

# **Poudre School District R-1**

## **Charter Application Review Handbook**

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## ***Introduction***

This Poudre School District R-1 Charter Application Review Handbook is adapted from the Colorado Charter School Standard Application, Checklist, and Review Rubric developed in collaboration between the Colorado Department of Education (CDE), the Colorado League of Charter Schools and the Colorado Charter School Institute. The purposes of this HANDBOOK are: (1) to provide guidance for applicants in the preparation and drafting of charter school applications; and (2) to provide standards for the Poudre School District R-1 (PSD) Board of Education and administration to use in evaluating charter school applications. **An applicant's compliance with the guidance and adherence to the standards in this HANDBOOK will not guarantee approval of the charter school application; under the Colorado Constitution such approval rests in the sole discretion of the PSD Board of Education.**

This HANDBOOK is divided into twenty application components. These components are reflective of the matters to be addressed in charter school applications under the Charter Schools Act. Each of the first nineteen components is divided into three sections: a **Component Description**, a **Checklist for Comprehensive Application**, and an **Evaluation Rubric**. The **Component Description** is a narrative designed to give the applicant background information and a general explanation of the component. The **Checklist for Comprehensive Application** may be used by both the applicant and PSD to monitor the completeness of the application. The **Evaluation Rubric** provides PSD with a means of determining the quality of the application component by rating each element on a scale of 1 (does not address criteria) to 5 (fully satisfies criteria), but may also be used by an applicant wishing to address the elements of a high quality school program. In addition to the foregoing, certain components also include a **Fundamental Considerations** section, which specifies essential standards necessary for successful charter school startup and operations.

The format of this HANDBOOK is necessarily compartmentalized into the different application components. However, it is important to remember that each of the components relate to one another. For example, curriculum is not complete without consideration of assessment, and facilities cannot be sufficiently addressed in isolation from budgetary considerations. The completed charter school application should tell a story that relates the application components into one comprehensive package. The vision and mission should be evident throughout the application, and all program elements and resource allocations should be in alignment with the proposed budget and school program.

# Application Components

## A. Executive Summary

Although an executive summary is not required by the Charter Schools Act, it serves as a concise explanation of the proposed charter school and identifies who is submitting the charter application.

This section should be two to three pages long and should include:

- The proposed school's name, grade levels to be served, proposed opening date (month and year), grade levels upon opening, and growth plan (if the school does not plan to initially open with all grade levels).
- Size of the school at build-out, including the number of classes per grade level and the number of students per class.
- Vision and mission statements, including a brief explanation of how they were created.
- A short explanation of the key programmatic features the school will implement in order to accomplish its vision and mission.
- Student body to be served, such as key demographic data, targeted geographical area, etc.
- How the proposed school will be effective in serving the targeted student population.
- Any other unique features, such as a non-traditional school year, longer school day, key partner organizations, multiple campuses, school culture, etc.

## B. Vision and Mission Statements

### 1. Component Description

A charter school application must have a mission statement for the proposed school. Many schools have both a vision and a mission statement. The vision statement is a statement of how the charter school will look once it is operating (the big picture view). The mission statement is how the school intends to make that vision a reality.

The vision and mission statements should be succinct, easy to understand and easy to remember. Many schools post their vision/mission statement throughout their building and use it in their printed materials (e.g., Parent/Student Handbooks and Employee Handbooks). The applicant should resist the temptation to please everyone with these statements. Instead, these statements should define the proposed school for potential students, parents and staff as clearly as possible without the use of education "jargon."

### 2. Checklist for Comprehensive Application

- The vision and mission statements describe the purpose for the charter school with a focus on outputs rather than inputs.
- The vision and mission statements are the driving force and rationale behind all other components of the application. It is obvious that the school's goals, educational program, operations, etc., align with and support the fulfillment of the vision and mission statements.
- The vision and mission statements express the ideal, long-term impact, scope and scale of the school. The vision articulates what the school hopes to be. The mission statement explains how the school will reach that goal.

### 3. Evaluation Rubric

Excellent Vision and Mission Statements have the following characteristics:

- Are clear, focused and compelling.

- Are likely to produce high quality education outcomes.
- Express clear guiding principles.
- Have priorities reflected throughout the application.

## C. Goals, Objectives and Pupil Performance Standards

### 1. Component Description

Accreditation is the process by which school districts and public schools receive certification from the State Board of Education. Accreditation rules are established to foster greater accountability from public schools and school districts for the betterment of public education. This section should be based on the state Accreditation Indicators, which can be found on CDE's website. PSD may use this section of the application as a basis for the accreditation plan it creates with the approved charter school. The application should reflect an understanding of PSD's accreditation requirements, with a clear plan from the applicant outlining how data will be obtained and how that data will be provided to PSD for its accreditation contract requirements with CDE.

It is understood that there are not actual baseline test scores, attendance rates or other data before the school is established. A charter applicant can either use PSD's average as a baseline and/or state that a baseline will be established in the first year of operation.

In Colorado, there are multiple forms of accountability by which public schools, including public charter schools, are measured. The State Board of Education has approved accreditation contracts with each of the school districts. School districts in turn accredit each of their public schools. The process for individual public schools to be accredited oftentimes mirrors the school district's accreditation plan. Reviewing PSD's accreditation plan is essential before writing this section.

In addition to Accreditation Indicators required by state law, a charter school may choose to have other measures for which they wish to be held accountable. Those indicators may include school climate or culture. The applicant should only include measures to which it is willing to have its proposed school be held accountable over time, as these additional indicators would become a part of the school's accountability plan.

### 2. Checklist for Comprehensive Application

- Provide goals that align with PSD Accreditation Indicators.
- Specified goals for making Adequate Yearly Progress (AYP).
- Goals are written "SMART" (Specific, Measurable, Attainable, Reflective of the school's mission and Time-phased), which includes objectives and benchmarks (or state that a baseline will be established and how/when).
- Goals in addition to Accreditation Indicators match the proposed school's mission and are based on valid and reliable methods to measure progress in non-Accreditation Indicator areas of school performance.
- Outline of how data will be obtained and how that data will be provided to PSD.

### 3. Evaluation Rubric

An excellent Goals, Objectives and Pupil Performance Standards Plan will have the following characteristics:

- Alignment with the school's vision/mission and the eleven Accreditation Indicators.
- Goals that are clear, specific, measurable, attainable, reflective of the school's mission and time-phased.
- Objectives that clearly support the goals.
- A clear plan for the school to meet AYP.

