

**DEPARTMENT OF EDUCATION**

**Colorado State Board of Education**

**STANDARDS FOR CHARTER SCHOOLS AND CHARTER SCHOOL AUTHORIZERS**

**1 CCR 301-88**

*[Editor's Notes follow the text of the rules at the end of this CCR Document.]*

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**0.0 STATEMENT OF BASIS AND PURPOSE**

These rules are promulgated pursuant to Colorado Revised Statutes § 22-2-107 (1) (c) and § 22-2-106 (1) (h). Pursuant to HB 10-1412, the State Board of Education is required to promulgate rules establishing standards for charter schools and charter school authorizers based on the recommendations made by the charter school and charter authorizer standards review committee pursuant to § 22-30.5-104.5, C.R.S. These rules do not contradict or supersede the standard of review for appeals or the standards for renewal or revocation decisions outlined in the Charter School Act, § 22-30.5-108 and 22-30.5-110, C.R.S.

**1.0 DEFINITIONS**

- 1.01 "Charter School" means a district charter school established pursuant to § § 22-30.5-101 to 115, C.R.S., an independent charter school established pursuant to § § 22-30.5-301 to 308, C.R.S., or an institute charter school established pursuant to § 22.30.5 (6)-502, C.R.S.
- 1.02 "Charter School Authorizer" means, in the case of a district charter school or an independent charter school, a school district board of education or, in the case of a state institute charter school, the board of the state charter school institute as defined in § 22-30.5-502 (5), C.R.S.
- 1.03 "Colorado Academic Standards" means the standards adopted by the State Board pursuant to § 22-7-1005, C.R.S.
- 1.04 "Department" means the Department of Education created and existing pursuant to § 24-1-115, C.R.S.
- 1.05 "State Board" means the State Board of Education created and existing pursuant to section 1 of Article IX of the Colorado State Constitution.

**2.00 STANDARDS FOR CHARTER SCHOOLS**

The following standards for Charter Schools shall be considered by the State Board as guiding principles when considering an appeal from a Charter School and when making decisions concerning exclusive chartering authority. These standards also shall serve as guiding principles to Charter Schools and Charter School Authorizers when developing a charter contract.

**2.01 Conflict of Interest, Nepotism, and Excessive Compensation:**

- 2.01 (A) The Charter School adopts conflict of interest policies that comply with federal and state laws applicable to public officials.
- 2.01 (B) The Charter School's compensation complies with excessive executive compensation requirements under federal law or applicable industry standards.
- 2.01 (C) The Charter School ensures that all board members and senior administrators receive training on its conflict of interest policies and excessive executive compensation requirements.
- 2.01 (D) When the Charter School board contracts with a third party education service provider for the general day-to-day operation of a school, such contracts and any amendments to such contracts are subject to review by the Charter School Authorizer.

**2.02 Nondiscrimination:**

- 2.02 (A) Charter Schools are subject to all federal and state laws regarding nondiscrimination. The Charter School provides evidence of annual training on nondiscrimination laws to employees and board members, and otherwise ensures that its board and leadership stay current on all relevant provisions.
- 2.02 (B) The Charter School provides access to services for students with disabilities and ensures that services are delivered to students with disabilities as required by federal and state law.
- 2.02 (C) The Charter School provides access to services for and appropriately serves other special populations of students, including English language learners, homeless students, and gifted students. The Charter School collaborates with its Charter School Authorizer to deliver appropriate services as required by federal and state law.
- 2.02 (D) The Charter School does not engage in or adopt discriminatory recruiting, marketing, application, or enrollment policies or practices. The Charter School strives for transparent and honest communication.
- 2.02 (E) The Charter School does not establish undue barriers to students applying for enrollment, such as mandated testing prior to acceptance, that have the effect of excluding students based on socioeconomic, family, or language background, prior academic performance, special education status, or parental involvement.

