

Colorado

# Charter School Institute



## CSI MISSION

The mission of the Charter School Institute shall be to foster high-quality public school choices offered through Institute charter schools that deliver rigorous academic content and high academic performance in a safe environment and on par with the highest performing schools, including particularly schools for at-risk children.

## New School Application Guide

*Information to assist prospective new schools complete their New School Application for the Colorado Charter School Institute*



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## Introduction

This guidance document is intended to provide CSI new school applicants with a narrative to assist you in developing a complete new school application. The guidance set forth below is not prescriptive, but gives additional information which may be helpful to you as you prepare your application. You are strongly encouraged to consult the Colorado League of Charter Schools and the Colorado Department of Education (CDE) Schools of Choice unit for additional guidance and information. **Following the guidance presented in this document is not a guarantee for charter approval.**

## Before Applying

It is strongly recommended that applicants provide a Letter of Intent and Executive Summary as presented in the [2012 Call for Applications](#). If a prospective school is applying directly in a district that retains exclusive chartering authority, all applicants must obtain permission to apply with CSI in the form of a board resolution. A list of districts with their chartering authority status can be accessed via this link: <http://www.cde.state.co.us/cdechart/download/ECA.pdf>.

## Application Guidance

### Information Form

This form needs to be completed as it outlines general school information in addition to background information regarding the school design team.

### Executive Summary

An executive summary serves as a concise explanation of the proposal for the charter school and identifies who is submitting the charter application. If this was previously submitted for the 2012 Call for Applications, please resubmit this document.

### Vision and Mission Statements

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) and should be the framework for the school's strategic planning. The mission statement is how the school intends to make that vision a reality. The mission should be aligned with the principles set forth in the Charter Schools Act (see C.R.S § 22-30.5-102). The mission should be a concise statement that does the following:

- Identifies the school's target population and community to be served
- Articulates clear guiding purposes and priorities that are meaningful, measurable and attainable
- Provides the entire school community as well as external stakeholders a clear picture of what the school aims to achieve

### Goals, Objectives and Student Performance Standards

The application should reflect an understanding of CSI's accreditation requirements with a clear plan from the charter school applicants outlining how data will be obtained, and how those data will be provided to CSI for inclusion in CSI's accreditation contract requirements with CDE. This section should be based on the state Accreditation Indicators, which can be found at CDE's website at [www.cde.state.co.us/Accountability/](http://www.cde.state.co.us/Accountability/).

While it is understood data are not available upon inception, a charter applicant should reference a plan for obtaining baseline data and setting initial academic targets that reflect an understanding of the population the school intends to serve. A school may find it helpful to utilize the CSI New School Target Form that is located on CSI's website at

[http://www.csi.state.co.us/pages/Charter\\_School\\_Institute/Prospective\\_Schools](http://www.csi.state.co.us/pages/Charter_School_Institute/Prospective_Schools).

## **Evidence of Support**

A charter school application should include the projected number of students interested in the charter school at the different grade levels. Individual student and/or family information should NOT be included, nor should copies of the Letters of Intent completed by prospective parents.

The application should explain how students and parents were informed of the proposed charter school and what community meetings were conducted. 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 applicant team should demonstrate ties to and knowledge of the community. If the applicant team has established any partnerships or networking relationships, they should be describe along with any resources or agreements planned. Specifically address what type of outreach activities have been made to at-risk populations. A successful application includes letters of support from community leaders, business people or elected officials.

## **Educational Program**

A charter school application should include a description of the school's educational program and pupil performance standards and curriculum, which must meet or exceed State 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. The Colorado model content standards and suggested grade level expectations are online at the Colorado Department of Education website at [www.cde.state.co.us](http://www.cde.state.co.us).

Applications should include the current research basis for selecting a particular curriculum. In addition to obtaining information from the publisher, research is available online at ERIC ([www.eric.ed.gov](http://www.eric.ed.gov)) and the What Works Clearinghouse ([www.whatworks.ed.gov](http://www.whatworks.ed.gov)). The research should support using the curriculum with the student body the proposed school is intended to 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.