- Plan for measuring student longitudinal growth in addition to the state model, including data for Gifted and Talented (GT) students, English Language Learners (ELL) and Special Education students.
- Clear, realistic strategies for improving student achievement and closing achievement gaps for all groups of students.
- Understanding of and strategy for complying with state achievement and reporting requirements including those related to accountability reporting and Accreditation.

## D. Evidence of Support

### 1. Component Description

The application should include the aggregate number of students interested in the charter school at the different grade levels. To further demonstrate support, disaggregate the number of prospective students by zip code, school of attendance, gender and/or type of current school (home, private, public). After the charter school is approved, the founders will go through an enrollment process and verify which students will be attending the charter school.

It may be helpful to include letters of support from community leaders, business people or elected officials. These letters should state why the individual believes a new charter school would best serve the community.

The application should explain how students and parents were informed of the proposed charter school and describe any community meetings that were held. Outreach activities should be diverse and designed to reach all students in the community, thereby ensuring equal access. If relevant to the community, meetings should be bilingual.

The application should explain the applicant's ties to and knowledge of the community. If the applicant has established any partnerships or networking relationships, they should be described along with any resources or agreements that are planned. The application should also specifically address what type of outreach activities have been made to at-risk populations.

### 2. Checklist for Comprehensive Application

- Information about the proposed charter school's student body, including the intended students' educational needs and demographics (racial/cultural, socioeconomic, special needs, and ELL). The application, in its entirety, reflects an understanding of the intended student population.
- A description of the type of outreach the applicant conducted to make the student population and their families aware of the proposed charter school. This should include future plans if the charter school is approved.
- A summary of the number of students expressing an interest in the proposed school. This information should be disaggregated in a manner showing additional information about the prospective students.
- Information on community members and leaders who publicly support the proposed school and their role (if any) in the development of the school and application.
- If there are any partnerships or networking relationships, provide an explanation of the planned resources or agreements that have been discussed.

### 3. Evaluation Rubric

Evidence of Support means:

- A complete explanation of the student population the school intends to serve.
- An adequate number of parents, teachers, pupils or any combination thereof support the formation of this proposed charter school.

- Sufficient demand for the school exists and is aligned to the school's growth plan.
- Community notification of the proposed charter school was broad enough to provide equal opportunity for students to enroll.

## E. Educational Program

### 1. Component Description

The application should include a description of the school's educational program, pupil performance standards and curriculum, which must meet or exceed content standards and must be designed to enable each pupil to achieve such standards. Content standards are specific statements of what a student should know or be able to do relative to a particular academic area or areas. Instruction and assessment, in a standards-based system, should be aligned with Colorado's content standards.

There should be a current research basis for selecting a particular curriculum. The research should support using the curriculum with the student body the proposed school will likely attract, and benchmark assessments should be chosen to align with the chosen curriculum.

All core content areas plus supplemental or elective areas should be described. If certain characteristics of the school culture are critical to the overall educational program (i.e., small school size, character education and high expectations), the research basis should thoroughly support the unique educational program design.

### 2. Checklist for Comprehensive Application

- Core content areas are described, including the curriculum, and supported by research matching the probable student population for the proposed school.
- Description of the educational program provides an explanation of how the curriculum is aligned to state model content standards.
- Description explains why the selected curriculum was chosen for the anticipated population of students.
- Supplemental curricula for electives or "special" courses is thoroughly described and based on state model content standards when available.
- Other vital aspects of the educational program design are thoroughly described and supported by research findings.

### 3. Evaluation Rubric

An excellent proposal will demonstrate the following qualities related to the Educational Program:

- The curriculum framework is clearly presented, aligned with the school's vision/mission, and provides an appropriate level of detail for the objectives, content, and skills for each subject and for all grades the school will serve.
- The curriculum is supported by research, by applicant experience and/or by sound reasoning behind its selection.
- Evidence is provided that the educational program is a good match for the intended student population.
- A clear outline of how the school will monitor the implementation of the curriculum. The plan identifies a timeline, a lead contact and specific action steps.
- A clear outline of how the school will use information from the curriculum monitoring process to facilitate professional development and continuous improvement in the education program. The plan identifies a timeline, a lead contact and specific action steps.
- The school day and school calendar are structured in ways that align with the educational program. The calendar and daily schedule reflect the minimum number of hours required by state law.

- A convincing plan for ongoing curriculum development (e.g., revision of standards and benchmarks, improvement of curriculum alignment and assessment development) and Performance Management is in place for use in data-driven decisionmaking.
- A plan for the development, mentorship, retention and regular evaluation of staff that is manageable and is clearly linked to the school's mission and educational program, including a timeline, a lead contact and specific action steps.
- Evidence that school staff will be held to high professional standards.

#### 4. Fundamental Considerations

- **The application should either identify an established curriculum, or describe a curriculum innovation or a new curriculum to be implemented in the school. In any case, the proposed curriculum and its educational benefit should be research-based.**
- **The proposed curriculum should be articulated within and between grades served by the school, and should be aligned with Colorado and PSD standards and assessments.**
- **The proposal should include sufficient qualified personnel adequately covered by the budget to implement the proposed curriculum, instruction and assessments.**
- **The proposal should include appropriate textbooks, sufficient lab and instructional equipment and materials, and sufficient computer and Internet access to implement the proposed curriculum, instruction and assessments.**

#### F. Plan for Evaluating Pupil Performance

##### 1. Component Description

A charter school application should include a clear plan for evaluating pupil performance across the curriculum. This plan should align with state performance standards as well as with the school's pupil performance goals, and should be presented along with a clear timeline for achieving these standards/goals. A clear explanation of the types of assessments and frequency of administration should be included reflecting thoughtfulness given to tracking student progress, while still preserving as much class learning time as possible. A plan for the use of data gathered through assessments should include procedures for taking corrective action (both individually and collectively) if pupil performance falls below expected standards.

A quality assessment plan will include summative (end-of-year) assessments as well as formative (more frequent, end of unit assessments) to track student skill and knowledge development. The plan will include how this data will be used to guide professional development of teachers as well as how this data will be used to guide refinement of the curriculum.

When developing the assessment plan, consideration should be given to: the appropriateness of assessments to the curriculum; what will serve as baseline for student progress comparisons; the inclusion of state and federal assessments to demonstrate appropriate student growth (i.e., Colorado English Language Assessment (CELA), Colorado Student Assessment Program (CSAP), Colorado Basic Literacy Act (CBLA) and AYP; the ability of the assessment plan to provide for the early detection of students struggling with curriculum content; and the ability of assessments to reflect the use of basic skills at grade-appropriate levels (i.e., reading, writing, problem-solving, etc.).