2.02(E)(1) The Charter School maintains a page on its website that clearly communicates to parents how to participate in the school's enrollment process. The web page must include a non-discrimination statement affirming protections for all classes covered by applicable federal and state law.

2.02(E)(2) The Charter School's recruitment materials do not indicate or signal that the school refuses admission generally to any applicant that is part of a protected class, including students with disabilities.

2.02(E)(3) The Charter School takes appropriate steps to ensure that enrollment applications are accessible to and usable by applicants with disabilities. The Charter School takes appropriate steps to provide the language assistance necessary to ensure meaningful communication with limited English proficient parents in a language they can understand.

2.02(E)(4) The Charter School's application materials and process do not inquire into characteristics that would reveal protected characteristics, except where allowed by applicable federal or state law.

2.02(E)(5) The Charter School conducts annual training for its admissions staff on Federal protections against pre-enrollment inquiries about disability status for students and on when it is appropriate to inquire about disability status post-admission.

2.02 (F) The Charter School admits students through a publicly verifiable selection process that is either random in nature or first-come-first-served.

2.02 (G) The Charter School adopts post-admissions enrollment practices that ensure that enrollment decisions are non-discriminatory and consistent with the best interests of the student applicant. Such practices ~~include a pre-enrollment admissions process that is in compliance~~ include training staff on compliance with applicable federal and state statutes, ~~and that meets the following standards:~~

~~2.02 (G) (1) During the pre-enrollment admissions process, the Charter School, in consultation with the Charter School Authorizer, determines whether the Charter School is an appropriate placement for students with special needs, including but not limited to students with disabilities, English language learners, students with disciplinary history, and students who may pose a threat to the safety of themselves or other students.~~

~~2.02 (G) (2) The pre-enrollment admissions process requires, at a minimum, (i) a pre-enrollment admissions determination; (ii) prompt, collaborative, and individualized decisions in accordance with federal and state law; (iii) prompt record sharing; and (iv) fair and transparent decisions.~~

2.02 (~~HG~~)(3) The Charter School annually reviews its discipline and enrollment records to ensure that its policies have been applied equitably to all students.

### **3.00 STANDARDS FOR CHARTER SCHOOL AUTHORIZERS**

The following standards for Charter School Authorizers shall be considered by the State Board as guiding principles when considering an appeal from an already operating Charter School and when making decisions concerning exclusive chartering authority. These standards also shall serve as guiding principles to Charter Schools and Charter School Authorizers when developing a charter contract. A Charter School Authorizer may choose to contract with other entities or develop other partnerships that will improve its ability to meet these principles and standards.

The standards described in sections 3.01 through 3.06 of these rules are based on the 2010 Edition of the Principles and Standards of Quality Charter School Authorizing adopted by the National Association of Charter School Authorizers.

**3.01 Three Core Principles of Charter Authorizing.** The Charter School Authorizer engages in responsible oversight of charter schools by ensuring that schools have both the autonomy to which they are entitled and the public accountability for which they are responsible. The following three responsibilities lie at the heart of the authorizing endeavor, and authorizers should be guided by and fulfill these core principles in all aspects of their work: maintain high standards for schools, uphold school autonomy, and protect student and public interests.

3.01 (A) The Charter School Authorizer maintains high standards by doing the following:

3.01 (A) (1) Setting high standards for approving charter applicants;

3.01 (A) (2) Maintaining high standards for the schools it oversees;

3.01 (A) (3) Effectively cultivating quality charter schools that meet identified educational needs;

3.01 (A) (4) Overseeing charter schools that, over time, meet the performance standards and targets set forth in their charter contracts on a range of measures and metrics; and

3.01 (A) (5) Closing schools that fail to meet standards and targets set forth in law and by contract.