## **Plan for Evaluating Student Performance**

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 these data will be used to guide professional development of teachers as well as how these data will be used to guide refinement of the curriculum.

When developing the assessment plan, consideration should be given to the following elements: the appropriateness of applying the particular assessments to the curriculum; a baseline for student progress comparisons; the inclusion of state and federal assessments to demonstrate appropriate student growth; 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.).

Be aware that all Colorado public schools including charter schools are subject to the Transitional Colorado Assessment Program (TCAP). The TCAP is Colorado standards-based assessment designed to determine the level at which Colorado students meet the Colorado Model Content Standards. Access the CDE website for detailed information regarding this program ([www.cde.state.co.us/assessment/CoAssess-About.asp](http://www.cde.state.co.us/assessment/CoAssess-About.asp)). In addition, all Colorado public schools including charter schools are subject to the Colorado Basic Literacy Act (CBLA), which mandates that all students will be reading on the third grade level by the end of the 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. Currently, the State Board of Education has approved three assessment instruments from which schools may choose for annual reporting requirements. These include the Developmental Reading Assessment (DRA2), the Dynamic Indicators of Basic Early Literacy Skills (DIBELS), and the Phonological Awareness Literacy Screening (PALS). The State Board has agreed to revisit the rules for administering the CBLA in 2012, including possible revisions to the identification of grade level proficiencies, assessment instrument criteria, and permitted exceptions. Visit the CDE website for further information ([www.cde.state.co.us/coloradoliteracy/cbla/index.htm](http://www.cde.state.co.us/coloradoliteracy/cbla/index.htm)). Additionally, under the Elementary and Secondary Education Act, (ESEA), the State must hold schools accountable for student growth, especially with regard to historically disadvantaged subgroups of students such as English-Language Learners, students with disabilities, and students who are not yet proficient.

With Colorado's approval for flexibility for ESEA, school and district accountability within these programs will change. With the waiver granted, Colorado will now work towards having one, unified accountability system which will better streamline schools' improvement work and stakeholder engagement. Changes in accountability determinations and sanctions will take effect in August, 2012, when the federal Adequate Yearly Progress (AYP) results are no longer calculated. Rather, school accountability under these ESEA programs, such as Title I, will be based on the results of Colorado's own accountability system. For information on the changes and pending decisions under this system,

visit the CDE website ([www.cde.state.co.us/Accountability/NCLBWaiver.asp](http://www.cde.state.co.us/Accountability/NCLBWaiver.asp)).

Finally, if the charter 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 your requirements prepare students to enter the workforce ([www.cde.state.co.us/cdedocs/ASMTRev/PWRdescriptionResource.pdf](http://www.cde.state.co.us/cdedocs/ASMTRev/PWRdescriptionResource.pdf)).

## **Budget and Finance**

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. Applicants **MUST** use the CSI budget template which can be found at [www.csi.state.co.us](http://www.csi.state.co.us).

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. Similarly, facility, insurance and employment plans discussed in other sections of the application should be reflected in the budget, along with the basis for the 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.

The amount of PPR varies by school district. A charter school receives 100% of the PPR for the district in which the charter school resides. The Charter School Institute retains 3% of PPR to cover its central administration costs. The Colorado Department of Education receives 1%, and an additional 1% is retained for the CSI assistance fund in years where PPR is increasing. Therefore, the charter school effectively receives 95 - 96% of its school district's PPR. 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 include federal grants, private grants, and more. CDE ([www.cde.state.co.us](http://www.cde.state.co.us)) and the Colorado League of Charter Schools ([www.coloradoleague.org](http://www.coloradoleague.org)) are good resources for information about current sources of funding.

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, 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, liability insurance, and more. 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 set up proper accounting procedures to safeguard its assets and to ensure accurate financial reporting as required by CSI and by the Financial Transparency Act. At the same time, it is important to be able to provide financial information in a clear, understandable format that allows board members and administration to make sound financial decisions. Note that online schools may have special considerations with respect to budgeting and financial reporting.