All Colorado public schools, including charter schools, are subject to the CSAP, which is aligned with the model state content standards. In addition, all Colorado public schools, including charter

schools, are subject to the CBLA, which mandates that all students will be reading on the third grade level by the end of third grade before they can move on to a fourth grade reading class. This law requires that the reading growth of all students be monitored carefully from kindergarten through third grade. Students not reading on that grade level must be placed on Individual Literacy Plans (ILP) through high school. CSAP is an integral part of this process and all third graders are required to participate in the state reading program and test, which is a part of CSAP.

Colorado public schools are also held responsible for demonstrating AYP. Under the No Child Left Behind (NCLB) Act, all states, school districts, schools and subgroups of 30 or more students within each school are required to make AYP. It represents the annual academic performance targets in reading and math that the state, school districts and schools must reach to be considered on track for 100% proficiency by school year 2013-14. To make AYP a school must: (a) assess 95% of its students; (b) reach targets for either proficiency or reduce non-proficiency; and (c) reach targets for one other indicator -- advanced level of performance for elementary and middle schools and graduation rate for high schools.

If the application includes high school, include graduation requirements and how those requirements meet standards put forth by the Colorado Commission on Higher Education for college preparation or how the school's requirements will prepare students to enter the workforce.

## 2. Checklist for Comprehensive Application

- A plan is in place explaining the use of internal assessments to include baseline data gathering, short- and long-term goals, types of assessments, and how the school will use this information to revise professional development and instruction.
- The application describes what formal assessments will be used in addition to CSAP that align with the school's goals and that meet requirements of the CBLA, accreditation, longitudinal growth measures, and federal requirements such as NCLB and AYP.
- The application describes which assessments will be used for literacy testing, and the process used to bring students up to grade level in reading, as required by the CBLA.
- The application explains how the school will collect, analyze, triangulate and manage data on an ongoing basis. The school has created a Data Management Plan to include a Student Information System and Academic Data use summary and timeline of the plan. It identifies what other tools and resources will be used for data management purposes, such as an internal database, data management service, etc. This section also explains how budget resources have been allocated to support these staffing and resource decisions.
- The application explains how student assessment and progress will be appropriately communicated to parents, PSD and the broader community.
- Clear information of requirements for promotion to the next grade level or for graduation requirements aligned with the Colorado Commission on Higher Education (CCHE) and District requirements as they pertain to a high school are included.
- In compliance with C.R.S. § 22-30.5-106 (f), the application provides a description of the charter school's procedures for taking corrective action in the event that pupil performance at the charter school falls below the achievement goals approved by PSD in the charter contract. To include a timeline, responsible person and staffing changes as appropriate.

## 3. Evaluation Rubric

An excellent Pupil Performance Evaluation Plan will include the following characteristics:

- Alignment with the school's mission and clearly defined educational objectives.
- Evaluation that is sufficiently frequent and detailed to determine whether students are making adequate progress.

- Adequate information on how the school will use a data management system to collect and analyze student academic achievement data, use the data to modify instructional practices and report the data to the school community.
- Clear description of the expected range of assessment tools including, but not limited to, state-mandated assessments.
- Strategies to monitor all students at the school and to take appropriate corrective action including a timeline, a lead contact, and specific action steps (such as a Response to Intervention model).
- Clear procedures for taking corrective action in the event that pupil performance falls short of the goals.
- Plan for administering statewide assessments as required by Colorado law.
- Plan for sharing CSAP results with each student's parent or legal guardian, PSD and the broader community.
- If the application includes a proposed high school, a description of the graduation requirements that align with CCHE's admission requirements or to graduates' ability to enter the workforce.

## G. Budget and Finance

### 1. Component Description

The budget and financial plan for the charter school must include a plan for revenues and expenditures and a plan for compliance with state and federal accounting and reporting requirements. The plan should demonstrate diligent financial practices, clear alignment to the other components in the application, and strong oversight. Particular attention should be given to facility and salary costs, as these often represent a large portion of the school's budget.

The proposed budget should be based on reasonable estimates that reflect choices made throughout the rest of the charter application. For example, enrollment projections used elsewhere in the application need to be the same enrollment projections used in the development of the budget. Facility, insurance and employment plans discussed in other sections of the application should be reflected in the budget, along with the basis for given assumptions.

The budget should demonstrate an ability to understand the sources of funding available to the charter school and the types of expenditures required to operate the charter school. The primary source of revenue is Per Pupil Revenue (PPR). There are several other sources of revenue, some of which are temporary or restricted and some of which are dependent on market factors other than enrollment. However, PPR is the guaranteed stream of revenue which makes up most of the funding the school receives. When developing the budget, all ongoing expenditures required to operate the school should be supported by PPR.

A charter school authorized by PSD receives 100% of the District's PPR, less up to 5% of the District's PPR which PSD may retain to cover the charter school's portion of PSD's central administrative overhead costs. When projecting revenue numbers, the single most important factor to understand is enrollment. Enrollment projections must be accurate, and it is best to project conservatively for budget purposes. Other sources of revenue can be very helpful in funding specific programs or in helping with startup costs for new charter schools. These sources may include federal and private grants.

When planning expenditures, it is important to understand how choices affect different areas of the budget. For example, the smaller the class size the less revenue there is to spend. Also, the more staff there is in the school the less money per staff member there is to spend. Finally, as another example, the more money spent on facility costs the less money there is for salaries and other discretionary items.

In nearly all cases, the combination of facility costs and staff salaries/benefits represents close to 75% of spending in charter schools. As such, close attention should be paid to these two areas. In addition to these two areas, other items that need to be planned for financially include special education, various professional services, classroom supplies and materials, general supplies and materials, and liability insurance. Existing Colorado charter schools that have a similar mission/philosophy are a good resource for assistance with planning expenditures.

In addition to budget projections, the charter school must comply with other requirements related to its finances. In summary, the charter school needs to set up proper accounting procedures to safeguard its assets and to ensure accurate financial reporting. At the same time, it is important to be able to provide financial information in a clear, understandable format that allows the school's directors and administrators to make sound financial decisions.

