

Audubon Center of the North Woods

Charter School Authorizing Manual

2010 - 2011

Acknowledgements

Audubon Center of the North Woods (ACNW) thanks the Minnesota Department of Education, Colorado Department of Education, the Idaho Department of Education, the Massachusetts Department of Education, Minnesota Association of Charter Schools, Minnesota Charter Partners, and the National Association of Charter School Authorizers for their publications on charter schools. In addition, ACNW wants to express their gratitude to both the Minnesota Volunteers of America and Novation Education Opportunities for their publications which were extremely helpful to ACNW while creating this chartering manual.

Statement of Public Domain

Audubon Center of the North Woods (ACNW) places this document in the public domain for the charter school community. The charter school community is free to adopt and utilize this document provided ACNW is acknowledged.

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About Audubon Center of the North Woods

As required in Minnesota Statute 124D.10.Subd.3. (c).1 and (d).1 and .2, ACNW provides the following information and commitments.

The Audubon Center of the North Woods (ACNW) is a nonprofit organization approved by the Minnesota Department of Education to Authorizer (authorize) charter schools, currently through FY 2011.

ACNW Charter School Division Mission:

The mission of ACNW is to authorize and provide superior leadership and oversight to charter schools through continuous monitoring designed to achieve significant and measurable student growth for the benefit of the schools it authorizes. In addition ACNW charter schools will provide opportunities to instill a connection and commitment to the environment through experiential learning.

ACNW seeks to enhance public education in Minnesota by supporting charter schools which validate quality performance. The purpose of Audubon Center of the North Woods Charter School Division is to authorize public charter schools in accordance with Minnesota Statute 124D.10 which governs the duties and responsibilities of charter school authorizers. ACNW is committed to serving as an Authorizer for the full term of each charter school it authorizes subject to the approved period granted as an Authorizer by the Minnesota Department of Education following this application (anticipated to be five years) .

ACNW Charter School Division Vision:

The vision of ACNW is to be highly successful as an Authorizer and to have all ACNW authorized charter schools make Adequate Yearly Progress and be recognized as highly successful Charters in Minnesota.

The Audubon Center of the North Woods is a private, non-profit, residential environmental learning center, a wildlife rehabilitation facility, and conference & retreat center nestled on the shores of Grindstone Lake near Sandstone, MN in east-central Minnesota. It offers a great variety of environmental learning experiences for people of all ages, with programming in natural history and science, team-building, adventure programming, and outdoor/environmental education.

ACNW began in 1968 when the current property was bequeathed to the National Audubon Society by Dr. Marguerite Schwyzer. The land was then transferred to the Audubon Center of the North Woods, a separate private, 501(c) non-profit organization. Since that time, the Audubon Center has served as a residential and day use education facility for small groups of international students, college students, adults, and school groups.

In 2003 ACNW, as a part of its educational programming, recognized the need for quality charter school Authorizers and made application to and was granted authority by the MDE to Authorize charter schools and provide those services permitted under Minnesota Statute 124D.10. Since that time, ACNW has grown to be one of the largest Authorizers of charter schools in Minnesota. Currently ACNW, as required in MN Statute 124D.10, 2009 is enhancing its commitment to authorizing and providing superior leadership and oversight to charter schools through continuous monitoring designed to achieve significant and measurable student growth for the benefit of the schools it authorizes and the families and communities in which the school is located.

ACNW anticipates obtaining approval by the Minnesota Department of Education as a charter school authorizer in the late fall of 2010. ACNW unequivocally commits to the high quality implementation in our Authorizer role over the next 5 years.

About Charter Schools & Why ACNW Authorizes

Charter schools offer teachers, parents and community members the opportunity to create new public schools in response to community needs. In return, these chartered schools agree to be held accountable by their authorizer for student performance outcomes. If the charter school fails to produce the promised student outcomes the authorizer may intervene in a variety of ways, and as a last resort can close the school. Quality charter school authorizing is the linchpin of the charter promise of accountability for results and the creation of quality educational opportunities.

While charter authorizers are not responsible for the ultimate success or failure of a charter school, they can have a major impact on that outcome by providing strong oversight and accountability.

Minnesota was the first state to enact charter school legislation in 1991, followed closely by California, Massachusetts and Colorado. As of early 2010, forty states and the District of Columbia have charter schools. Of these, 14 have one or more types of alternative charter authorizers. The other 27 use a combination of local, regional, and/or state board authorizers. Minnesota has more than 150 charter schools, whose enrollment has doubled in the past five years to exceed 30,000 students.

In 2000 the Minnesota state legislature made it possible for non-profit organizations with a \$2,000,000 fund balance and membership in the Minnesota Pool of Nonprofits to Authorize charter schools. In 2003 ACNW became a Authorizer because we recognized it as an additional way of carrying out our mission. In the years that we have been Authorizing, ACNW developed a model of charter school authorizing that goes beyond the compliance-based role outlined in state statute. We engage in relationship building and attempted to add value to the schools with which we work.

What is ACNW Seeking in New and Transfer Charters?

ACNW has a pre-determined a set of criteria, which charter school applications must possess in order for us to consider authorization. This set of criteria ensures that we only work with top-quality charter schools whose mission and purpose are in alignment with our organization and help us achieve the goal of creating a cooperative network of schools with enough in common to form meaningful relationships. The ACNW requirements for schools requesting an Authorizer are:

- **Under Minnesota law, charter schools must be designed to meet at least one of the purposes for which the law was created.** We ask that schools identify at least two of the following purposes:
 - Improve pupil learning and student achievement;
 - Increase learning opportunities for pupils;
 - Encourage the use of different and innovative teaching methods;
 - Measure learning outcomes and create different and innovative forms of measuring outcomes;
 - Establish new forms of accountability for schools; and
 - Create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site.

In addition, the school is required to include each of the following as a characteristic of their school:

- **Provide a higher quality education than surrounding schools.**
 - ACNW believes that charter schools should be a better choice, not just another choice.
 - We are looking for schools that are committed to providing a higher quality learning program compared to similar schools and the school's resident district.
 - Schools seeking ACNW authorization should have curriculum design that is research-based, supported by best practices and aligned with the Minnesota State Standards. Schools should consider replicating highly successful charter schools with similar student demographics.
- **Supports Smaller School Concept.**
 - Research shows that students are more successful in small school environments. Students receive more attention and are able to form strong relationships with their teachers in small schools.
 - Smaller size allows teachers to work closely with parents and students to develop individualized learning plans that address the learning style of the student, resulting in a more beneficial learning experience for all involved.

- **Supports Family and Community Engagement.**
 - Research indicates the value of parent and community involvement in a child’s education. ACNW requires a strong parent involvement plan and a plan to utilize the community, not only as a place of learning, but as a source of classroom volunteers and mentors.
 - ACNW strongly encourages the implementation of a service learning curriculum, offering volunteer opportunities and participating in or hosting community events. These are a few ways that ACNW schools can be active community members.

Additionally, the school is required as a condition of initial authorization to include the following as a characteristic of their school:

- **Provide opportunities to instill a connection and commitment to the environment through experiential learning.**
 - ACNW encourages applicants to stress the importance of environmental education as part of science and/or as a component or other curricula through hands on experiential learning activities.

ACNW Charter School Authorizing Program Strengths

Currently as an Authorizer, Audubon Center of the North Woods has built its cadre of charter schools by selecting proposals with a strong potential for success. It then has worked individually with each school to assure that such potential is realized through an accountability system that covers all phases of development including:

- **Pre-Operational Support** is provided via a detailed checklist designed to walk new schools through the processes of developing their learning program, reaching out to potential students, securing facilities, creating appropriate financial management and governance policies, and ensuring compliance with the law. This emphasis on a strong foundation prepares schools to meet Audubon Center of the North Woods’s ready-to-open requirements.
- **Cooperative and Collaborative Oversight** are ongoing and intended to help charter schools live up to the promise of increased autonomy in exchange for increased accountability. Our oversight model revolves around three key areas:
 - The student learning program
 - The school’s financial health
 - Organization effectiveness

To support holding schools accountable and provide schools with useful feedback designed to encourage continuous growth and reflection, ACNW performs a number of duties including:

- Attending board meetings
- Reviewing monthly financial statements, board packets, and board minutes
- Conducting several site visits, both formal and informal, throughout the year

- Monitoring academic performance through accountability plans
- Reviewing annual reports and audits
- Evaluating schools annually and prior to contract renewal
- Intervening as needed

The ACNW Charter School Community promotes relationships between schools and the larger charter school community by creating professional development opportunities for participants—whether as a board member, school leader, or community member. Being authorized by Audubon Center of the North Woods means:

- Being a part of a network of schools that meets at least annually,
- Being part of a professional community that shares ideas on effective educational and operational strategies, and
- Being part of a professional community that broadens individuals’ understanding of the charter school community throughout Minnesota.

ACNW Organizational Structure

As required in Minnesota Statute 124D.10.Subd.3. (c).1 and (d).1 and .2, ACNW provides the following information and commitments.

ACNW is governed by a Board of Directors, which makes the final decision to approve or reject charter school applications based upon the recommendations of the ACNW Board Charter School Sub-Committee and the ACNW Charter School Advisory Pool.

ACNW Board of Directors, governing since 1968 and is currently comprised of volunteer members from diverse backgrounds including experienced educators. ACNW Board of Directors spent significant time, particularly from March 2010 through September 2010, at each of its regular monthly meetings and held one special Board meeting to review the national standards for Authorizers, to review the new state legislation and in its later summer Board meetings, to revise and finalize the structure for the ACNW Charter Schools Division for the purpose of quality Authorizing. Significant to the ACNW commitment, the ACNW Board of Directors met on a Saturday in late August to confirm its Charter School Division mission and vision and has recorded Board actions affirming the intention to make application to the Minnesota Commissioner of Education, Alice Seagren in the Fall 2010 to be approved to authorize charter schools through FY 2015.