The CDE requirements for financial management and reporting are available in the Financial Policies and Procedures manual at [www.cde.state.co.us/cdefinance/sfFPP.htm](http://www.cde.state.co.us/cdefinance/sfFPP.htm). An additional resource with general information is the Colorado Charter School Financial Management Guide at: [www.cde.state.co.us/cdechart/guidebook/fin/pdf/FinanceGuide.pdf](http://www.cde.state.co.us/cdechart/guidebook/fin/pdf/FinanceGuide.pdf)

## **Governance**

Charter school governance is extremely important to the success of a charter school. 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 administrator, along with a clear delineation of their respective roles and the means by which the administrator will be evaluated.

While some Colorado charter schools have staff members on the governing board, others do not. Having voting staff members on a board is not a best practice in Colorado. However, administrators may be an ex-officio, nonvoting board member. If staff members have voting privileges, there should be clear policies to explain when that board member should recuse him/herself. Any potential conflict of interest by any board member should be disclosed and addressed. The application should include drafts of conflict of interest, anti-nepotism, and excessive compensation policies.

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.

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. A Board Member Agreement should be an attachment to the charter school application.

The charter school application should also demonstrate the school's current legal status. Schools authorized by CSI are required to file as a nonprofit corporation with the Colorado Secretary of State.

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 governing board must operate in compliance with the Colorado Open Meetings Law (C.R.S. 24-6-401) and Public Records Act (C.R.S. 24-72-204) as well as the Family Educational Rights and Privacy Act (20 U.S.C. Sect. 1232).

See <http://www.cde.state.co.us/cdechart/guidebook/gov/pdf/OpenMtgsRecordsMemo.pdf> for more information on the Open Meetings and Open Records laws. A board policy assuring compliance with these laws should be included with the application.

## **Employees**

A charter school 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 (at-will status, for example) are addressed with affected employees. In addition, proposed employment policies should be included. A system of personnel evaluation and continuing education should be described. Guidance can found in the Administrator’s Guide to Leading a Colorado Charter School at <http://www.cde.state.co.us/cdechart/adminguide.htm>.

As charter schools are, by statute, public schools, employees of charter schools are generally public employees. Most charter schools and their employees must participate in Colorado’s Public Employees’ Retirement Association (PERA) retirement fund. 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 should be clearly outlined in the charter application.

There are several resources that provide more information about employment issues. Tax information is available at [www.irs.gov](http://www.irs.gov) and through the Colorado Department of Labor and Employment at [www.coworkforce.com](http://www.coworkforce.com). Additional information about PERA can be found at [www.copera.org](http://www.copera.org). The Highly Qualified Teachers Brochure on the CDE website can be found at [www.cde.state.co.us/FedPrograms/dl/tii\\_a\\_hqt\\_hqtbrochure.pdf](http://www.cde.state.co.us/FedPrograms/dl/tii_a_hqt_hqtbrochure.pdf). Finally, a human resources manual developed through CDE can be found at [www.cde.state.co.us/cdechart/download/HREmploymentManual.pdf](http://www.cde.state.co.us/cdechart/download/HREmploymentManual.pdf).

## **Insurance Coverage**

Charter schools must have appropriate insurance coverage. This includes workers compensation, liability insurance, and insurance for the building and its contents. Charter schools are public entities and liability is limited by the Colorado Governmental Immunity Act, C.R.S. 24-10-101 et seq. However, CSI will require evidence of the application of insurance or a plan to obtain adequate insurance coverage.

The risk management office in the local school district is a very good resource for finding information about particular insurance needs. In addition, the Colorado School District Self Insurance Pool is the insurance provider for many charter schools and can provide additional 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 particular risk factors.

## **Parent and Community Involvement**

One of the most distinctive characteristics of charter schools is that they are choice schools. 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 opportunities for volunteers to participate in the school.

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.