## 2. Checklist for Comprehensive Application

- The plan includes a budget for the proposed initial term of the charter, realistic assumptions and their basis, a cash flow projection for the first year of operation, minimum enrollment needed for solvency, and adequate staffing that fits with the narrative in educational and other related application sections.
- The budget reflects an understanding of specific legal requirements, including separation of the general fund and the capital reserve fund, direct student instructional expenses, Colorado Public Employees' Retirement Association (PERA) contributions, as well as a three percent TABOR reserve (Colo. Const. art. X, § 20) each year.
- The budget narrative reflects the financial policies and procedures plan, anticipated management plan that will ensure checks and balances in cash disbursement, and alignment with the school's mission and goals.
- The budget narrative includes a basic startup plan (facilities funding and Furniture, Fixtures and Equipment (FFE) acquisition), the curriculum and professional development plan, and the school growth plan to include needed staff along with adequate financial allocations and anticipated timelines.
- The budget is set up in such a way that it reflects an understanding of CDE's Chart of Accounts and PSD's financial reporting requirements.
- The budget does not include any "soft funds," such as grant money or donations; it includes only grants or donations that have already been received or for which commitments have been received.
- Evidence is provided for anticipated fundraising and grants, if cited in the application.
- The proposed budget balances each year and includes a plan to reach at least a five percent reserve (in addition to the TABOR reserve) by the end of the initial term of the charter, which the school can use for emergency purposes or as a long-term reserve.
- The application describes the process the school will follow to contract with a Certified Public Accountant to conduct an annual, independent financial audit. It explains how the school will remain fiscally solvent, adhere to generally acceptable accounting practices, have no material breaches, will address any concerns, and will disseminate the results from the audit to PSD and required state agencies.
- The application includes a list of planned services to be contracted to outside providers.

## 3. Evaluation Rubric

An excellent proposal will present a Financial Plan with the following characteristics:

- Adequate budget assumptions and financial planning based on realistic revenue and expenditure projections and/or quotes for the initial term of the proposed charter. These budget assumptions should be based on a minimum number of students needed for financial viability in addition to 100% of anticipated enrollment.

- Spending priorities that align with the school’s mission, curriculum, plans for management, professional development and growth.
- Three percent TABOR reserve, allocation of funds to capital reserve and insurance, PERA, and direct student instructional allocations as required by law.
- Budget format as prescribed by the proposed authorizer.
- Realistic cash flow projection for the first year of operation, including a plan for funding cash flow shortfalls.
- A sound financial management system proposed with adequate checks and balances, controls and staffing.
- A plan for making required school and employee contributions to the Colorado PERA is included.
- There is an adequate and reasonable plan to manage startup costs without complete dependence on federal or private grant funds.
- There is a description of how the school will conduct an annual audit of the financial and administrative operations of the school.
- There is a description of services to be purchased from outside vendors.

#### 4. Fundamental Considerations

- **A budget should be presented for the proposed initial term of the charter (typically 3-5 years) that is balanced, sustainable, reflects prudent reserves to be carried over from year to year, and satisfies all applicable legal requirements.**
- **The budget should be presented on a form and/or in a format prescribed by PSD’s Controller or Budget Manager. This shall include for each year of the proposed initial term (a) one budget reflecting the number of students reasonably anticipated to be enrolled in the school, and (b) another budget reflecting the minimum number of students that can be enrolled and still allow the school to remain economically viable.**
- **The budget should include all necessary costs and expenses in realistic amounts to cover each part of the application proposal and all applicable legal requirements concerning: (a) curriculum, instruction and assessment; (b) students with special needs; (c) facilities and operations; (d) personnel management, supervision, compensation and benefits; (e) insurance; and (f) reserves.**
- **The budget should include sufficient revenue from reasonably reliable and (except with respect to start-up costs) sustainable sources to cover all necessary costs and expenses of each part of the application proposal and all applicable legal requirements. This includes aggregate information concerning the grade levels and schools in which prospective students are currently enrolled. “Prospective students” are those whose parents/guardians have submitted written statements of intent to enroll them in the school.**

#### H. Governance

##### 1. Component Description

The charter school’s governance structure is extremely important to the school’s success. Oftentimes, a proposed charter school’s applicant team transitions to become the school’s founding governing board. The charter school application should describe the process involved in developing the applicant team and the individual expertise represented on the steering committee; the process to appoint or elect the initial governing board; how and when bylaws will be adopted by the board; the governance structure for the school; the nature and/or extent of parental and/or community

involvement in governance; and the amount of authority the governing board will convey to the school's head administrator, along with a clear delineation of their respective roles and the means by which the lead administrator will be evaluated.

The number of directors on a charter school board should not be less than five and it is generally considered a best practice to have no more than nine directors. Any board member's actual or potential conflict of interest should be disclosed and addressed. A good way to mitigate any potential issues with board members is to have the governing board adopt and use a Board Member Agreement. These agreements stipulate the qualifications, responsibilities and expected behaviors of individual board members and the governance structure. If the applicant team intends for the approved charter school's governing board to use a Board Member Agreement, it should be included as an attachment to the application.

The application should describe the school's legal status. Many charter schools file articles of incorporation and bylaws with the Secretary of State in order to have their school recognized as a corporation. The articles and bylaws define the authority that rests in the charter school governing board and, in essence, "who holds the charter." These legal issues should be discussed with a charter school attorney before decisions are made. Additionally, the charter school can apply for its own tax-exempt status with the IRS.

The charter school must operate in compliance with the Colorado Open Meetings Law and Colorado Public Records Act, as well as the federal Family Educational Rights and Privacy Act.

If the charter school will be contracting with an Educational Management Organization (EMO), relevant documents and a full description of the relationship between the school and the EMO must be provided.

Every charter school governing board should have a set of board policies. Much of what is included in the application may become board policy. For instance, the school's vision/mission statement, legal status, enrollment policy, discipline policy and nondiscrimination policy may all be in the board policy book. These board policies should be made available to school staff and families. Generally, schools put these policies on their website and have them available in the school office.

Attach to the application:

- Governing board bylaws.
- Articles of Incorporation (optional)
- Organizational chart explaining the relationship between the board, the lead administrator, subcommittees and/or advisory committees
- Resumes of applicant team members and/or founding board members
- Draft of initial board policies
- Draft of the Board Member Agreement (optional)
- Draft of Conflicts of Interest and Grievance Process board policies

## **2. Checklist for Comprehensive Application**

- The proposed bylaws explain powers and duties, size, terms, composition, qualifications, term limits, officer positions and duties, election procedure, vacancy replacement, minimum number on the board, quorum and decision making process, how board members are elected or appointed, and when this takes place.
- An explanation of the proposed transition from an applicant team to the founding governing board, including the identification of individuals making the transition. This description of the transition process should explain when the governing board will be seated and assume responsibility for school governance. Further, how the transition plan will provide for a smooth shift of responsibilities and how the founder's original vision and mission will be brought to fruition.