The ACNW Board Charter School Sub-Committee is made up of four Board members and including a ACNW chartered school representative. The Board Charter School Sub-Committee has been delegated responsibility to conduct review of Authorizing activities including making recommendations to the ACNW Board of Directors regarding new school applications, transfers of schools, renewal and terminations of contracts. Also, the Sub-Committee receives monthly reports of the charter school field staff via its Charter School Coordinator and support from the ACNW Co-director. The Sub-Committee has been instructed to meet monthly, two weeks before the ACNW Board meeting to properly prepare recommendations to the Board. Moreover,

because of the deliberate and detailed procedures identified both in its application to become an Authorizer in Fall 2010 and in its Charter School Authorizing Manual, the Sub-Committee has a primary role in assuring well founded conclusions, consistent with ACNW policies and procedures in its recommendations to the Board.

The ACNW Board Charter School Sub-Committee members in previous years have and will continue to do site visits to charter schools, attend Board meetings, and participate in critical events in the relationships with charter schools. For example, during ACNW tenure as a Authorizer of charter schools, ACNW Board Charter School Sub-Committee members have been in attendance at four public hearings held in response to ACNW notification of termination of contract or non-renewal of contract with three charter schools. This also is a volunteer activity, but Sub-Committee members may receive mileage and other out-of-pocket expenses.

Job Description of the ACNW Board Charter School Sub-Committee:

- Study start-up charter school applications including the Advisory Pool individual reviewer's findings (*see paragraph below*) and collaborative conclusions determined by the Pool and make recommendations for approval or rejection of applications to the ACNW Board of Directors
- Study existing charter school applications for change of authorizer, site expansion and grade level expansion requests including the Advisory Pool individual reviewer's findings and the collaborative conclusions determined by the Pool and make recommendations for approval or rejection to the ACNW Board of Directors
- Review authorized charter schools record of progress through the evaluation process for determination of renewal of contracts applications and make recommendations for approval or rejection to the ACNW Board of Directors
- Monitor the activities of authorized schools through school visits and regular communications from the ACNW Charter School Coordinator
- Review the annual reports of all authorized schools
- Recommend technical assistance to authorized schools to the ACNW charter staff
- Monitor and recommend, as needed, modifications of ACNW charter school policies and procedures to the ACNW Board of Directors.
- Remain current with charter school statute 124D.10 and related Minnesota statutes

The 3rd volunteer group of highly qualified individuals with extensive experience in and/or understanding of current Minnesota charter operations will provide membership on the ACNW Charter School Advisory Pool. This Pool of qualified individuals has been developed to review submissions to ACNW for authorization, both new initiatives for a charter school and transfer requests from existing charter schools. In addition, the Pool members will be used to review expansion (both grade level and site) requests and requests to renew the school's charter contract to ACNW. The members of this Pool are on call to review applications. Assignments to review applications will include three (3) Advisory Pool members for new initiative applicants or two (2) Advisory Pool members for existing schools requesting transfer. One (1) Advisory Pool member, in addition to field staff and the Charter School Coordinator will review expansion requests, and requests for renewal of contracts. In each circumstance, selected Pool members will review the application and follow the instructions in applying the rubrics for evaluation. Also,

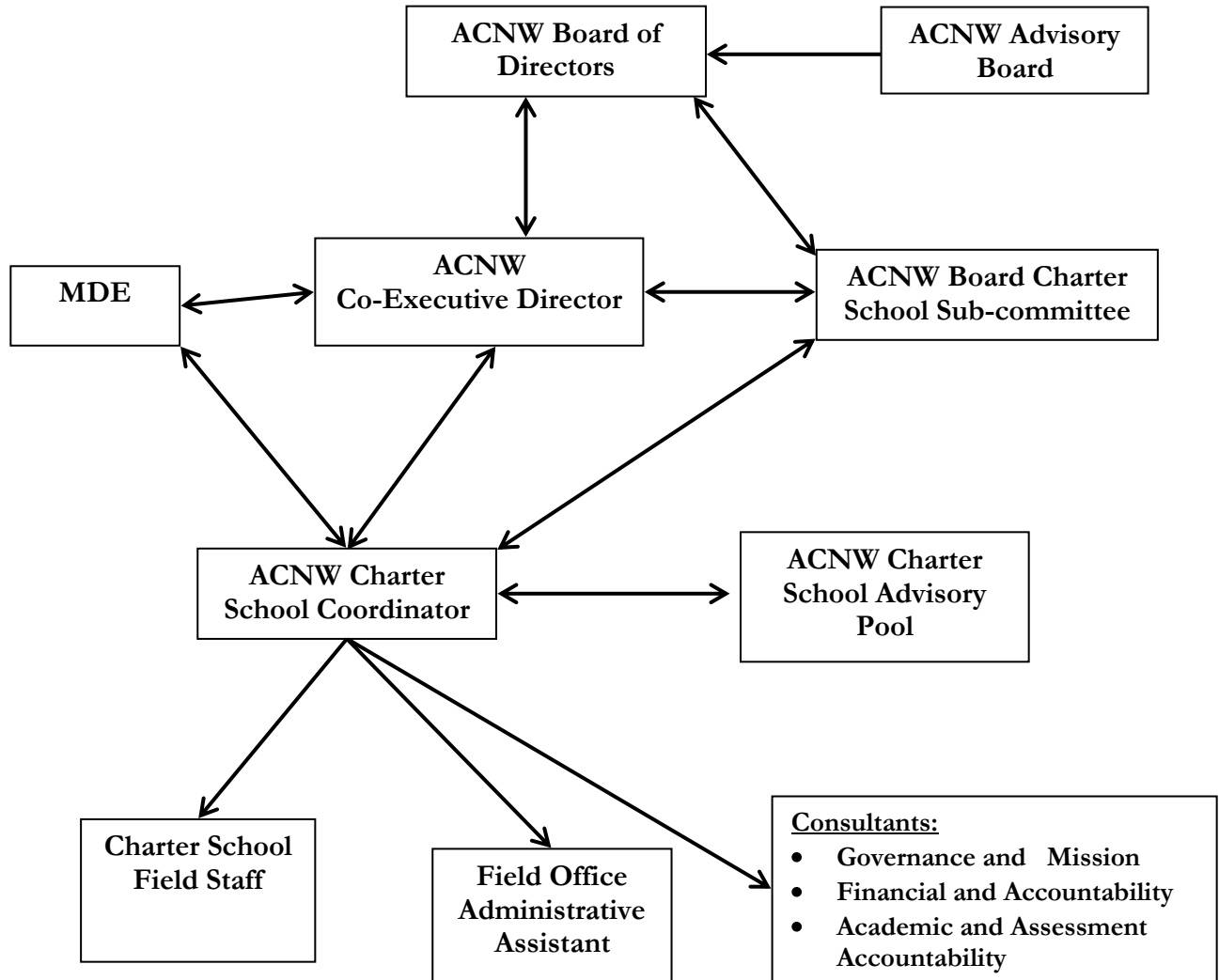
the selected Pool members may meet with the applicants following the completion of the review and forwarding of the preliminary recommendation to the applicants. A validation of findings meeting with reviewers will be held and will be facilitated by the Charter School Coordinator to complete the recommendation to the ACNW Board Charter School Sub-Committee.

All pool members will be experienced in charter school and/or public district school education, community leadership or business success. One exemplary charter school leader (director and/or Board chair) of an ACNW school will also be involved on each new initiative review team and each transfer from another Authorizer/authorizer review team. Review team members for each application will be decided in consultation and agreement of those selected between the ACNW Board Charter School Sub-Committee and the Charter School Coordinator. Care will be made to avoid any potential conflicts of interest in a reviewer and emphasis will be on a balance in specialties of the reviewers on the team and including reviewers experienced with cultural considerations and/or student populations likely to be served.

Membership in the pool is a volunteer activity, but Advisory Pool members may receive mileage and other out-of-pocket expenses. A stipend will be available to each Advisory Pool member because the participation on a review team will require an orientation session, study of review rubrics for evaluation, review of the application, meeting with the applicants, and the final meeting to validate the evaluation process and complete the recommendation.

Next page is an organization chart for the ACNW Charter School Authorization Team.

Audubon Center of the North Woods
Organizational Chart Charter School Authorization Team



Conflicts of Interest

ACNW's Conflict of Interest Policy for the Charter School Authorizing Team, reads as follows:

Persons with any actual or perceived conflict of interest shall disclose the same. Persons with a conflict of interest are excluded from deliberation and voting to ensure they have no influence over the corporation regarding the compensation for or business deals of themselves or of related persons.

Members of the ACNW Board of Directors, ACNW Board Charter School Sub-Committee, ACNW Charter School Advisory Pool, members of the ACNW staff, or contractors will not be allowed to take part in any procedures or make contact to a charter school on behalf of ACNW or participate in any way in decisions relating to the authorization of any school they are currently affiliated with..

ACNW shall at all times endeavor to undertake all its actions exclusively in furtherance of its charitable and educational purposes without any of its actions resulting in any impermissible benefit.

At all times ACNW shall comply with the conflict of interest laws laid out in Minnesota Statute 124D.10 and other laws.

As an authorizer, ACNW does not run charter schools; its function is to carry out monitoring and oversight, to assure compliance with law and support the establishment and success of innovative and successful public charter schools. Therefore, ACNW shall not enter into the following types of contracts with schools it authorizes:

- financial management
- administration
- accounting or auditing services
- lease of space.

ACNW Advisory Committee

Beth Blank
Franklin Crosby
Karen Halbersleben
Betsy Johnston
Gary Mondale
Mike Noble
Mark Peterson
Mary Jo Roth
Tim Whitfeld

Martin Carlson
Christopher Crutchfield
John Helland
Becky Lourey
Tony Murphy
Jim Peter
Linda Ritter
Bob Wedl

ACNW Board of Directors

Don Arnosti
Jessica Driscoll
Karen Eckman
Tammy Fleming
Rick Fletcher (Board Chair)
John Hickman
Bill Hilty
Don Janes

Tad Johnson
Douglas Mayo
Jim Obey
Sam Rankin
Gene Steele
Som Vang
Don Verbick
Mary Ellen Vetter

ACNW Board Charter School Sub-Committee

Jessica Driscoll

BS, Elementary Education (Special Education), College of St. Scholastica, Duluth MN. Experience: Teaching positions: Currently: Teacher at Odyssey Charter School, Brooklyn Center; Odyssey Board of Directors. Instrumental in training and development of *Environment as an Integrating Context for Learning* curriculum for North Woods teaching staff. She is active in educational and financial issues with nineteen Minnesota charter schools sponsored by ACNW.