3.01 (B) The Charter School Authorizer upholds school autonomy by doing the following:

3.01 (B) (1) Honoring and preserving innovations and core autonomies crucial to school success, including governing board independence from the authorizer, personnel, school vision and culture, instructional programming, design, and use of time, and budgeting;

3.01 (B) (2) Assuming responsibility not for the success or failure of individual schools but for holding schools accountable for their performance;

3.01 (B) (3) Minimizing administrative and compliance burdens on schools; and

3.01 (B) (4) Focusing on holding schools accountable for outcomes rather than processes.

3.01 (C) The Charter School Authorizer protects student and public interests by doing the following:

3.01 (C) (1) Making the well-being and interests of students the fundamental value informing all the authorizer's actions and decisions;

3.01 (C) (2) Holding schools accountable for fulfilling fundamental public education obligations to all students, including: providing nonselective, nondiscriminatory access to all eligible students; fair treatment for all students in admissions and disciplinary actions; and appropriate services for all students in accordance with law. Specifically, the Charter School Authorizer does not engage in or adopt discriminatory recruiting or marketing policies or practices, adopts enrollment practices that ensure

that enrollment decisions are non-discriminatory and consistent with the best interests of the student applicant, and develops systems to ensure that services are delivered to students with disabilities as required by federal and state law.

3.01 (C) (3) Holding schools accountable for fulfilling fundamental obligations to the public, including providing: sound governance, management, and stewardship of public funds; and public information and operational transparency in accordance with law;

3.01 (C) (4) Ensuring in its own work: ethical conduct; focus on the mission of chartering high-quality schools; clarity, consistency, and public transparency in authorizing policies, practices, and decisions; effective and efficient public stewardship; and compliance with applicable laws and regulations; and

3.01 (C) (5) Supporting parents and students in being well-informed about the quality of education provided by charter schools.

**3.02 Agency Commitment and Capacity.** The Charter School Authorizer recognizes that chartering is a means to foster excellent schools that meet identified needs; clearly prioritizes a commitment to excellence in education and in authorizing practices; and creates organizational structures and commits to human and financial resources necessary to conduct its authorizing duties effectively and efficiently.

3.02 (A) The Charter School Authorizer plans and commits to excellence by doing the following:

3.02 (A) (1) Supporting and advancing the purposes of charter school law;

3.02 (A) (2) Ensuring that the authorizer's governing board, leadership, and staff understand and are committed to the three Core Principles of authorizing;

3.02 (A) (3) Defining external relationships and lines of authority to protect its authorizing functions from conflicts of interest and political influence;

3.02 (A) (4) Implementing policies, processes, and practices that streamline and systematize its work toward stated goals, and executes its duties efficiently while minimizing administrative burdens on schools;

3.02 (A) (5) Evaluating its work regularly against national standards for quality authorizing and recognized effective practices, and develops and implements timely plans for improvement when it falls short;

3.02 (A) (6) Stating a clear mission for quality authorizing (advanced standard);

3.02 (A) (7) Articulating and implementing an intentional strategic vision and plan for chartering, including clear priorities, goals, and time frames for achievement (advanced standard);

- 3.02 (A) (8) Evaluating its work regularly against its chartering mission and strategic plan goals, and implementing plans for improvement when it falls short of its mission and strategic plan (advanced standard); and
- 3.02 (A) (9) Providing an annual public report on the authorizer's progress and performance in meeting its strategic plan goals (advanced standard).
- 3.02 (B) The Charter School Authorizer demonstrates exemplary practices in human resources by doing the following:
  - 3.02 (B) (1) Enlisting expertise and competent leadership for all areas essential to charter school oversight - including, but not limited to, education leadership; curriculum, instruction, and assessment; special education; performance management and accountability; law; finance; facilities; and nonprofit governance and management - through staff, contractual relationships, and/or intra- or inter-agency collaborations;
  - 3.02 (B) (2) Employing competent personnel at a staffing level appropriate and sufficient to carry out all authorizing responsibilities in accordance with national standards, and commensurate with the scale of the charter school portfolio;
  - 3.02 (B) (3) Providing for regular professional development for the agency's leadership and staff to achieve and maintain high standards of professional authorizing practice and enable continual agency improvement; and
  - 3.02 (B) (4) Reviewing conflict of interest policies, excessive executive compensation requirements, and compliance therewith as part of its oversight and contract renewal process.
- 3.02 (C) The Charter School Authorizer demonstrates exemplary financial practices by doing the following:
  - 3.02 (C) (1) Determining the financial needs of the authorizing office and devoting sufficient financial resources to fulfill its authorizing responsibilities in accordance with national standards and commensurate with the scale of the charter school portfolio;
  - 3.02 (C) (2) Structuring its funding in a manner that avoids conflicts of interest, inducements, incentives, or disincentives that might compromise its judgment in charter approval and accountability decision making;
  - 3.02 (C) (3) Deploying funds effectively and efficiently with the public's interests in mind; and
  - 3.02 (Ce) (4) Requiring each Charter School to conduct an annual financial audit by an independent auditor to be selected by the Charter School.