- A plan is included for how a lead administrator will be hired and how the transition of leadership will happen
- Resumes for applicant team and/or founding governing board members are attached.
- A plan for ongoing board training and capacity building is included in a board calendar.
- An explanation of the proposed board meeting frequency and focus, the role of any standing subcommittees (e.g., school advisory council) is included.
- A detailed description of the responsibilities of the school's advisory council and its role in relation to the school's board of directors and administration is included. This section demonstrates that the applicant thoroughly understands statutory guidance on school advisory councils (or accountability committees) and commits to forming such a committee or has requested a waiver with a complete replacement plan.
- An explanation of compliance with Open Meetings and Open Records laws is included.
- An initial draft of board policies is attached to the application.
- Draft policies for conflicts of interest and a grievance process are included.
- A description of the relationship between the governing board and the lead administrator, including the amount of authority the governing board will convey to the lead administrator.

### 3. Evaluation Rubric

An excellent application will demonstrate the following characteristics related to the Governance and Management Plan:

- Proposed board members will contribute a wide range of experience and expertise (such as education, management, financial planning, law, and community outreach) that will be needed to oversee a successful charter school.
- Clear description of transition from a developing team to a working board, selection and removal procedures, term limits, meeting schedules, powers and roles of board members, and how decisions will be made and recorded.
- Clear distinction between the roles and responsibilities of the board members and school administrators.
- Plan for meaningful involvement of parents and community members in the governance of the school.
- Organizational plan that clearly outlines roles and responsibilities for successfully implementing the school's program, including an internal and external evaluation plan.
- Legal status of the proposed school is clearly explained. Pertinent documents are included as attachments (i.e., articles of Incorporation and bylaws).
- Comprehensive plan for providing annual board training in vital subjects to include Open Meetings and Open Records laws for new board members.
- Sufficient resources and support for transition from applicant team to founding governing board and administrator structure prior to the school's opening.
- Conflicts of Interest policy delineates actual and potential conflicts, and how they will be appropriately addressed.
- Grievance process is clear and follows an appropriate route for resolution of concerns raised by students and parents.

#### I. Employees

##### 1. Component Description

The application must provide an explanation of the relationship that will exist between the charter school and its employees. This must include evidence that the terms and conditions of employment are addressed with affected employees and their recognized representative, if any. In addition, proposed employment policies must be included.

Charter schools and their employees must participate in PERA. This is in lieu of participation in Social Security, which makes up the majority of the Federal Insurance Contributions Act (FICA) payroll tax. However, the Medicare portion of FICA is still paid by the employees and matched by the employer.

With the growing presence of private educational management organizations in Colorado, questions are arising about the nature of employees in some charter schools. This is a result of some educational management companies treating employees as employees of the private company, as opposed to employees of the public school. These determinations need to be made with legal counsel, but the nature of employees must be clearly outlined in the charter application.

## 2. Checklist for Comprehensive Application

- An organizational chart is included as an attachment, which describes and explains the relationship between administrative, teaching and support staff.
- A narrative description gives clear delineation of employee classifications and who is responsible for employment decisions and oversight at each level of the organizational chart.
- Job descriptions for administrator, teachers (to include qualifications to meet NCLB standards, as well as what licensure and/or certification is required by the school), and key employees are included.
- Descriptions of key employee policies to include employment practices, benefits, leave policies, grievance policy, conflict of interest policy, harassment, drug-free workplace, classroom practices, evaluation practices, etc., are attached.
- A clear plan of support for staff development and funding is included.

## 3. Evaluation Rubric

An excellent application will address the following regarding the Employment Plan:

- Explanation of the relationship that will exist between the charter school and its employees, with employee classifications clearly defined.
- Employment policies of the school.
- Clear standards are in place for determining staff qualifications to meet NCLB and any licensure requirements.
- A clear delineation of the role of the lead administrator, to include the lead administrator's role with respect to employee hiring, evaluation and firing.
- A clear plan is in place for a comprehensive evaluation system in alignment with the school's mission, goals, curriculum assessment and professional development of staff, with intent of that plan described.

## 4. Fundamental Considerations

- **Instructional, supervisory and administrative employees should be provided to effectively implement the proposed school and program(s).**
- **The application should include a method of ensuring that all employees hired for the school have legally required and appropriate education, training and experience, including but not limited to required background checks and satisfaction of the "highly qualified" requirement under the No Child Left Behind Act.**

## J. Insurance Coverage and Risk Management

### 1. Component Description

Charter schools must have appropriate insurance coverage. This includes workers' compensation, liability insurance, and insurance for the school's building and its contents. Charter schools are public entities and liability is limited by the Colorado Governmental Immunity Act.

PSD's Risk Manager is a good resource for finding information about particular insurance needs. In addition, the Colorado School Districts Self Insurance Pool is the insurance provider for many charter schools and can provide information. Once insurance needs are understood, costs need to be estimated and incorporated into the proposed budget that includes reasonable assumptions or quotes. The selected or intended insurance coverage should be commensurate with the overall school program and risk factors.

### 2. Checklist for Comprehensive Application

- A list of the types of insurance for which the charter school will contract.
- Fiscal impact of appropriate insurance coverage is evident in the budget.

### 3. Evaluation Rubric

An excellent application will provide adequate assurance that the school will meet applicable insurance requirements with reasonable assumptions for the cost.

### 4. Fundamental Considerations

- The proposed school and/or program(s) should not create unacceptable liability exposure for the District.
- The application should provide for adequate insurance against state and federal claims, workers' compensation claims, and property losses.
- The application should ensure that the school agrees to indemnify and hold harmless PSD against state and federal claims for which the school is responsible.

## K. Parent and Community Involvement

### 1. Component Description

One of the most distinctive characteristics of charter schools is that they are schools of choice. Due to this characteristic, many charter schools have a small school atmosphere and a culture of "everyone belongs to the community." The application should demonstrate the expectations and plans for ongoing parent and community involvement and the support of volunteers through specific volunteer networks.

It is important for charter school developers to provide adequate notice to the community about the possibility of the new charter school. Some parts of the community may need additional outreach. For example, fliers may need to be published in a second language. Many charter developers have delivered fliers to individual homes in a community.

The applicant's communications should be clear about what the new charter school will look like and the process for getting the school approved. The applicant's communications should also establish early the school's value for meaningful parental involvement; explain to parents their role in the charter school through volunteering, monitoring their child's education and holding the school

accountable; and designate an individual on the steering committee to follow up with parents who are interested in getting involved with the development of the charter school.

Applicants may wish to network with established civic and other organizations in the community the school will serve. This might include arrangements to have parent information meetings in that community. To the extent possible, outreach efforts should include a broad cross-section of the community.