Rick Fletcher

BA, Biology, Hamline University, St. Paul, MN; BS, Education, Mankato State University, Mankato MN; Environmental Certificate/Master's Program, Hamline University, St. Paul, MN, Experience: Sales; Director American Assn. Of Youth Sports; Director of Kumon USA Center, The Classical Academy, Director, teacher, Odyssey Charter School, Brooklyn Center. Currently: Lead Teacher, Model K-12 Self Contained classroom, Spring Lake Park School District, Spring Lake Park.

Mary Ellen Vetter

AA, Springfield College, Springfield, IL; B Mus. Ed., American Conservatory of Music, Chicago, IL; BS, Education (Early Childhood), University of MN, Minneapolis. Experience: Retired Primary Teacher, Anoka-Hennepin School District, Anoka MN. Past President Audubon Chapter of Minneapolis; past member Audubon Minnesota State Board of Directors; Past Chair: City of Brooklyn Center Conservation Commission.

Dave Conrad

Dave is currently the Director of New Discoveries Montessori Academy, serving students (and their families) in grades pre- K – 6 and was an integral part of its start-up and continued success. Prior to New Discoveries, Mr. Conrad served founding director of New Century Charter School, and as a public school educator for 10 years for Hutchinson Public School District #423. While at District #423, Dave was principal at *West Elementary School*, a pre-school, kindergarten and

first grade building, and at *Park Elementary School*, a second through fifth grade building. Dave has served on the ACNW Board Charter School Sub-Committee for 1 year.

ACNW Charter School Advisory Pool

Becky Meyer

Becky has been director of the Academy for Science in Agriculture for the last nine years. The school is located in Vadnais Heights in its newly constructed and school owned building in the middle of a nature area and school forest. The school has been very successful both financially and academically under her direction. Becky has both her Minnesota Principals and Superintendents Licenses.

Nancy Schultz

Nancy Schultz is the Finance Director for two charter schools for the past five years. Prior to that, she worked at MDE as a Finance Specialist working in the area of Lease Aid.

Mike Link

Mike Link retired from being the Director of Audubon Center of the North Woods after being in that role for 38 years. He is an instructor at Hamline University Graduate School. He has 6 years of experience in the oversight role of charter schools.

Meghan Cavalier

Meghan is a recent graduate of Bethel University. Ms. Cavalier is a 2nd year director at River's Edge Academy. She is on the planning committee for Green School Conference. Prior to working at River's Edge, she was a secondary principal at Bethany Academy in Bloomington. She is completing her doctorate at Bethel University.

Ken Hanson

Ken is an administrator at St. Paul Public schools. He is one of the founders of River's Edge Academy and was Board Chair in the Start-up years. He is knowledgeable about Expeditionary Learning Outward Bound,

Harlan Young

Board Chair at Cross Lake Community School for five years. Self-employed for 34 years. Strong advocate for closing the achievement gap and his school has consistently achieved AYP.

Cheryl Lang

Cheryl and her husband both specialize in charter school accountability, testing and metric. Cheryl has been involved with Charter schools for over 10 years, working as a part-time consultant for many charters in Minnesota. Ms. Lang is nationally known as a presenter and consultant on school improvement.

Pat Magwire

Ms. Magwire has an elementary principal license in Nebraska and Minnesota. After serving as a principal for several years, Pat most recently has worked with many charter schools in

developing and managing Q-Comp programs, SIOP training, school accountability and grant management.

In Addition, fifteen of Current ACNW Sponsored Schools volunteered at a November meeting to serve on the Advisor Pool.

ACNW Staff Briefs

Melonie Shipman

Executive Co-Director of ACNW. (See Resume Section of Application)

Steve Dess

Charter School Coordinator of ACNW. (See Resume Section of Application)

Kirsten Kinzler

Charter School Liaison, ACNW. (See Resume Section of Application)

Angie Pykonen

Charter School Administrative Assistant. (See Resume Section of Application)

Charles Speiker

Financial Operations Trainer and part-time Charter Liaison. Charlie Speiker worked at the MN Department of Education for many years in Program Finance. He worked with many school districts on SOD plans. He currently works for School Business Solutions as a Board Trainer in the Finance and Personnel areas. Dr. Speiker is a licensed superintendent.

Morgan Brown

Governance Trainer. Morgan Brown was the Assistant Commissioner at MDE for two years and the Director of School Choice and Innovation for three years. Brown became the Assistant Deputy Secretary of the Office of Innovation and Improvement at the U.S. Department of Education, in Washington, DC. Currently, he is Director of school improvement with Charter School Partners.

Glory Kibble

Educational Accountability and Assessment Trainer and part-time Charter Liaison. Glory recently retired after working at the MN Department of Education for the past 12 years where she worked in School Choice. In that department, she worked extensively with Alternative Schools (ALC's) and supervised several charter schools. Glory has an administrative license as a superintendent and principal.

Authorizer Duties and Expectations of Schools

ACNW recognizes that its purpose in charter school authorizing is to improve student achievement and charter school accountability and performance. As a quality authorizer we must engage in responsible oversight of charter schools by ensuring that schools have both the autonomy to which they are entitled and public accountability for which they are responsible. Once authorized under Minnesota statutes, ACNW will operate in a partner/monitoring relationship to help ensure the success of our schools and their missions. In furtherance of this end, ACNW will:

- Approach authorizing deliberately and thoughtfully with the intent to improve the quality of public school options;
- Support and advance the Minnesota charter school law;
- Be a Minnesota catalyst for charter school development to satisfy unmet educational needs;
- Insist on clarity, consistency and transparency in developing and implementing its authorizing policies and procedures;
- Be a source of accurate, intelligible, performance-based data and other information about the schools they oversee;
- Be responsible not for the success or failure of individual schools, but for holding the schools they authorize accountable for their performance;
- Use objective, consistent, and verifiable measures of student achievement as the primary measure of school quality;
- Support parents and students in making decisions and staying informed about quality education provided in charter schools in general and ACNW authorized charter schools specifically;
- Make the well-being of students the fundamental value in forming all decision-making and subsequent actions taken.

Expectations of authorized schools, and processes ACNW will use to monitor schools, are listed later in this document, in the “ACNW Oversight & Evaluation Plan for Operating Schools” sections of this document.

Contract and Authorizer Fees

As required in Minnesota Statute 124D.10.Subd.3. (c).3 and (d).3, ACNW provides the following information and commitments.

After ACNW submits an affidavit of intent to authorize a charter school, the Minnesota Department of Education reviews the affidavit and the process used by ACNW to reach the decision to authorize the charter school. If approved by the Minnesota Department of Education, the charter school enters into a written contract with ACNW specifying conditions of the relationship based on the requirements of Minnesota charter school statute 124D.10 and 124D.11. An ACNW Sample Charter School Authorizer Contract for the first term of a charter

school is included in this manual; see Appendix #2. Fees for authorization will be assessed based on the Minnesota charter school statute.

A thorough review of the charter school will be conducted annually and prior to the end of the contract period to determine renewal of the contract. Details regarding the process for renewing the authorizing contract are provided below, in the Oversight and Evaluation Plan sections, and the *ACNW Charter School Annual Site Visit Report Form* (Appendix #6).

The authorizer fee has been calculated by MDE (Per Stat. § 124D.10, subd. 15) as follows:

2010-11

- If a charter school is approved and in development, authorizer fee = \$5124.00
- If a school's AMCPU is less than 100, authorizer fee = \$5124.00
- If a school's AMCPU is more than 100 and less than 200, authorizer fee = (AMCPU x 5124 x .01)
- If a school's AMCPU is more than 200, authorizer fee = \$10,248.00

2011-12

- If a charter school is approved and in development, authorizer fee = \$5124.00
- If a school's AMCPU is less than 100, authorizer fee = \$5124.00
- If a school's AMCPU is more than 100 and less than 200, authorizer fee = (AMCPU x 5124 x .013)
- If a school's AMCPU is more than 225, authorizer fee = \$15,372

2012-13

- If a charter school is approved and in development, authorizer fee = \$5124.00
- If a school's AMCPU is less than 100, authorizer fee = \$5124.00
- If a school's AMCPU is more than 100 and less than 200, authorizer fee = (AMCPU x 5124 x .015)
- If a school's AMCPU is more than 270, authorizer fee = \$20,496

2013-14

- If a charter school is approved and in development, authorizer fee = \$5124.00
- If a school's AMCPU is less than 100, authorizer fee = \$5124.00
- If a school's AMCPU is more than 100 and less than 200, authorizer fee = (AMCPU x 5124 x .015)
- If a school's AMCPU is more than 270, authorizer fee = \$20,496

2014-15

- If a charter school is approved and in development, authorizer fee = \$5124.00
- If a school's AMCPU is less than 100, authorizer fee = \$5124.00
- If a school's AMCPU is more than 100 and less than 200, authorizer fee = (AMCPU x 5124 x .015)

If a school's AMCPU is more than 270, authorizer fee = \$20,496

ACNW Five Year Financial Plan

Revenues for ACNW will come primarily from fees paid by schools it authorizes according to the calculations stated above. ACNW is prepared to accelerate its growth consistent with the needs of the community. We believe these targets for numbers of schools to be authorized are conservative; if there is sufficient demand ACNW may accelerate the projected timeline and budget/capacity plan.