**3.03 Application Process and Decision Making.** The Charter School Authorizer implements a comprehensive application process that includes clear application questions and guidance; follows fair, transparent procedures and rigorous criteria; and grants charters

only to applicants who demonstrate a strong capacity to establish and operate a quality charter school.

3.03 (A) The Charter School Authorizer demonstrates exemplary practices in matters related to proposal information, questions, and guidance by doing the following:

3.03 (A) (1) Issuing a charter application information packet or request for proposals (RFP) that: states any chartering priorities the authorizer may have established; articulates comprehensive application questions to elicit the information needed for rigorous evaluation of applicants' plans and capacities; and provides clear guidance and requirements regarding application content and format, while explaining evaluation criteria;

3.03 (A) (2) Welcoming proposals from first-time charter applicants as well as existing school operators/replicators, while appropriately distinguishing between the two kinds of developers in proposal requirements and evaluation criteria;

3.03 (A) (3) Encouraging expansion and replication of charter schools demonstrating success and capacity for growth;

3.03 (A) (4) Being open to considering diverse educational philosophies and approaches; and

3.03 (A) (5) Broadly inviting and soliciting charter applications while publicizing the authorizer's strategic vision and chartering priorities, without restricting or refusing to review applications that propose to fulfill other goals (advanced standard).

3.03 (B) The Charter School Authorizer employs fair, transparent, quality-focused procedures in the following areas:

3.03 (B) (1) Implementing a charter application process that is open, well-publicized, and transparent, and is organized around clear, realistic time lines;

3.03 (B) (2) Allowing sufficient time for each stage of the application and school pre-opening process to be carried out with quality and integrity;

3.03 (B) (3) Explaining how each stage of the application process is conducted and evaluated;

3.03 (B) (4) Communicating chartering opportunities, processes, approval criteria, and decisions clearly to the public; and

3.03 (B) (5) Informing applicants of their rights and responsibilities and promptly notifying applicants of approval or denial, while explaining the factors that determined the decision.

3.03 (C) The Charter School Authorizer uses rigorous approval criteria in the following manner:

- 3.03 (C) (1) Requiring all applicants to present a clear and compelling mission; a quality educational program; a solid business plan; effective governance and management structures and systems; founding team members demonstrating diverse and necessary capabilities; and clear evidence of the applicant's capacity to execute its plan successfully;
- 3.03 (C) (2) Establishing distinct requirements and criteria for applicants who are existing school operators or replicators;
- 3.03 (C) (3) Establishing distinct requirements and criteria for applicants proposing to contract with education service or management providers;
- 3.03 (C) (4) Establishing distinct requirements and criteria for applicants proposing to operate virtual or online charter schools.