## 2. Checklist for Comprehensive Application

- A sound plan and timeline are in place to reach a diverse student population.
- Parent involvement in the development of the school is clearly stated along with volunteer requirements and opportunities after the school is open.
- Partnerships or plans for community involvement are clearly defined in the application, along with the purpose and expectation. Adequate evidence demonstrates assurance of these partnerships.

## 3. Evaluation Rubric

A sound Parent and Community Involvement plan will have the following characteristics:

- Informs parents and members of the community about the operations of the school, including providing information about the school to students of all races, languages and abilities; a timeline for implementation; a lead contact; and specific action steps.
- An overview of how the parents and community were involved in the development of the school.
- Specific strategies to reach at-risk students and families who might not be aware of this school.
- Evidence such as letters of support, letters of intent, or MOUs, that the proposed school is welcomed by the larger community, has formed partnerships with community organizations, and is viewed as an attractive educational alternative that reflects the community's needs and interests.
- Detail is given of the types of volunteer requirements and opportunities that are available for the parents/guardians of the school's students and the larger community.

## L. Enrollment Policy

### 1. Component Description

The Charter Schools Act allows the authorizer and the charter applicant the flexibility to use any enrollment policy, such as a wait list or lottery. The federal subgrant, administered by CDE, requires the use of a lottery. Many charter schools have elected to use a lottery in order to access these startup and implementation grant funds. The Charter School Program Grant is the only federal grant requiring the use of a lottery. A charter school is required to use an approved lottery only during the time it is spending or encumbering these grant funds.

The lottery policies and plan for enrollment should demonstrate how the school plans to enroll the intended student population. State law does require a public charter school to not discriminate on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, or need for special education services. It is important to distinguish between admission decisions and academic placement decisions. The Charter Schools Act prohibits discrimination based on academic ability. Diagnostic or placement exams may be given to students after they have been officially enrolled.

#### Charter School Lottery Policies Should Address:

- The date of the annual lottery.
- The definition of “founding family” and “teacher” children not to exceed 20% of the lottery.
- How the community will receive adequate notice about the formation of a new charter school.
- Any requirement for parents to reaffirm their intent to enroll on an annual basis.
- What happens to names not drawn in the lottery.
- How siblings of enrolled students are handled in the process.
- How long parents have to make a decision on whether or not their child will attend the school.

## 2. Checklist for Comprehensive Application

- A proposed policy or description detailing how the charter school intends to select students for enrollment, including the proposed timeline, description of wait list or lottery process, any enrollment criteria, or pre- or post-enrollment testing.
- An explanation of the process that will be used to transfer student records to or from the charter school or a plan to develop such procedures.
- An explanation of how the community will receive information about the formation of a new charter school and any upcoming lottery or enrollment deadline.
- An explanation of the notification of placement and how long parents have to make the decision to accept or not accept. Contents of enrollment packet should be explained, along with an ongoing data information and communication plan.
- An explanation of the requirement of parents to reaffirm intent to enroll on an annual basis.
- A clear definition is provided for “founding family” and “teacher” and any preferences given them in the lottery, not to exceed 20%.

## 3. Evaluation Rubric

An excellent Enrollment Policy will have the following characteristics:

- Clear description of the enrollment policy consistent with the requirements of C.R.S. § 22-30.5-104(3).
- Explanation of criteria for enrollment decisions.
- Clear procedures for withdrawals and transfers from the school that will support an orderly transition for exiting students, or a clear plan for developing such procedures.

## M. Transportation and Food Service

### 1. Component Description

A charter school may choose not to provide any transportation or food services, or may choose to negotiate with a school district, BOCES or private provider to provide transportation services, or with a district or private provider for food services for its students. Colorado law does not require a charter school to provide transportation or food services.

If a charter school chooses to provide transportation or food services, a plan for each area must be included in the application. The transportation plan should include provisions for transporting students to and from the charter school and their homes, and to and from the charter school and any extracurricular activities. For food services, the plan should include a description about how this service will be offered either initially or at a later time. In addition, a description of how the charter school plans to meet the needs specifically of low-income and academically low-achieving pupils should be included for both.

The provision of transportation services has several implications. First of all, the cost must be included in the charter school’s budget. Secondly, insurance and liability issues must be addressed

when assessing the charter school's overall insurance needs. Insurance coverage should meet required thresholds for liability whether the school uses public or private vehicles.

Finally, many federal and state rules and regulations relate to the provision of transportation services. One specific rule to be aware of is that any small vehicles or school buses owned and operated by a charter school or under contract must meet the safety and operating standards as prescribed in State Board of Education Rules.

Schools with a significant number of students who could qualify for the Free and Reduced Lunch (FRL) program may wish to consider offering some sort of lunch program. The provision of food services may or may not have a negative effect on the school's budget. The school must collect FRL qualifying information from students, and that process should be included in the food services plan. (Schools not providing a lunch program will still collect this information, but using a different form.) The plan should include whether the school intends to use a private or district food services provider, how the FRL qualification forms will be distributed, collected and recorded, and how the facility will be brought into compliance or be built to meet any federal requirements for food warming or preparation, if needed to meet FRL regulations. The charter school can only be reimbursed for its FRL program through an authorized "school food authority." If the school will not be using an approved FRL program, or provide any lunch program, this section should include how students who would qualify for a Free or Reduced-price lunch and how students who forget their lunch will be accommodated.

## 2. Checklist for Comprehensive Application

- A description of the charter school's transportation plan including the transportation of low-income and academically low-achieving students.
- A description of daily route and extracurricular transportation needs is included and there is an adequate plan for addressing these needs.
- A plan is in place for adequate safety measures and insurance coverage for the transportation of students to and from school events using private or school vehicles.
- If the school does plan to offer a FRL-qualifying hot lunch program, details should be included about how this service will be provided, reimbursed through an authorized "school food authority" and any other applicable state or federal regulations.
- If the school does not plan to offer a lunch program, this section addresses how the school will address the needs of students who forget or cannot provide a lunch.

## 3. Evaluation Rubric

An excellent Transportation and Food Service plan will have the following characteristics:

- Statements regarding whether the school plans to provide transportation and/or food services for its pupils, including low-income and low-achieving students.
- Clear description of how the school plans to meet the transportation needs of its pupils for daily route and/or extracurricular needs, if applicable.
- Clear description of how the school plans to meet the food service needs of its pupils, if applicable.
- Viable financial plan addressing transportation and food service needs.