Five (5) year Revenue Projection (See Attachment A of this Document)

Five (5) year Expenditure & Fund Balance Budget (See Attachment B of this Document)

Narrative:

Previous fiscal year (2009-2010 – 23 operating schools)

Current Year One (2010-2011 – 24 schools)

Assumptions:

Revenue

- *23 charter schools authorized:*
- *1 currently approved, pending ACNW approval as an authorizer*
- *Fund balance from prior year fees*

Expenditures

- *.5 Charter School Coordinator, Charter School Administrative Assistant*
- *Up to Three Charter School Field Staff Liaisons = 1.0 FTE*
- *Consultant Training & Collaboration for Field Staff*
- *Presenters at the November Annual ACNW Charter School Conference*
- *Minneapolis Office – ACNW Charter Schools Division – Leased 9/1/10*
- *Review Pool – New & Transfer Requests*
- *Contractor assists ACNW & staff train with ramp up summer & Fall 2010.*

Year Two (2011-2012 – 26 schools)

Assumptions:

Revenue

- *Prior fiscal year: 24 charter schools authorized:*
- *2 transfers / 1 new*
- *1 non-renewal*
- *Grant work*

Expenditures

- *.5 Charter School Coordinator, Charter School Administrative Assistant*
- *Charter School Field Staff Liaisons = 1.5 FTE*
- *Consultant Training & Collaboration for Field Staff*
- *Presenters at the November Annual ACNW Charter School Conference*
- *Minneapolis Office – ACNW Charter Schools Division*
- *Review Pool – Transfer Requests*
- *Review Pool- New Requests*

Year Three (2012-2013 – 27 schools)

Assumptions:

Revenue

- *Prior fiscal year: 26 charter schools authorized:*
- *1 transfers / 1 new*
- *1 non-renewal*
- *Grant work*

Expenditures

- *1.0 Charter School Coordinator, Charter School Administrative Assistant*
- *Charter School Field Staff Liaisons= 2.0 FTE*
- *Consultant Training & Collaboration for Field Staff*
- *Presenters at the November Annual ACNW Charter School Conference*
- *Minneapolis Office – ACNW Charter Schools Division*
- *Review Pool – New Requests*

Year Four (2013-2014 – 27 schools)

Assumptions:

Revenue

- *Prior fiscal year: 27 charter schools authorized:*
- *1 new*
- *1 non-renewal*
- *Grant work*

Expenditures

- *1.0 Charter School Coordinator, Charter School Administrative Assistant*
- *Charter School Field Staff Liaisons= 2.0 FTE*
- *Consultant Training & Collaboration for Field Staff*
- *Presenters at the November Annual ACNW Charter School Conference*
- *Minneapolis Office – ACNW Charter Schools Division*
- *Review Pool – New Requests*

Year Five (2014-2015 – 27 schools)

Assumptions:

Revenue

- *Prior fiscal year: 27 charter schools authorized:*
- *Grant work*

Expenditures

- *Charter School Coordinator, full time*
- *Charter School Administrative Assistant*
- *Charter School Field Staff Liaisons= 2.0 FTE*
- *Consultant Training & Collaboration for Field Staff*
- *Presenters at the November Annual ACNW Charter School Conference*

ACNW Application Criteria & Process

As required in Minnesota Statute 124D.10.Subd.3. (c).2 and (d).3, ACNW provides the following application criteria and process.

The ACNW application approval criteria and rubric is explained fully in two Guides, *ACNW New Charter Application Guide* and *ACNW Transfer Authorizer Application Guide* documents.

The ACNW application approval criteria include the following statutory components:

- how the statutory purposes defined in subdivision 1 of MN Statute 124D.10 are addressed
- the vision, mission, goals, program model, and student performance expectations
- the school's governance plan
- the administration and operations plan
- the financial management plan
- an evaluation plan for the school that includes criteria for evaluating educational effectiveness, organizational plan, and fiscal plans

New Charter Schools

Persons with interest in starting a charter school must obtain and understand Minnesota statutes 124D.10 and 124D.11 which govern charter school formation and operation. These Statutes will be available on our Website and are available upon request to ACNW. Charter school applicants must complete:

- the ACNW application,
- training requirements set by the Minnesota Department of Education, and
- other training ACNW may specify.

In addition, they should familiarize themselves with available resources in order to build an understanding of the magnitude of tasks involved in starting and operating a public charter school. They must allow adequate time for organizing a planning team, formulating concepts, and completing required elements of the application process. ACNW will encourage adequate time for organizing a planning team, formulating concepts, and completing required elements of the application process. See Figure 1 for a view of the complete process.

Interested applicants will file the Charter School Intent Apply Form (the form can be located in the *ACNW New Charter Application Guide*) 30-180 days before filing the full application. The letter of intent will include:

- name of proposed school,
- contact person,
- a brief description of the proposed school program,
- a brief description of ACNW's required criteria,
- grade levels to be served with target demographics,
- proposed location of the charter school,
- whether the school expects to contract with another entity for school management or operation,
- the people involved including proposed principal/lead administrator (if already chosen),

- applicant team (or founding entity qualifications) with intended roles, and
- any partners of the founders' group.

The ACNW Charter School Coordinator in consultation with the Charter School Advisory Pool, will review preliminary materials sent by prospective applicants and provide informal feedback indicating the likelihood of ACNW's interest in authorizing the school.

If the school developers wish to proceed, they will create an application, in response to the *ACNW New Charter Application Guide*. Applications must be submitted at least 15 months prior to the proposed opening date of the new school. The applicants must provide an electronic file copy and five hard copies for review to the ACNW office. The ACNW Charter School Advisory Pool or a subgroup thereof, will review the application using the criteria set forth in the *ACNW New Charter Application Guide*. In brief, the ACNW Charter School Advisory Pool or a subgroup thereof, will expect evidence that the application:

- Includes the Intent to Apply Form (initially filed 30-180 days before the full application).
- Identifies which of the six statutory purposes for charter schools this charter school intends to meet and for each purpose identified, provide a paragraph or two describing how the school's educational program meets those purposes.
- States the proposed school's mission and vision. The vision statement is a statement of how the charter school will look once it is operating. The mission statement is how the school intends to make that vision a reality.
- States the school's goals and student performance expectations with a clear plan for how goals will be measured, how ongoing progress toward goals will be measured throughout the year, how data will be obtained and stored, and how that data will be used for program improvement and provided to the authorizer.
- Provides a clear description of the proposed school's educational program model, including how instruction and assessment are aligned with state academic content standards. . Schools should consider replicating highly successful charter schools with similar student demographics. There should be a research basis for selecting a particular curriculum for the proposed student body. 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, the research basis should support the unique educational program design.
- Provides a detailed governance plan, including the founding group's current legal status and how the governing board will be established. Schools authorized by ACNW are required to obtain a nonprofit corporation status and apply for tax-exempt status with the IRS. The charter school governing board must operate in compliance with all applicable laws.
- Provides an administration plan with an explanation of the school's proposed management structure including the relationship that will exist between the charter school and its employees. If the proposed school intends to contract with an education service provider, the proposed relationship must be fully explained.
- Provides an operations plan for the proposed school addressing expectations; a plan for ongoing parent and community involvement; a plan to admit students by lottery if applications for enrollment exceed school capacity; the school's plans to address student

discipline, expulsion and suspension; the school's plan to develop special education services; a transportation plan; a food service plan; and a plan for finding a suitable facility for the school.

- Provides a financial management plan for the charter school addressing revenues and expenditures and a plan for compliance with state and federal accounting and reporting requirements. The proposed budget should be based on reasonable estimates that reflect choices made throughout the rest of the charter application, and 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.
- Provides a clear, detailed plan for evaluating educational effectiveness, organizational compliance, and fiscal compliance. Plan should address how the applicant will build capacity to carry out these activities aligned with state regulations.
- Indicates applicants have met all requirements of charter founding groups including participation in Minnesota Department of Education training sessions or other required training sessions.

The application should tell a story integrating the application components into one comprehensive package with the vision and mission evident throughout the application. Complete specifications for charter applications are provided in the *ACNW New Charter Application Guide*.

ACNW Charter School Advisory Pool members will review the application independently, first rating each component as to whether the evidence presented by the applicant is Inadequate to Realistic and will rate each section "0", "1", "2", or "3"; and secondly making a recommendation on whether or not to approve the application (see the "Overall Assessment" section at the end of the *ACNW New Charter Application Guide*). After the reviewers have completed their independent ratings, they will meet as a group to achieve consensus on the recommendation to be forwarded to the ACNW Board Charter School Sub-Committee. Before making their recommendation, the ACNW Charter School Advisory Pool may request, the applicant appear before Pool for a presentation and to respond to questions. The ACNW Board Charter School Sub-Committee will review the information and make a recommendation. The ACNW Board Charter School Sub-Committee will forward their recommendation to the applying school within 30 days of receipt of the application.

The recommendation will be for one of four responses:

- Decline – incomplete application or does not meet minimum standards
- Approve – but only with additional information which ACNW will specify
- Approve – with conditions which ACNW will specify
- Approve – unconditionally

Applicants, whose proposals are deemed worthy of approval with additional information or upon conditions specified by ACNW being met, will be asked to submit revised applications to ACNW within 10 days of receiving this notice.

The ACNW Board Charter School Sub-Committee will act upon the recommendation within 10 days of its receipt and will forward its recommendations to the full ACNW Board of Directors for their approval or denial. All final decisions are up to the ACNW Board of Directors.

Figure 1 shows the process for newly-proposed charter schools to apply to ACNW for authorizing. Dates may be waived in exceptional circumstances with ACNW Board Charter School Sub-Committee approval.

In the case of applications declined due to incompleteness or not meeting minimum standards, the applicants may re-submit in the next application cycle by starting with the “Intent to Apply” letter and completing all steps of the application process.