3.03 (D) The Charter School Authorizer uses rigorous decision making in the following manner:

- 3.03 (D) (1) Granting charters only to applicants that have demonstrated competence and capacity to succeed in all aspects of the school, consistent with the stated approval criteria;
- 3.03 (D) (2) Rigorously evaluating each application through thorough review of the written proposal, a substantive in-person interview with the applicant group, and other due diligence to examine the applicant's experience and capacity, conducted by knowledgeable and competent evaluators;
- 3.03 (D) (3) Engaging, for both written application reviews and applicant interviews, highly competent teams of internal and external evaluators with relevant educational, organizational (governance and management), financial, and legal expertise, as well as a thorough understanding of the essential principles of charter school autonomy and accountability;
- 3.03 (D) (4) Providing orientation or training to application evaluators (including interviewers) to ensure consistent evaluation standards and practices, observance of essential protocols, and fair treatment of applicants; and
- 3.03 (D) (5) Ensuring that the application review process and decision making are free of conflicts of interest, and requiring full disclosure of any potential or perceived conflicts of interest between reviewers or decision makers and applicants.

**3.04 Performance Contracting.** The Charter School Authorizer executes contracts with charter schools that articulate the rights and responsibilities of each party regarding school autonomy, funding, administration and oversight, outcomes, measures for evaluating success or failure, performance consequences, and other material terms. The contract is an essential document, separate from the charter application, that establishes the legally binding agreement and terms under which the school will operate.



- 3.04 (A) The Charter School Authorizer demonstrates exemplary practices in matters related to contract term, negotiation, and execution by doing the following:
  - 3.04 (A) (1) Executing a contract with a legally incorporated governing board independent of the Charter School Authorizer;
  - 3.04 (A) (2) Granting charter contracts for a term of five operating years, or longer only with periodic high-stakes reviews every five years;
  - 3.04 (A) (3) Defining material terms of the contract;
  - 3.04 (A) (4) Ensuring mutual understanding and acceptance of the terms of the contract by the school's governing board prior to authorization or charter granting by the authorizing board; and
  - 3.04 (A) (5) Allowing - and requiring contract amendments for - occasional material changes to a school's plans, but does not require amending the contract for non-material modifications.
- 3.04 (B) The Charter School Authorizer demonstrates exemplary practices related to rights and duties by doing the following:
  - 3.04 (B) (1) Executing charter contracts that clearly:
    - 3.04 (B) (1) (a) State the rights and responsibilities of the Charter School and the Charter School Authorizer;
    - 3.04 (B) (1) (b) State and respect the autonomies to which schools are entitled - based on statute, waiver, or authorizer policy - including those relating to the school's authority over educational programming, staffing, budgeting, and scheduling;
    - 3.04 (B) (1) (c) Define performance standards, criteria and conditions for renewal, intervention, revocation, and non-renewal, while establishing the consequences for meeting or not meeting standards or conditions;
    - 3.04 (B) (1) (d) State the statutory, regulatory, and procedural terms and conditions for the school's operation;
    - 3.04 (B) (1) (e) State reasonable pre-opening requirements or conditions for new schools to ensure that they meet all health, safety, and other legal requirements prior to opening and are prepared to open smoothly;
    - 3.04 (B) (1) (f) State the responsibility and commitment of the school to adhere to essential public education obligations, including admitting and serving all eligible students so long as space is available, and not expelling or counseling out students except as pursuant to a legal discipline policy approved by the authorizer; and