Be clear about what the new charter school will look like and the process for getting the school approved. 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.

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 should network with established civic and organizations in the community your school will serve. Whenever possible, arrange to have Parent Information Meetings in that community and be sure to reach out to a broad cross-section of the community.

## **Enrollment Policy**

The Colorado Charter Schools Act allows the authorizer and the charter applicant the flexibility to use any appropriate and legal enrollment policy, such as a wait list or lottery. The federal start-up 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. More information on lottery requirements can be found in the grant’s Request for Proposals at [www.cde.state.co.us/cdechart/cchgrn00.htm](http://www.cde.state.co.us/cdechart/cchgrn00.htm). 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 Colorado Charter Schools Act [C.R.S.22-30.5-104 (3)] 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

## **Transportation**

Colorado law does not require a charter school to provide transportation. However, a charter school may choose to negotiate with a school district, BOCES or private provider to provide transportation services.

If a charter school chooses to provide transportation, a plan 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. In addition, a description of how the charter school plans to meet the needs specifically of at-risk pupils should be included.

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 Rules 1 CCR 301-25, 301-26 and 301-29. For more information, see [http://www.cde.state.co.us/index\\_transportation.htm](http://www.cde.state.co.us/index_transportation.htm).

## **Food Service**

Colorado law does not require a charter school to provide food services. If a school chooses to provide a food service program, they may do so under the federal Child Nutrition Program or independently. In order to participate in the Child Nutrition Program and receive federal reimbursement for meals served, the school has the option to contract through the Institute School Food Authority (SFA), a local or other school district, become their own SFA, or join a SFA collaborative.

Regarding food services, the plan should include a description about how this service will be offered and whether the school plans to participate in the federal Child Nutrition Program. If the school plans to participate in the Child Nutrition Program, please provide a description of the SFA option the school would like to utilize. In addition, a description of how the charter school plans to meet the needs specifically of at-risk pupils should be included.

Schools with a significant number of students who could qualify for free and reduced price meals are strongly encouraged to offer a meal program. The provision of food services may or may not have a

negative effect on the school's budget, depending on whether the program is offered under the local district food services umbrella or is provided by the school or through a private contractor. Schools participating in the Child Nutrition Program must collect free and reduced data from students utilizing an approved meal benefit application. Schools not participating in Child Nutrition Programs will collect this data as well, but will use the alternate form, the Economic Data Survey (EDS).

If providing food services, applicants should include a plan outlining whether the school intends to prepare their own food or use a private or district food services provider, and how free and reduced price meal benefit applications or EDS forms will be distributed, collected and recorded. It should also include 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 regulations.

**The charter school can only be reimbursed for its Child Nutrition Program through an authorized "School Food Authority."** If the school will not be participating in the Child Nutrition Program, or providing an alternate meal program, this section should include how students who would qualify for free or reduced price meals and students who forget their lunch will be accommodated. For more information, visit [http://www.cde.state.co.us/index\\_nutrition.htm](http://www.cde.state.co.us/index_nutrition.htm).

## Facilities

One of the greatest challenges to opening a new school is finding a suitable facility and 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 rare 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). These are typically schools that are established, but information can be found by calling CECFA at 303-297-2538.

With any facility, building permits and inspections are required. Safety requirements (including asbestos regulations) as well as the requirements of the Colorado Safe Schools Act and the National Incident Management System apply to rented or contributed facilities as well.

The state is responsible for issuing certificates of occupancy for public schools, and information can be obtained by calling the Department of Labor at 303-572-2919. In addition, contact your community's planning and zoning department. Local fire and police authorities are an often overlooked yet invaluable resource with respect to school safety compliance.

If additional funds or financing will be needed to bring a facility online, the application narrative and attached budget should identify potential grants and/or lending sources. If real estate consultants are involved, a brief description of the relationship and budget impacts is included.