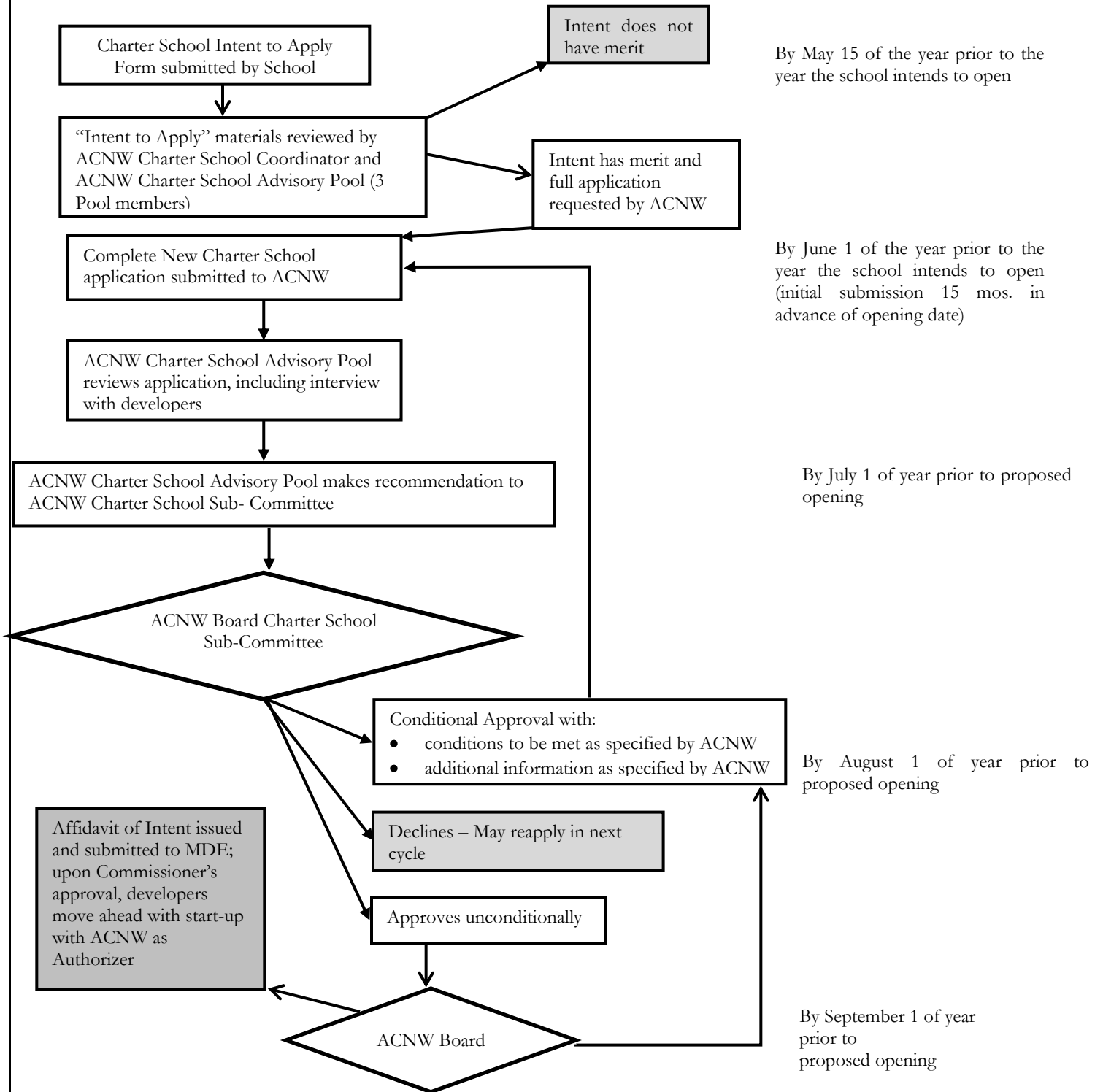
When an application is approved, the founding group will be required to undergo criminal background checks at their expense. Information submitted will be private and only reviewed by ACNW charter school staff.

Upon successful completion of the criminal background checks, the ACNW Board of Directors will issue an Affidavit of Intent to Authorize document to accompany the charter school application to the Minnesota Department of Education.

Figure 1: New Charter School Process for Applying to ACNW

ACNW Actions

Timeframe (assumes 7/1 school start and 9/1 opening)



Existing Charter Schools

The process (See Figure 2 for a view of the complete process) for an existing charter school to change to authorization by ACNW is similar in most respects to the process for new charter schools, with these exceptions:

- Operators of existing charter schools must submit *Intent to Apply for Transfer of Authorizer Form*, which can be found in the *ACNW Transfer Authorizer Application Guide*, at least six (6) [five (5) in 2010] months prior to the end of the current authorizer contract date. The following attachments are to be submitted with the Form:
 - Resumes for lead administrator and each individual board member on the team.
 - Articles of Incorporation
 - Bylaws
 - Current Authorizer contract
 - Audited financial statements for the last 3 years
 - Annual report for the last 3 years
 - Standardized student test results for the last 3 years, if not included in annual reports
 - The most recent data on stakeholder satisfaction and perceptions of safety (e.g. parent, staff and student surveys, focus groups, etc), if not included in annual reports
- A representative(s) of ACNW will arrange to visit the school to observe the program, interview people (e.g. staff, students, parents), and obtain a sense of the program's quality, strengths, and needs.
- ACNW will contact the school's current authorizer to determine their experience and any concerns with the school.
- The ACNW Charter School Advisory Pool will review data from the school visitation and the school's current authorizer to make recommendation to the ACNW Board Charter School Sub-Committee within 30 days [15 days in 2010] of agreeing to consider or not consider the request.
- ACNW Board Charter School Sub-Committee will make a decision within 30 days of receipt of the ACNW Charter School Advisory Pool recommendations on whether to consider authorizing. Factors to be considered will include:
 - ACNW's organizational capacity for reviewing applications,
 - ACNW's capacity for authorizing given the current number of authorized schools, timing (e.g. ACNW may prefer to consider applications during the final term of a school's existing authorizer contract),
 - The school's organizational and financial health, and
 - The quality of the educational program.
- If the ACNW Board of Directors agrees to consider the change of authorizing, the school will be asked to provide documents generated during the past three years as well as narrative addressing the school's:
 - Statutory Purposes,
 - Vision and Mission Statements,
 - Goals and Student Performance Expectations,
 - Educational Program Model,

- Evaluation Plan and School Capacity,
 - Governance Plan,
 - Financial Management Plan,
 - Administration Plan, and
 - Operations Plan.
- Documents to be submitted:
 - All board policies
 - Enrollment policies/procedures if not included in the above
 - Staff Handbook, Parent Handbook, and Student Handbook
 - Documentation of the school's federal tax-exempt status
 - Daily Schedule
 - Annual Calendar
 - Student retention data for the past three years
 - Job descriptions for lead administrator, teachers, and other key employees
 - Staff development plan for last 3 years
 - Analysis of student test data and any other data evidencing student success over last three years
 - STAR Report for the last three years
 - Summary of any awards and recognitions received
 - Renewal report from authorizer if contract was previously renewed
 - Copies of reports to the authorizer if these have been done
 - Strategic plan if the school has one
 - Current School Improvement Plan if the school has one
 - Statutory Operating Debt plan if the school is in SOD
 - Minutes of board meetings for the past twelve months
 - Budgets for the current and previous school years; projected budget for next year if available
 - Enrollment projections for the next two years
 - Lease agreement
 - Documentation of liability insurance
 - Documentation of any litigation the school has been involved with the past 2 years to the extent data practices law permits sharing such
 - Full specifications for applications are provided in the *ACNW Transfer Authorizer Application Guide*. Applicants then submit completed ACNW application, responding to ACNW specifications.
 - ACNW staff will maintain informal communication with the charter school, advising charter school leadership regarding the process of applying to ACNW to become the school's authorizer.
 - The ACNW Board Charter School Sub-Committee will forward their recommendation to the applying school within 30 days of receipt of the application. The recommendation will be for one of four responses:
 - Decline – incomplete application or does not meet minimum standards
 - Approve – but only with additional information which ACNW will specify

- Approve – with conditions which ACNW will specify
- Approve – unconditionally

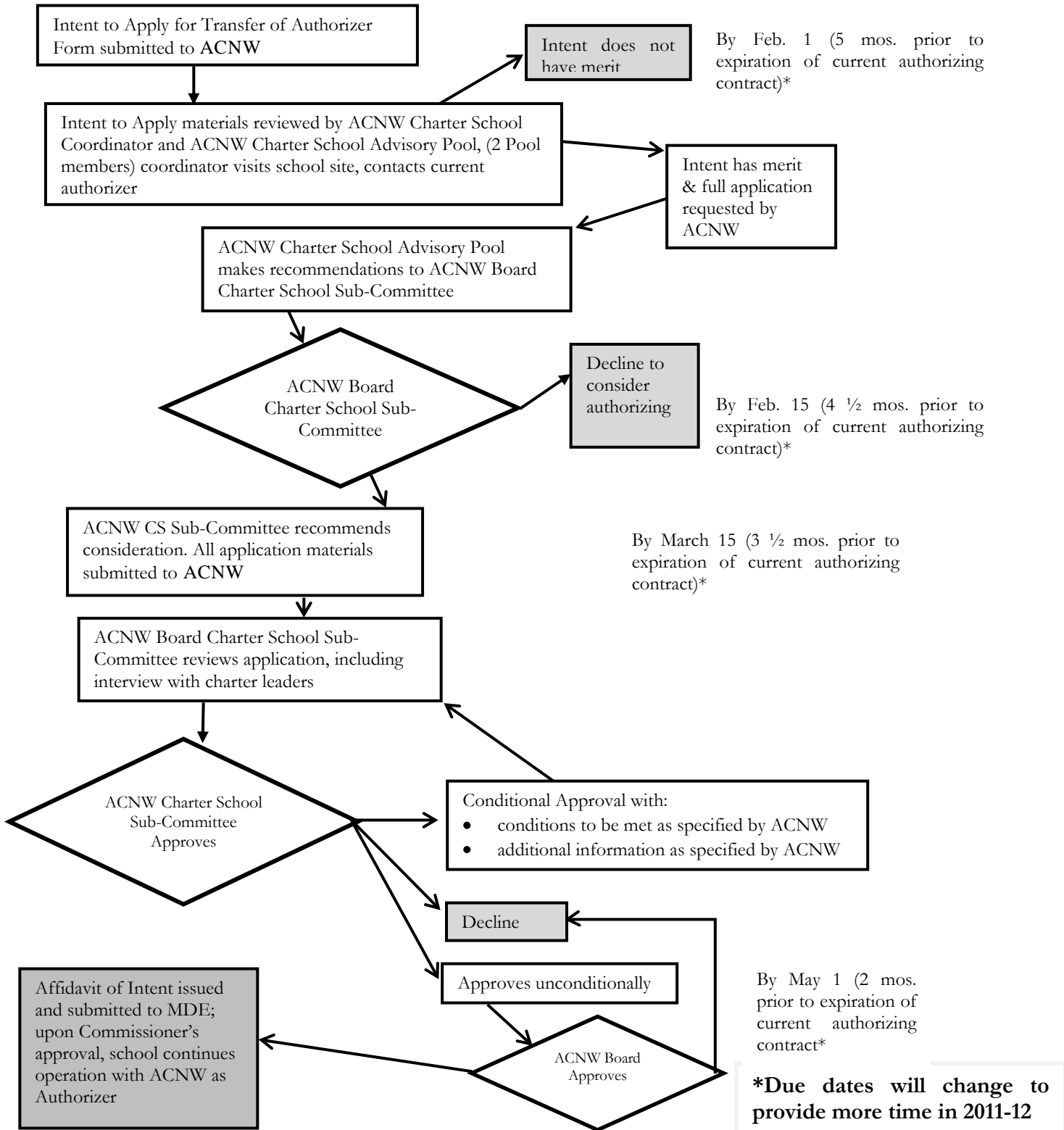
Applicants, whose proposals are deemed worthy of approval with additional information or upon conditions specified by ACNW being met, will be asked to submit revised applications to ACNW within 10 days of receiving this notice.