- 3.04 (B) (1) (g) State the responsibilities of the school and the authorizer in the event of school closure; and
- 3.04 (B) (2) Ensuring that any fee-based services provided by the authorizer are set forth in a services agreement separate from the charter contract; and ensures that purchasing such services is explicitly not a condition of charter approval, continuation, or renewal.
- 3.04 (C) The Charter School Authorizer demonstrates exemplary practices in matters related to performance framework and standards by executing charter contracts that clearly:
  - 3.04 (C) (1) Establish the performance framework under which schools will be evaluated, using objective and verifiable measures of student achievement as the primary measure of school quality;
  - 3.04 (C) (2) Define clear, measurable, and attainable academic, financial, and operational performance standards and targets that the school must meet as a condition of renewal, including, but not limited to, state and federal measures;
  - 3.04 (C) (3) Define the sources of data that will form the evidence base for ongoing and renewal evaluation, including state-mandated and other standardized assessments, internal assessments, qualitative reviews, and performance comparisons with other public schools in the district and state; and
  - 3.04 (C) (4) Continuously reflect upon its practices and pursue innovative and promising approaches to authorizing.
- 3.04 (D) The Charter School Authorizer, if it contracts with education services or management, demonstrates exemplary practices in the following manner:
  - 3.04 (D) (1) For any school contracting with a third-party provider for education design and operation or management, including additional contractual provisions that ensure rigorous, independent contract oversight by the charter governing board and the school's financial independence from the external provider;
  - 3.04 (D) (2) Reviewing the proposed third-party contract as a condition of charter approval to ensure that it is consistent with applicable law, authorizer policy, and the public interest;
  - 3.04 (D) (3) Otherwise ensuring that the oversight of the school's contract complies with the standards outlined in section 3.01 of these rules.

**3.05 Ongoing Oversight and Evaluation.** The Charter School Authorizer conducts contract oversight that competently evaluates performance and monitors compliance; ensures schools' legally entitled autonomy; protects student rights; informs intervention,

revocation, and renewal decisions; and provides annual public reports on school performance.

3.05 (A) The Charter School Authorizer demonstrates exemplary practices related to performance evaluation and compliance monitoring by doing the following:

3.05 (A) (1) Implementing a comprehensive performance accountability and compliance monitoring system that is defined by the charter contract and provides the information necessary to make rigorous and standards-based renewal, revocation, and intervention decisions;

3.05 (A) (2) Defining and communicating to schools the process, methods, and timing of gathering and reporting school performance and compliance data;

3.05 (A) (3) Implementing an accountability system that effectively streamlines federal, state, and local performance expectations and compliance requirements while protecting schools' legally entitled autonomy and minimizing schools' administrative and reporting burdens;

3.05 (A) (4) Visiting each school as appropriate and necessary for collecting data that cannot be obtained otherwise and in accordance with the contract, while ensuring that the frequency, purposes, and methods of such visits respect school autonomy and avoid operational interference;

3.05 (A) (5) Evaluating each school annually on its performance and progress toward meeting the standards and targets stated in the charter contract, including essential compliance requirements, and clearly communicates evaluation results to the school's governing board and leadership;

3.05 (A) (6) Communicating regularly with schools as needed, including both the school leader and governing board, and provides timely notice of contract violations or performance deficiencies;

3.05 (A) (7) Providing an annual written report to each school, summarizing its performance and compliance to date and identifying areas of strength and areas needing improvement; and

3.05 (A) (8) Articulating and enforcing stated consequences for failing to meet performance expectations or compliance requirements.

3.05 (B) The Charter School Authorizer demonstrates respects school autonomy by doing the following:

3.05 (B) (1) Respecting the school's authority over its day-to-day operations;

3.05 (B) (2) Collecting information from the school in a manner that minimizes administrative burdens on the school, while ensuring that performance and compliance information is collected with sufficient detail and timeliness to protect student and public interests; and

3.05 (B) (3) Periodically reviewing compliance requirements and evaluating the potential to increase school autonomy based on flexibility in the law, streamlining requirements, demonstrated school performance, or other considerations.

3.05 (C) The Charter School Authorizer protects student rights by doing the following:

3.05 (C) (1) Ensuring that schools admit students through a random selection process that is open to all students, publicly verifiable, and does not establish undue barriers to application (such as mandatory information meetings, mandated volunteer service, or parent contracts) that have the effect of excluding students based on socioeconomic, family, or language background, prior academic performance, special education status, or parental involvement;

3.05 (C) (2) Ensuring that schools provide access and services to students with disabilities as required by federal and state law;

3.05 (C) (3) Ensuring that schools provide access to and appropriately serve other special populations of students, including English learners, homeless students, and gifted students, as required by federal and state law; and

3.05 (C) (4) Ensuring that schools' student discipline policies and actions are legal and fair, and that no student is expelled or counseled out of a school outside of that process.