## N. Facilities

### 1. Component Description

One of the greatest challenges to opening a new school is finding a suitable facility. The most important thing during the application process is to plan as much as possible and to clearly articulate those plans. It can be difficult to negotiate for facility space without having an approved charter. It is not necessary to have a signed formal agreement for a facility during the application process, but any viable options should be explained and should include reasonable space requirements, a

reasonable plan for space utilization, a discussion of how the facility will be ready for use when the school opens and, most importantly, reasonable costs of that facility which must be reflected in the proposed budget.

Charter schools may rent, lease, own, or otherwise finance facility space. In some cases, a school district may have an unused facility; in other cases, a charter school may share space with another tenant. Many charter schools have been able to finance their own facilities with tax-exempt bond financing through the Colorado Educational and Cultural Facilities Authority (CECFA), but these are typically established schools.

With any facility, building permits and inspections are required. Life and safety requirements (including asbestos regulations) apply to rented or contributed facilities as well. The state is responsible for issuing certificates of occupancy for public schools through the Department of Labor. In addition, the applicant should contact the community's planning and zoning department, as well as PSD's facilities director, for further information concerning the permit, life and safety and inspection requirements of local entities.

## 2. Checklist for Comprehensive Application

- A facility needs assessment including how many classrooms are needed, how many specials rooms are needed (art, music, gym), minimum size of each classroom, library space needed, number of bathrooms needed, number of offices needed, amount of common space needed, outdoor space needed, overall size, cost per square foot, zoning and occupancy requirements, and how each facility aligns with the facility needs assessment is included in the narrative.
- If additional funds or financing will be needed to bring a facility online, the application narrative and attached budget identify potential grants and/or lending sources. If real estate consultants are involved, a brief description of the relationship and budget impacts is included.
- A target location and prospective sites are given based on school design and intended population, with an explanation of prospective school sites and assistance to find them.
- An explanation of fund allocation is included based on estimated renovation costs, square foot needs per pupil and cost per square foot, average square foot costs in the intended location, and the percentage of budget designated for facility needs.

## 3. Evaluation Rubric

An excellent Facility plan will have the following characteristics:

If a facility has been identified --

- Designation of the proposed facility and alternatives.
- Evidence that facility will be appropriate for the educational program of the school and adequate for the projected student enrollment.
- Adequate reflection of the costs associated with the proposed facility in the budget, including rent, utilities, insurance and maintenance.
- Assurance that the proposed facility will be in compliance with applicable building codes, health and safety laws, and with the requirements of the American with Disabilities Act (ADA).
- A sound plan to identify needed renovations as well as the funds and a timeline for the completion of those renovations.

If a facility has not yet been identified –

- Description of anticipated facilities needs, including evidence that the facility will be appropriate for the educational program of the school and adequate for the projected student enrollment.

- Inclusion of costs associated with the anticipated facilities needs in the budget, including renovation, rent, utilities, insurance and maintenance.
- Evidence to indicate that facilities-related budget assumptions are realistic based on anticipated location, size, etc.
- Assurance that the proposed location will be in compliance with applicable building codes, health and safety laws, and with the requirements of the ADA.
- Plan for finding a location, including a proposed schedule for doing so.

#### 4. Fundamental Considerations

- **The application should specify one or more appropriate sites for the school that are available when needed and meet all applicable codes and zoning laws. Proposed sites should be priced for either rental or purchase based on a firm commitment or on prevailing market prices, and the cost of rental or purchase should be appropriately reflected in the budget.**
- **The application should identify all remodeling and retrofit necessary for the facility(ies) at the specified site(s) to meet the educational needs of the school, and should include the cost thereof in the budget.**
- **The application should explain how all necessary operational elements of the school will be met and should cover them in the budget. Such elements include but are not limited to security; information technology; building and grounds maintenance; snow removal; gas, electric, water and sewer service; telephone service; solid waste management; and custodial service.**

#### O. Waivers

##### 1. Component Description

The technical means by which charter schools operate is via waiver from certain state laws, state rules and/or school district policies and regulations. The Colorado State Board of Education has determined that it will automatically waive thirteen statutes, upon request of the charter school and its authorizing school district. Charter schools may request waivers from statutes in addition to those automatically waived, but the process for approval is different.

##### 2. Checklist for Comprehensive Application

- The request for waiver from state statute by citation, state Board of Education rules or regulations, and PSD policies/regulations by name and letter code are included as attachments. Request includes rationale for requesting the waiver, replacement policy or explanation of intent, expected financial and implementation impact, and how the waiver will be evaluated.

##### 3. Evaluation Rubric

An excellent application will include the following regarding waiver requests:

- A list of the state laws or rules for which a waiver is requested, including a replacement plan, rationale and how the waiver will be evaluated.
- A list of each PSD policy/regulation for which a waiver is requested, including a replacement plan/rationale.

These requested waivers will match the proposed autonomy, school mission and goals, operations, governance, and employment relationships of the proposed charter school.

## P. Student Discipline, Expulsion and Suspension

### 1. Component Description

Although charter schools must meet certain standards for student discipline, suspension and expulsion, they do not have to fit into the traditional “box.” Charter schools in PSD can have their own policies as long as the requirements of federal and state law, and District policies/regulations, are met. In PSD, a charter school has authority to suspend students but the authority and procedure for expulsions must be in accordance with District policies and regulations. The application should detail how the charter school proposes to handle student discipline, including procedures that ensure that students receive legally required due process and that the discipline of students with disabilities is in compliance with Section 504 of the Rehabilitation Act of 1973 (Section 504) and the Individuals with Disabilities Education Act (IDEA).

### 2. Checklist for Comprehensive Application

- A proposed policy for student discipline, including suspensions, that meets the requirements of federal and state law and District policies/regulations, is included.
- An explanation of procedures to ensure that students receive legally required due process in connection with any discipline administered.
- An explanation of procedures to ensure the discipline of students with disabilities is in compliance with Section 504 and the IDEA.

### 3. Evaluation Rubric

An excellent application will include policies for addressing student suspensions, and the education of students who are suspended, that provide adequately for the safety of students and staff, provide due process for students, and satisfy Section 504 and IDEA requirements.

## Q. Serving Students with Special Needs

### 1. Component Description

As public schools, charter schools must open their enrollment to any student and must provide appropriate special education services as needed for students with disabilities. The applicant should consider the general philosophy of the school when developing its plan for delivery of special education services. The applicant should keep in mind that whereas charter schools can obtain waivers from teacher licensure, special education licensure cannot be waived.