The ACNW Board Charter School Sub-Committee will act upon the recommendation within 5 days of its receipt and will forward its recommendations to the full ACNW Board of Directors for their approval or denial. All final decisions are up to the ACNW Board of Directors.

Figure 2 shows the process for existing charter schools to apply to ACNW for authorizing. Dates may be waived in exceptional circumstances with ACNW Board Charter School Sub-Committee approval.

Figure 2: Existing Charter School Process for Applying to ACNW
ACNW Actions

Timeframe (assumes current contract expires 6/30)



ACNW Oversight of Start-up Process

As required in Minnesota Statute 124D.10.Subd.3. (c).4 and (d).5, ACNW provides the following information and commitments.

Once a charter school application is approved, ACNW will monitor the start-up group's progress as they lay the foundation for the school's success. ACNW is committed to working with the developers to ensure the creation of a successful school. To this end, ACNW will require developers to create and maintain a start-up task table specific to their school which includes at least the elements in the *ACNW Charter School Start-Up Guide and Progress Checklist* included at the end of this Manual (Appendix 4).

The start-up period for a new charter school is typically quite challenging. The founders may encounter unforeseen difficulties in any of the areas noted in the start-up task list. ACNW will monitor authorized schools' start-up efforts to ensure the school is ready before it opens. In order to gain ACNW's final approval for opening, a new charter school must meet certain conditions for opening set forth in the *ACNW Charter School Ready-to-Open Checklist* (Appendix 5 to this manual).

As the school gets closer to their opening date, the founders will use the checklist in consultation with ACNW. If the start-up school's board is unable to meet one or more of the conditions, it will submit a plan detailing how the condition will be accomplished by June 1. In the event the conditions are not met by the deadline, ACNW may, at its own discretion, decide to postpone the opening of the school by one year. Of course, the developing school may decide to delay a year to have more time to open successfully (three schools that ACNW has authorized have delayed opening to a future year).

ACNW Oversight Plan for Operating Schools

As required in Minnesota Statute 124D.10.Subd.3. (c).4 and (d).5, ACNW provides the following information and commitments.

This oversight and evaluation plan serves as a template for all charter schools authorized by ACNW. If necessary, this plan may be amended and adapted for specific charter schools. As a charter school authorizer, ACNW takes very seriously its responsibility to ensure quality programs in its authorized schools.

ACNW will hold authorized schools accountable in four major areas: governance, student/school performance, operational and financial. ACNW's expectations for charter school accountability plans in each of these areas are stated below, under School Performance Indicators. ACNW's ongoing oversight of authorized schools will include the following activities:

Governance

- ACNW will attend at least two charter school board meetings annually.
- ACNW will receive each board meeting packet (expected prior to Board meeting)
- The Board will provide to ACNW additional reports, if any, as requested.

Student/School Performance

- ACNW will review the School Annual Report with special emphasis on the student performance information and identify areas where ACNW has concerns based on the provisions of the Charter Contract.
- ACNW will review the MDE School Report Card annually with special emphasis on the student performance information and identify areas where ACNW has concerns based on the provisions of the Contract Agreement.

Operational

- ACNW will review charter school board meeting minutes and monitor school policy revisions as needed.
- ACNW will make periodic site visits, at least two annually, to view the school's operation, discuss school/authorizer issues, and meet with staff, parents, community and students (if applicable). One visit will be designated an Annual Site Visit and will use the attached *ACNW Charter School Annual Site Visit Report Form* (Appendix # 6 to this manual).
- ACNW will attend a sampling of school student activities.
- ACNW will review school compliance with required state reporting deadlines and identify any areas where ACNW has concerns based on the provisions of the Contract Agreement.

Financial

- The monthly financial statement provided to the school's board will also be provided to the ACNW who will comment as necessary.
- ACNW will review the annual budget of the school and provide comments as necessary.
- ACNW will review the school's Annual Financial Audit and identify any areas where ACNW has concerns based on the provisions of the Contract Agreement.

ACNW Evaluation Plan for Operating Schools

As required in Minnesota Statute 124D.10.Subd.3. (c).4 and (d).5, ACNW provides the following information and commitments.

The Performance Indicators listed below outline how ACNW will evaluate the performance of its authorized schools. The Program Model indicators are general principles the charter operators are asked to bear in mind in designing their accountability plan and in operating the school. The remaining four Performance Indicators areas are aspects the charter operators are expected to address in their operations and will be continually reviewed by ACNW. Through a combination

of data gathered directly at site visits and data reported by the charter school operators, ACNW will ensure that its authorized schools meet these Performance Indicators:

1) Program Model Performance Indicators:

- The program model is consistent with that described in its application and statutory provisions.
- Parents, staff, board and students have a clear understanding of the program model and mission of the school.
- The curriculum supports the school mission and program model, is aligned to the Minnesota Academic Standards, and is implemented with fidelity.
- Job-embedded staff development supports the mission, the program model, and continuous school improvement.

2) School-wide Educational Performance Indicators:

- Annual school-wide academic achievement goals address state and federal accountability expectations in mathematics and reading (e.g., NWEA/MAP, MCA-II/MTELL/MTAS, TEAE/MN SOLOM) and establish rigorous, attainable increases in student achievement from previous year.
- Annual results of student achievement in mathematics and reading show regular and consistent increases in student performance with rates of change equal to or greater than other entities such as the state, the nation, or regional schools with similar demographics.
- Reported growth measures of student achievement in mathematics and reading indicate students performing on grade level are making at least one year's expected growth when receiving one year of opportunity to learn and struggling students are making accelerated growth when receiving one year of opportunity to learn.
- Additional annual school wide goals address other aspects of student learning (i.e. content areas not mathematics or reading, critical thinking, problem solving, 21st Century skills, personal responsibility, etc.) related to the school's mission, if appropriate, and establish rigorous, attainable increases from previous year.
- Other school performance goals will address state and federal accountability targets for student attendance, and for graduation rates if applicable.

3) School Climate and Satisfaction Performance Indicators:

- Student retention rates show improvement over time for all subgroups enrolled in the school.
- Perception measures of satisfaction (e.g. surveys, focus groups, etc.) indicate a positive learning environment for all students from the perspective of multiple stakeholders including students, parents, and community members.
- Perception measures of safety (e.g. surveys, focus groups, etc.) indicate students and parent perceive the school environment as safe for all student groups.

4) Operational Performance Indicators:

- The Charter School Board is organized consistent with state law and follows good governance practices including:

- no conflicts of interest for any members;
- compliance with the Minnesota open meeting law;
- following adopted Board By-Laws;
- adopting required policies; and
- developing a strategic plan (optional until renewal year).
- The Board meetings are conducted following parliamentary procedure including a published agenda, minutes of previous meetings, and a defined meeting process.
- The Board makes key school decisions including:
 - Approving the hiring and dismissal of all staff;
 - setting the policies of the school;
 - setting performance expectations consistent with the contract with the authorizer
 - adopting an annual budget and monitoring/reviewing the budget regularly;
 - approving all expenditures;
 - reviewing and accepting the annual audit;
 - reviewing school academic performance regularly;
 - reviewing the annual report;
 - adopting an educational improvement plan (could be a School Improvement Plan, or included in a strategic plan);
 - reviewing the performance of the school’s lead administrator at least annually.
- The Board has a “board development plan” including annual training.
- Appropriate management by school leadership are reflected in a variety of summary data including:
 - staff qualifications/licensure compliant with state requirements;
 - staff selection process fair and appropriate;
 - staff assignments and turnover reasonable;
 - enrollment process implemented with fidelity and projections are reasonable;
 - transportation system functioning well;
 - established complaint and resolution procedures implemented with fidelity;
 - state reporting completed accurately and timely;
 - Board policies implemented; and
 - appropriate insurance acquired and maintained.
- The school complies with state and federal standards for civil rights, health/safety/welfare, special education, English Language Learners, discipline, food/nutrition, student performance accountability, and audits including:
 - non-discrimination laws followed;
 - health and safety laws adhered to.
 - state testing and accountability requirements implemented with fidelity; and
 - special populations such as students with disabilities and English Language Learners, appropriately served.
- Teacher evaluation and leadership evaluation indicates strong focus on improving instruction.
- Facilities are appropriate and adequate including
 - the school has adequate space.
 - the lease provisions implemented.