## Waivers

The technical means by which charter schools operate free from constraints of a given law is possible via

waiver from certain state laws, state rules and/or Institute policies. Information on applying for waivers from the state is on the CDE Charter Schools website at [www.cde.state.co.us/cdechart/index.htm](http://www.cde.state.co.us/cdechart/index.htm). An example of a waiver application can be found in the CDE Charter Schools Electronic Guidebook of Best Practices at [www.cde.state.co.us/cdechart/guidebook/gov/index.htm](http://www.cde.state.co.us/cdechart/guidebook/gov/index.htm).

The Colorado State Board of Education has determined that 13 statutes may be automatically waived, upon request, for charter schools. Charter schools may also request waivers from statutes in addition to those automatically waived. Rationale for each waiver requested, even those automatically granted, must be included in waiver requests.

The state board may not waive any statute or rule relating to school accountability committees, any state statute or rule relating to the assessments required to be administered, any state statute or rule necessary to prepare the school performance reports, any statute or rule necessary to implement the provisions of the "Public School Finance Act of 1994", or any state statute or rule relating to the "Children's Internet Protection Act."

A charter school developer should obtain legal counsel when seeking waivers from the State.

## **Student Discipline, Expulsion, or Suspension**

Although all charter schools must meet the minimum standards for student discipline, expulsion and suspension, they don't have to fit into the traditional "box." Charter schools can have their own policies as long as the statutory minimums are met.

Many charter schools have sought and obtained waivers from related laws in order to provide for flexibility and a unique approach to student discipline.

Refer to C.R.S. 22-33-106 et seq., the Suspension, Expulsion and Denial of Admission law, for more detailed information. Further detail is provided in a publication prepared by the Attorney General's office at [www.coloradoattorneygeneral.gov/sites/default/files/uploads/violence\\_prevention/svpm2008.pdf](http://www.coloradoattorneygeneral.gov/sites/default/files/uploads/violence_prevention/svpm2008.pdf).

Most charter school contracts stipulate which party (the authorizer or the charter school) has the authority to suspend or expel students. C.R.S. 22-33-105(7) states that either a charter school authorized by CSI, or CSI itself, may expel, suspend or deny admission of students. During contract negotiations this issue must be decided. Therefore, the charter application should detail how the charter school proposes to handle student discipline, expulsion and suspension. Many applications include policies that the potential charter school would use. The education of expelled students is the responsibility of the public school that expelled them. Applications should include an explanation of how the charter school will provide for an alternative education, if applicable.

## **Serving Students with Special Needs**

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 charter school applicant should consider the general philosophy of the school when developing the plan for delivery of special education services. For instance, a charter school may have an experiential delivery model making the needs of a student with Attention Deficit Hyperactivity Disorder (ADHD) more unique.

Further, a charter school with a philosophy that no student “falls through the cracks” may have an aggressive remediation program for students who are not attaining their full academic potential and yet do not qualify for special education services. While charter schools can obtain waivers from teacher licensure requirements, Special Education licensure cannot be waived, and personnel are still expected to obtain “Highly Qualified” status for CSI and State accreditation purposes.

There are many CDE resources available for charter school applicants to consider when writing this section. Those resources are available at [www.cde.state.co.us/cdechart/guidebook/sped/index.htm](http://www.cde.state.co.us/cdechart/guidebook/sped/index.htm). After reading the overview, 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.

The application should contain sufficient detail about the delivery of special education services consistent with the school’s educational program while still allowing the best delivery of services.

### **Dispute Resolution Process**

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

A process is given to address the issue within 30 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 issue of findings, by a neutral third party, within 120 days after receipt of written notice, with costs apportioned reasonably.

The plan should explain that a charter school and authorizer 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.

Any decision by the state board, pursuant to state law, shall be final and is not subject to an appeal.

### **Addenda, as Applicable**

If the proposed school has an online component, is a replication of an existing school, or plans to contract with an Education Management Provider, the proposed school must submit the appropriate addenda.

### **Required Application Components Checklist**

To confirm that you have reviewed your application for completeness, the completed checklist found at the end of the New School Application must be submitted along with the application.