There are many CDE resources available for charter school applicants to consider when writing this section. Those resources may be accessed on CDE’s website, which it is recommended that the applicant review. After reading the overview on CDE’s website, read the resource on special education funding for direction on the impact to the charter school’s operating budget. The sample compliance plan describes how all special education services could be delivered at a charter school. Charter applications should not contain as much detail as is in the sample compliance plan because the charter school application becomes the legal basis for the charter school contract. By writing that level of detail in the application, the applicant would be committing to how exactly particular services would be delivered rather than allowing for flexibility between PSD’s special education director and the charter school. However, the applicant should fully understand the scope and depth of services for which the charter school would be responsible.

### 2. Checklist for Comprehensive Application

- The school addresses a Response to Intervention (RtI), or child study process to address a need for adaptations or special education assessments and staffing.
- Clear indications are given that the school understands requirements to meet the needs of students’ Individualized Education Programs (IEPs), ELL, IDEA, Section 504 and plans to

comply with the students' needs to include certified personnel, documentation, assessments, adaptations and modifications. The school may also want to address GT students and their enrichment needs.

- Plan is in place to include needed staff, adequate funding, evaluation of programs' success, flexibility to add contracted services, and specific services the school wishes the District to provide.

### 3. Evaluation Rubric

An excellent application will have the following characteristics regarding the plan for serving students with special needs:

- Realistic plan to identify and meet the learning needs of at-risk students, students with disabilities, gifted/talented students, and English language learners.
- Timeline, lead contact, and intervention process with specific action steps for meeting learning needs of students with special needs (such as a Response to Intervention model).
- Plans for serving special populations align with the overall curriculum, instructional approaches and the school mission.
- Budget is adequate to meet the needs of these students.
- Plans are in place to provide adequate staff to meet the needs of these students, including a licensed special education teacher.

### 4. Fundamental Considerations

- **The application should include qualified staff, assistive devices and educational resources to provide for the education of students with disabilities, English language learners and at-risk students, as required by law.**
- **The application should provide for the education of students with disabilities in the least restrictive environment, as required by law.**
- **The proposed site(s) and facility(ies) should be accessible to students with disabilities, English language learners and at-risk students, as required by law, and should have adequate rooms and space to provide such students with appropriate education and other services.**

## R. Dispute Resolution Process

### 1. Component Description

This section is simply a paragraph or two that reflects the school's understanding of and proposal for compliance with C.R.S. § 22-30.5-107.5, which explains how the charter school and PSD will agree to resolve disputes that may arise concerning governing policy provisions of the school's charter contract.

### 2. Checklist for Comprehensive Application

- Except as otherwise provided in C.R.S. § 22-30.5-108, a plan should be proposed to settle any disputes that may arise between the charter school and PSD concerning governing policy provisions of the charter contract, including a reasonable written notice which gives a brief description of the matter in dispute and the scope of the disagreement between the parties.
- A process is given to address the issue within thirty days of receipt of notice. Both parties shall either reach an agreement by mutual consent or mutually agree to use any form of alternative dispute resolution as allowed by state law. Alternative dispute resolution shall

result in a final issuance of findings, by a neutral third party, within one hundred twenty days after receipt of written notice, with costs apportioned reasonably.

- The plan explains that the charter school and PSD may agree to be bound by the findings of the neutral third party, or may appeal such findings to the State Board according to statutory requirements.

### 3. Evaluation Rubric

- The dispute resolution plan shows a clear understanding for compliance with statutory requirements for both the charter school and PSD.
- The dispute resolution plan demonstrates reasonable method(s) for resolving disagreements that may arise between the charter school and PSD concerning governing policy provisions of the school's charter contract.

S. School Management Contracts (to be completed only if the proposed school intends to contract with an education service provider).

#### 1. Component Description

If the proposed charter school intends to contract with an education service provider (ESP), such as a charter management organization, education management organization or any other type of school management provider, address the following issues:

- An explanation of how and why the ESP was selected.
- Detailed explanation of the ESP's success in serving student populations similar to the targeted student population, including demonstrated academic achievement as well as successful management of non-academic school functions (e.g., back-office services, school operations, extracurricular programs).
- A term sheet setting forth the proposed duration of the management contract; roles and responsibilities; scope of services and resources to be provided by the ESP; performance evaluation measures and timelines; compensation structure including clear identification of all fees to be paid to the ESP; methods of contract oversight and enforcement; investment disclosure; and conditions for renewal and termination of the contract.
- A draft of the proposed management contract, including all of the above terms.
- Explanation of the relationship between the school governing board and the ESP, specifying how the governing board will monitor and evaluate the performance of the service provider, the internal controls that will guide the relationship, and how the governing board will ensure fulfillment of performance expectations, or have a means for severing the contract.
- Explanation of which staff will report to or be paid by the ESP.
- Evidence that the corporate entity is authorized to do business in Colorado.

Attach:

- Term sheet (described above)
- Proposed management contract
- Evidence that the service provider is authorized to do business in Colorado

#### 2. Checklist for Comprehensive Application

- Evidence is included that the service provider has successfully managed other schools.
- Evidence is included that the other schools managed by the proposed service provider have demonstrated academic achievement for similar targeted student populations.
- A term sheet for the proposed management of the charter school is included with clear performance measures and contract severance provision(s).
- A draft of the proposed management contract with a clear conflict-of-interest statement is included.

- An explanation of which staff will be hired and terminated by the ESP, and/or report to or be paid by the ESP.
- Evidence that the ESP is authorized to conduct business in Colorado.
- Clear understanding of financial obligation to ESP and if it increases, decreases or stays the same for the duration of the relationship. This includes building ownership if the applicant is making payments to the ESP.

### 3. Evaluation Rubric

An excellent School Management Contract section will have the following characteristics:

- A logical explanation of how and why the ESP was selected.
- Demonstrated evidence that the ESP has been successful in the academic and business operations aspects of other schools.
- Reasonable management contract terms and fees along with clear performance measures and contract severing provisions.
- Clear evidence that the ESP is authorized to conduct business in Colorado.
- Details sufficient to assure there are no potential conflicts of interest between the ESP and the governing board.
- There is a clear plan for monitoring and evaluating performance of the ESP and adequate internal controls are in place.
- A clear description of which staff members will be hired, evaluated and terminated by the ESP, and any relationship with the governing board on these decisions.

## T. Miscellaneous

### 1. Fundamental Considerations

- **Whether the proposed school duplicates a substantially similar school or program within PSD that has the ability to accommodate the enrollment of more interested students should be considered.**
- **Actual or potential adverse effects on PSD, PSD's budget and/or any PSD school or program that would be occasioned by approving the application should be considered.**
- **Conflicts of interest that individuals submitting the application may have vis-à-vis the school, and conflicts of interest that individuals designated to be employed by and/or to govern the school may have vis-à-vis the school, should be considered.**