5) Finance Performance Indicators

- The school has a budget approved by its Board; the budget is being followed or amended when necessary based on student enrollment changes or other appropriate reasons.
- The school finances are appropriately managed as evidenced by the audit and monthly reports.
- State finance reports are filed appropriately and on time.
- State/federal taxes, pensions, insurance, etc. are paid as required.
- The budget includes revenue for anticipated future needs, i.e. a reserve fund.
- The patterns of expenditures are consistent with the mission, program and goals of the school.
- The school audit contains no material findings.

ACNW Interventions

As required in Minnesota Statute 124D.10.Subd.3. (c).4 and (d).5, ACNW provides the following information and commitments.

The ACNW Board Charter Sub-Committee will monitor authorized schools' progress continuously to ensure contract compliance. Monitoring will consist of a formal Annual Site Visit (as described in Appendix 6 to the *ACNW Charter School Authorizing Manual*) regular phone conferences with charter school director or Board members, and reviewing documents that are relevant to achievement of the ACNW Performance Indicators. The *ACNW Charter School Annual Site Visit Report Form* will be completed by field staff on all schools at least annually. If ACNW has no cause for concern, monitoring will occur:

- Monthly for schools in their first year of operation
- Quarterly for schools beyond their first year but still in the first term of the authorizing contract
- Quarterly for school that are not making AYP
- Annually for schools that have gone through one full review cycle, are in good standing and are making AYP

If there is reason for concern, ACNW will monitor as often as needed to ensure issues are addressed. If discrepancies are found, the school will be contacted for corrections and may be required to submit a plan for correction. If discrepancies are serious, the ACNW Board of Directors will consider terminating its authorization of the school.

If issues indicating potential concern are identified during the oversight process, ACNW will implement a range of interventions with the authorized school. Intervention will be triggered if a school is unable to meet or make reasonable progress toward meeting its academic and school program goals. Intervention will also be triggered if there is reason to believe any of the following has occurred:

- Unlicensed teachers
- Testing Improprieties

- Not making AYP
- Special Education violations
- Child abuse
- Violations of the open meeting law
- Financial improprieties including SOD
- Conflict of Interest
- Improper charter school board election procedures
- Improper admissions procedures
- Allegations of sectarian activities
- Any other violations of the law

ACNW has determined that an open line of communication initiated by the Authorized school is among the most effective methodologies to assist the school in solving problems before they rise to an intervention initiated by ACNW.

- In the ACNW contract the extent to which a school (usually, for example, its director and Board chair) are proactive in regular communication updates by phone and/or e-mail is cited as a consideration in ACNW contract renewal decisions.
- A serious neglect of proactive communication by the school to ACNW reveals a lack of commitment to the authorizer/school relationship necessary for the Authorizer to perform its oversight, not living up to our contract agreement, and taking seriously the needed transparency expected of a Minnesota public institution.
- Often in the form of questions for the Authorizer to provide information in day to day school situations of program, reporting, etc.; but sometimes because a serious issue has arisen, the dialogue is necessary to help move the charter school forward in a productive and timely manner.
- Specifically the contract provision 15.8:
The Authorizer requires to be informed by the CHARTER SCHOOL on a current basis any significant areas of concern and/or change that may arise at the CHARTER SCHOOL; including, but not limited to financial, staff, student /parent, and community issues. The extent to which the CHARTER SCHOOL is proactive in keeping the Authorizer informed during the contract period may be a major factor/cause in the Authorizer consideration of Contract termination (16.3 Considering Renewal).

Note: ACNW has cited this provision of the ACNW charter contract in both, Notice of Non-renewal and in a Notice of Termination of Authorizership to schools.

- All interventions will be documented in letters being sent to the school indicating Levels of Proficiency and/or Levels of Deficiency, Cause and possible Consequences (See Next Chart *ACNW Range of Possible Interventions*).

Audubon Center of the North Woods Range of Possible Interventions

Status	Caused by	Will result in
LEVEL 00 Notice of Exemplary Status	2.5 to 3 in all areas	Letter of Exemplary Performance from ACNW
Level 0 Notice of Satisfactory Status	2.0 or above in all areas	Letter of Satisfactory Performance from ACNW
LEVEL ONE Notice of Concern	<p>Signs of weak school identified through routine monitoring; through implementation, compliance, or performance reviews; or by other means</p> <p>Repeated failure to submit required documents on a timely basis.</p> <p>Fiscal: Failure to provide reports, budgets, audits and policies in a timely manner and a 10.1 to 20% audited fund balance.</p>	<p>Letter from ACNW to the charter school's board of directors detailing areas of concern.</p> <p>and/or</p> <p>Review and reconsideration of goals and Performance targets in the Accountability Plan.</p> <p>and/or</p> <p>ACNW recommendation that the school develops a School Improvement Plan.</p>
LEVEL TWO Notice of Deficiency	<p>Failure to meet multiple performance targets; or glaring or repeated failure to meet a single performance target.</p> <p>Failure to comply with the applicable law or significant failure to comply with the board conditions(s) of the charter.</p> <p>Fiscal: Failure to provide reports, budgets, audits and policies in a timely manner and/or a 1.1 to 10% audited year-end fund balance.</p>	<p>Letter from ACNW to charter school Board of Directors detailing areas of deficiency in the Accountability Plan.</p> <p>and/or</p> <p>School Improvement Plan—containing specific improvement objectives, technical assistance requirements, and schedule for remedial action—negotiated with ACNW.</p>
LEVEL THREE Notice of Probationary Status	<p>Failure to show academic improvement within three years when compared to district averages</p> <p>Continued failure to meet school targets and failure to meet objectives of School Improvement Plan.</p> <p>Continued failure to comply with the applicable law or with the charter.</p> <p>Fiscal: Continued deficiency in providing reports, budgets, audits and policies in a timely manner</p> <p>and/or</p> <p>A 1% or less audited year end fund balance</p>	<p>School Improvement Plan imposed by ACNW in the Accountability Plan</p> <p>and/or</p> <p>Assignment of technical assistance team by ACNW</p> <p>and/or</p> <p>In certain cases, ACNW may appoint field staff or a consultant to monitor the implementation of the School Improvement Plan</p>
LEVEL FOUR Charter Review	<p>Failure to address the terms of Probationary Status.</p> <p>Extended pattern of failure to comply or to meet school targets.</p> <p>Fiscal: Continued deficiency in providing reports, budgets, audits and policies in a timely manner</p> <p>And/or</p> <p>A 1% or less audited year end fund balance or SOD for one year.</p>	<p>Recommendation to revoke, not to revoke or to impose lesser sanctions in the Accountability Plan</p> <p>and/or</p> <p>Decision to commence or not to commence revocation proceedings made by ACNW.</p>
LEVEL FIVE Charter Revocation	<p>Charter Review results in recommendation to revoke.</p> <p>Fiscal: SOD for two years in a row or 1% or less audited year end fund balance for three consecutive years</p>	<p>Written Notice from ACNW stating reasons for proposed revocation.</p> <p>Written notice from ACNW informing the charter school to the right to an informal hearing with MDE.</p> <p>If the school chooses a hearing, another letter indicating the record of the informal hearing and the decision to revoke or not to revoke.</p>

Supplemental Application for School Expansion

Both Grade Level and/or Site Expansions

General Instructions and Format

- **Deadline:**
 - January 2, 201__ (6 months prior to expansion) 3:00 PM
 - Applications received after this time may not be considered.

- **Format:**
 - 8 ½” x 11” paper, 1” margins on all sides, 12-point font and Single Spaced. Page numbers and name of school in footer on each page.

- **Page Limits:**
 - School is required to submit a copy of the most recent *ACNW Charter School Annual Site Visit Report Form (See Appendix 6 to this manual)*
 - Number of pages is specified in each Component Section
 - Section 1: up to 8 pages
 - Section 2: up to 8 pages and attachments of 3ys of annual reports
 - Section 3: up to 2 pages of budget narrative and attachments of two budgets and most recent audit
 - Section 4: up to 6 pages
 - Page Limits do not apply to required attachments.
 - Please limit attachments to those that are requested.

- **Evaluation Criteria:**
 - ACNW will only accept applications that score between 2 and 3 in every rubric area of the *ACNW Charter School Annual Site Visit Report Form*.
 - When feasible ACNW will discuss deficiencies in the application and allow the school to strengthen the application to become a 2+ in all rubric areas.
 - ACNW will only accept schools whose application and interview sessions indicate that the founders have the capacity to both expand and operate a highly successful school.
 - The decision of ACNW Board of Directors is final.

- **Submission:**
 - One original paper copy of the application and all attachments and three reproduction copies of the application and budgets only must be submitted to ACNW.
 - The Document and all attachments should be electronically submitted by “Thumb Drive” in MS-Word, MS-Excel or PDF format to ACNW.
Submit to: **Steve Dess, Charter School Coordinator**
ACNW, Suite # 238
43 Main Street SE
Minneapolis, MN 55414

As required in Minnesota Statute 124D.10.Subd.3. (c).2 and (d).3 and Subd.4(j), ACNW provides the following information and commitments.

Per 124D.10 Subd 4(k), the MDE Commissioner shall have 30 business days to review and comment on the supplemental affidavit. The MDE Commissioner shall notify the authorizer of any deficiencies in the supplemental affidavit and the authorizer has 30 business days to address, to the Commissioner's satisfaction, any deficiencies in the supplemental affidavit. With this in mind, ACNW requires that any request for expansion be submitted on or before January 2 of the year the school has requested the expansion to be implemented. This will allow adequate time to review and perhaps improve the requests and then submit to the Commissioner with ample time for the decision making process and the school to fully implement the proposed expansion.