3.05 (D) The Charter School Authorizer demonstrates exemplary practices related to intervention by doing the following:

3.05 (D) (1) Establishing and making known to schools at the outset an intervention policy stating the general conditions that may trigger intervention and the types of actions and consequences that may ensue;

3.05 (D) (2) Giving schools clear, adequate, evidence-based, and timely notice of contract violations or performance deficiencies;

3.05 (D) (3) Allowing schools reasonable time and opportunity for remediation in non-emergency situations; and

3.05 (D) (4) Where intervention is needed, engaging in intervention strategies that clearly preserve school autonomy and responsibility (identifying what the school must remedy without prescribing solutions).

3.05 (E) The Charter School Authorizer produces an annual public report that provides clear, accurate performance data for the charter schools it oversees, reporting on individual school and overall portfolio performance according to the framework set forth in the charter contract.

**3.06 Revocation and Renewal Decision Making.** The Charter School Authorizer designs and implements a transparent and rigorous process that uses comprehensive academic,

financial, and operational performance data to make merit-based renewal decisions, and revokes charters when necessary to protect student and public interests.

3.06 (A) The Charter School Authorizer revokes a charter during the charter term if there is clear evidence of extreme underperformance or violation of law or the public trust that imperils students or public funds.

3.06 (B) In addition to the required standards outlined in § 22-30.50-110, C.R.S., the Charter School Authorizer ensures that renewal decisions are based on merit and inclusive evidence by doing the following:

3.06 (B) (1) Basing the renewal process and renewal decisions on thorough analyses of a comprehensive body of objective evidence defined by the performance framework in the charter contract, and ensuring that improved academic achievement is the most important factor to consider when determining whether to revoke or not renew a charter;

3.06 (B) (2) Granting renewal only to schools that have achieved the standards and targets stated in the charter contract, are organizationally and fiscally viable, and have been faithful to the terms of the contract and applicable law; and

3.06 (B) (32) Not making renewal decisions, including granting probationary or short-term renewals, on the basis of political or community pressure or solely on promises of future improvement.

3.06 (C) The Charter School Authorizer demonstrates exemplary practices related to its cumulative report and renewal application by doing the following:

3.06 (C) (1) Providing to each school, in advance of the renewal decision, a cumulative performance report that summarizes the school's performance record over the charter term and states the authorizer's summative findings concerning the school's performance and its prospects for renewal; and

3.06 (C) (2) Requiring any school seeking renewal to apply for it through a renewal application, which provides the school a meaningful opportunity and reasonable time to respond to the cumulative report; correct the record, if needed; and present additional evidence regarding its performance.

3.06 (D) The Charter School Authorizer uses a fair and transparent process by doing the following:

3.06 (D) (1) Clearly communicating to schools the criteria for charter revocation, renewal, and non-renewal decisions, consistent with the charter contract;

3.06 (D) (2) Promptly notifying each school of its renewal (or, if applicable, revocation) decision, including written explanation of the reasons for the decision;

- 3.06 (D) (3) Promptly communicating renewal or revocation decisions to the school community and public within a time frame that allows parents and students to exercise choices for the coming school year;
  - 3.06 (D) (4) Explaining in writing any available rights of legal or administrative appeal through which a school may challenge the authorizer's decision; and
  - 3.06 (D) (5) Regularly updating and publishing the process for renewal decision making, including guidance regarding required content and format for renewal applications.
- 3.06 (E) In the event of a school closure, the Charter School Authorizer oversees and works with the school governing board and leadership in carrying out a detailed closure protocol that ensures timely notification to parents; orderly transition of students and student records to new schools; and disposition of school funds, property, and assets in accordance with law.

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**Editor's Notes**

**History**

Entire rule eff. 03/01/2012.