Dates of staff departure <input type="checkbox"/> Staff credentials data
High or increased staff turnover	
High turnover or churn of specialized staff, such as special education, ELL teachers	
Staff turnover in the middle of the school year	

Decreasing Teacher Capacity	
Evidence of Indicator in Practice	Data to Determine Impact
Poor qualifications of hires	<input type="checkbox"/> Classroom observations <input type="checkbox"/> Staff interviews/discussions <input type="checkbox"/> Staff credentials data <input type="checkbox"/> Staff support strategy, policies, procedures <input type="checkbox"/> Staff evaluation policy, procedures, staff evaluations
Poor teacher effectiveness	
Lack of adequate/effective teacher evaluation system	
Lack of support for staff (professional development, coaching)	
Lack of leaders using instruction and school assessment data to inform teacher effectiveness supports and professional development	



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## Indicators of Distress Checklist - Culture

### Process

Upon initial warning signs, Commission staff first consult the Indicators of Distress Checklists to determine if warning signs align with Indicators of Distress. If so, proceed to use the Indicators of Distress Monitoring Tool to document and monitor the warning signs to determine if Corrective Action Intervention is necessary.

Poor Student and Family Connection to School	
Evidence of Indicator in Practice	Data to Determine Impact
Frequent or increased parental complaints regarding the school, leader, and/or staff	<input type="checkbox"/> Policy or practices related to family engagement, such as a schedule of communication with families <input type="checkbox"/> Attendance rates <input type="checkbox"/> Chronic absenteeism rates <input type="checkbox"/> Disaggregated attendance, chronic absenteeism by grade, race/ethnicity, socioeconomic status, special education, English Learner status, and gender <input type="checkbox"/> Discipline data <input type="checkbox"/> Disaggregated discipline data, by grade in school, race/ethnicity, socioeconomic status, special education, English Learner status, and gender <input type="checkbox"/> Student re-enrollment rate
Decreased or low student re-enrollment	
High overall chronic absenteeism; high chronic absenteeism for particular student subgroup(s)	
High or increased disciplinary incidents; high or increased disciplinary incidents for particular student subgroup(s)	

Inhospitable Professional Culture	
Evidence of Indicator in Practice	Data to Determine Impact
Staff do not see themselves as part of a team	<input type="checkbox"/> Staff interviews/discussions <input type="checkbox"/> Staff attendance <input type="checkbox"/> Staff retention <input type="checkbox"/> Teacher survey data
Staff plan and prepare for instruction in isolation	
Decrease in staff meetings/collaboration opportunities	
Decrease in teacher attendance	



## Indicators of Distress Checklist - Instruction

### Process

Upon initial warning signs, Commission staff first consult the Indicators of Distress Checklists to determine if warning signs align with Indicators of Distress. If so, proceed to use the Indicators of Distress Monitoring Tool to document and monitor the warning signs to determine if Corrective Action Intervention is necessary.

Poor or Declining Assessment Outcomes	
Evidence of Indicator in Practice	Data to Determine Impact
Poor alignment of goals, vision, and mission to meet students' needs	<input type="checkbox"/> Progress on a school's mission specific academic goals <input type="checkbox"/> Classroom observation data <input type="checkbox"/> Assessment results, annually and trends over time <input type="checkbox"/> Disaggregated student assessment data by grade, race/ethnicity, socioeconomic status, special education, English Learner status, and gender

Lack of Focus on Instruction	
Evidence of Indicator in Practice	Data to Determine Impact
Lack of clear expectations for staff and students	<input type="checkbox"/> Process of developing professional development plan <input type="checkbox"/> Professional development plan <input type="checkbox"/> Classroom observation data <input type="checkbox"/> Teacher interviews and/or surveys <input type="checkbox"/> Assessment schedule School schedule
Lack of teachers using data and school assessment system to inform instruction	
Lack of a professional development plan that aligns with the program of instruction and best practices	
Insufficient instruction time	
Lack of a systematic process for reviewing and evaluating the curriculum, at specific intervals, for alignment with state academic standards and improving student academic outcomes for the population served	

Lack of Cohesion or Alignment in Curriculum	
Evidence of Indicator in Practice	Data to Determine Impact
Poor/lack of alignment of standards, curriculum, assessments	<input type="checkbox"/> Progress on a school's missionspecific academic goals <input type="checkbox"/> Curriculum and assessment documents
Teacher pedagogies inconsistent with the school's mission	