With this in mind, ACNW will consider applications by its authorized schools to expand by adding sites and/or grades beyond the grades and sites described in the authorizer's original affidavit as approved by the Minnesota Department of Education (MDE) Commissioner. Per section 124D.10 Subd 4 (j), in order to expand a charter school must show that:

- (1) the expansion proposed by the charter school is supported by need and projected enrollment; (To support this request, ACNW suggests the charter provide the following.)
 - (a) Explain the rationale for the proposed expansion. This should include a demonstration of need and evidence of support from the families the school serves.
 - (b) Indicate how many additional students the school will serve and provide a rationale for the numbers projected.
 - (c) An explanation of how the expansion will affect the school facilities. If it is necessary to secure a new facility, please identify the location and other relevant information. Also include a statement of how the expansion will affect your staffing needs.

- (2) the charter school expansion is warranted, at a minimum, by longitudinal data demonstrating students' improved academic performance and growth on statewide assessments under chapter 120B; (To support this request, ACNW suggests the charter provide the following.)
 - (a) Provide a narrative of the current progress of improving student academic achievement. The school is requested to provide evidence of: meeting Adequate Yearly Progress and/or of demonstrating academic growth on alternative valid and reliable measure(s) at the aggregate, charter level for all students; NCLB Highly Qualified Teacher provisions; high levels of parent satisfaction;

- (3) the charter school is fiscally sound and has the financial capacity to implement the proposed expansion; (To support this request, ACNW suggests the charter provide the following.)
 - (a) Two budgets must be submitted. One will reflect the financial plan of the school prior to the expansion. This may be the current operating year's budget. The second budget will include two columns; the first column is without the expansion and the second with the expansion. This budget must not reflect a partial-year expansion. Both budgets should be a line-item report, subtotaled by program. A narrative addressing the budgetary changes and detailing the criteria used in building the budget must be included.

(b) The most recent Annual Audit Report.

(4) the authorizer finds that the charter school has the management capacity to carry out its expansion. (To support this request, ACNW suggests the charter provide the following.)

(a) Describe how the curriculum will be impacted by the grade level expansion. The school is asked to provide a copy of the school's accountability plan which should include the academic goals and nonacademic goals for which the school is currently being held accountable. Also indicate what nationally normed standardized test will be used to measure the academic variables. The plan should indicate your expectations for student gains in these areas. The accountability plan should also indicate other measures of school-wide accountability.

ii) ACNW may request an interview with the school's expansion committee to review the application and determine capacity of current leadership to carry out its plans.

(5) The applying school must have a Strategic Plan developed for the number of years (minimum 3 years) as requested in the renewal application. (This is not a suggestion, it has been agreed to in charter contract language on renewal) Section 16.2:

To actively consider renewal the AUTHORIZER requires a 3 year Strategic Plan including student educational, staff professional development, and financial outcomes from the CHARTER SCHOOL. This Plan should provide content to be useful to the school and to be used as a basis for consideration by the Authorizer for renewal.

If the ACNW Board is satisfied that these conditions have been met, it will issue a supplemental affidavit addressing the five items noted above, in a form and manner prescribed by the MDE Commissioner. Per 124D.10 Subd 4(k), the MDE Commissioner shall have 30 business days to review and comment on the supplemental affidavit. The MDE Commissioner shall notify the authorizer of any deficiencies in the supplemental affidavit and the authorizer has 30 business days to address, to the Commissioner's satisfaction, any deficiencies in the supplemental affidavit. The school may not expand grades or add sites until the MDE Commissioner has approved the supplemental affidavit. The MDE Commissioner's approval or disapproval of a supplemental affidavit is final.

ACNW Renewal or Termination Criteria & Process

ACNW provides the following information and commitments relating to Minnesota Statute 124D.10.Subd. 3.(5), and d.(6) and Subd. 23 that provides that the renewal and termination criteria and process be:

“based on evidence that demonstrates the academic, organizational, and financial competency of the school, including its success in increasing student achievement and meeting the goals of the charter school agreement”

Charter renewal will be part of an ongoing collaborative process between ACNW and the authorized school's leadership, culminating in the school filing an application for renewal of the authorization contract. The U.S. Department of Education has recommended that as a matter of good practice, charter authorizers should "Collect sufficient evidence on both student performance (e.g., achievement test results) and school performance (e.g., financial viability) in order to build a solid case for school renewal or closure." We concur, and believe that the ongoing collection of data pertaining to authorized schools' performance indicators, as described in preceding sections of this document, will allow ACNW to do just that.

Applications for renewal of the contract are due to ACNW at least 180 days prior to the end of the current contract. The charter school makes application for renewal using the *Application to Audubon Center of the North Woods for Charter Contract Renewal* format found in Appendix 7 at the end of this document. A committee consisting of one member of the Charter School Advisory Pool, the Charter School Coordinator and involved field staff will make renewal recommendations to the ACNW Board Charter School Sub-Committee and they in-turn will make their recommendations to the ACNW Board. Not later than 120 days prior to the termination of the existing contract (see Figure 3 for a summary of the full process), ACNW will notify the charter school of the Board's decision.

If the school's request is denied, the school will have an opportunity to appeal to the ACNW Board Charter School Sub-Committee.

While ACNW will do what it can to prevent school failure, contract termination and nonrenewal, those actions may be necessary if a school violates the contract or comes within statutory reasons for termination of the contract. The statutory reasons are:

1. Failure to meet the requirements for pupil performance contained in the contract
2. Failure to meet generally accepted standards of fiscal management
3. Violations of law
4. Other good cause shown.

Renewal of a contract requires that the chartered school demonstrates a quality education program. During the final year of a contract, the ACNW Charter Advisory Pool will carry out a formal evaluation of the school. Through a review of the data gathered on-site, provided by the school, and from external sources, the formal evaluation will examine such factors as:

- Program model implementation – should be implemented with fidelity to program described in charter application, and aligned with Minnesota Academic Standards.
- Student learning – demonstrated by trend data from state tests (MCA-II/MTELL/MTAS, etc), nationally normed tests (e.g., NWEA or ITBS) and other measures of student academic performance. Assessment of student learning and several other factors will include review of data submitted by the charter school in its Annual Reports from throughout the term of the charter.
- School climate and satisfaction – data show positive and/or improving trends
- Enrollment stability
- Board oversight – including review of Board meeting Minutes. Assessment of board oversight and several other factors will include review of the provisions of the charter

contract; reviewers will ascertain whether the school has lived up to the terms of the contract.

- School leadership – including review of the school’s Educational Improvement Plan, strategic plan, or equivalent document
- Compliance with state and federal requirements
- Financial stability
- Timely submission of reports to the Authorizer
- Program stability and improvement – assess based on school’s performance on all Performance Indicators

The following principles will guide formal evaluations carried out by the ACNW Charter Advisory Pool:

- a. Evaluation will be done on the basis of data already produced by the school. ACNW should not compel the school to create more data.
- b. Data and information are gathered primarily for the purpose of school and student improvement.
- c. Data from an annual formal site visit should be consistent across schools and used to triangulate data reported by school (see Appendix 6 to this manual; *ACNW Charter School Annual Site Visit Report Form*).
- d. Interviews of key individuals should be used to triangulate data reported by school.

Once ACNW receives an Application for Charter Contract Renewal, it will convene the Charter Advisory Pool or a subgroup of the Pool to review the application and other data pertaining to the operation of the school, in order to make a recommendation to the ACNW Board Charter School Sub-Committee. The ACNW Board of Directors will get a recommendation from the ACNW Board Charter School Sub-Committee and will made all final decisions regarding Charter renewal. In addition to the application from the school and formal evaluation of the school, data considered by the Charter Advisory Pool may include:

- Results of the formal evaluation carried out during the final year of the contract
- Reports and feedback from authorizer attendance at school’s board meetings
- Notes from ACNW review of the school’s board meeting minutes and monthly financial statements
- Reports from site visits
- Comments generated from ACNW review of annual budgets of the School
- Comments generated from ACNW review of School Annual Reports with special emphasis on the student performance information
- Data from the MDE School Report Cards with emphasis on the student performance information
- Comments from ACNW review of the school’s annual audits
- Comments from ACNW’s review of school compliance with required state reporting deadlines
- Results from interviews with the school’s administration and/or board leadership (optional)

Within 60 days of receipt of the renewal application, the ACNW Board will make a decision regarding renewal or non-renewal of the contract. Decisions regarding whether or not to renew a charter will be informed by the following questions¹:

- Is the school an academic success (judged with particular attention to its degree of success in meeting annual goals and performance targets, especially SMART goals)?
Note: a priority ACNW renewal expectation is that the Goals for the renewal period provided by the school and to become incorporated into a renewal contract are stated as SMART goals. Many goal statements in past contracts do not meet this standard of goal statement. Resources are available from ACNW. (See appendix #3 to this manual).
- Is the school an effective, viable organization (judged with particular attention to the Operational Performance Indicators and by compliance with law and with the charter contract)?
- Is the school fiscally sound (judged with particular attention to the Finance Performance Indicators)?

If the decision is to renew the contract, the charter school board will work with ACNW in a timely fashion to negotiate a revised contract for a new term.

ACNW Timeline for non-renewal or termination of a contract

ACNW provides the following information and commitments relating to Minnesota Statute 124D.10. Subd. 23 that provides for the timelines relating to the non-renewal and termination process.

At least 120 days before not renewing or terminating a contract, ACNW will notify the charter school board of the proposed action in writing. The notice shall state the grounds for the proposed action in reasonable detail and the charter school board may request in writing a formal hearing before the authorizer (ACNW Board Charter School Sub-Committee) within 15 business days of receiving notice of non-renewal or termination of the contract. If the proposed action is to not renew or terminate a contract, charter operators may present evidence to document school performance, including:

- a. Data pertinent to Performance Indicators referenced from previous reports submitted to ACNW. No new data should be created for justification of renewal.
- b. A summary of their accomplishments and challenges not formally requested in previous reports
- c. Requests for amendments and modifications to the contract – but this will require approval of the full ACNW Board Charter School Sub-Committee before changes can be made.

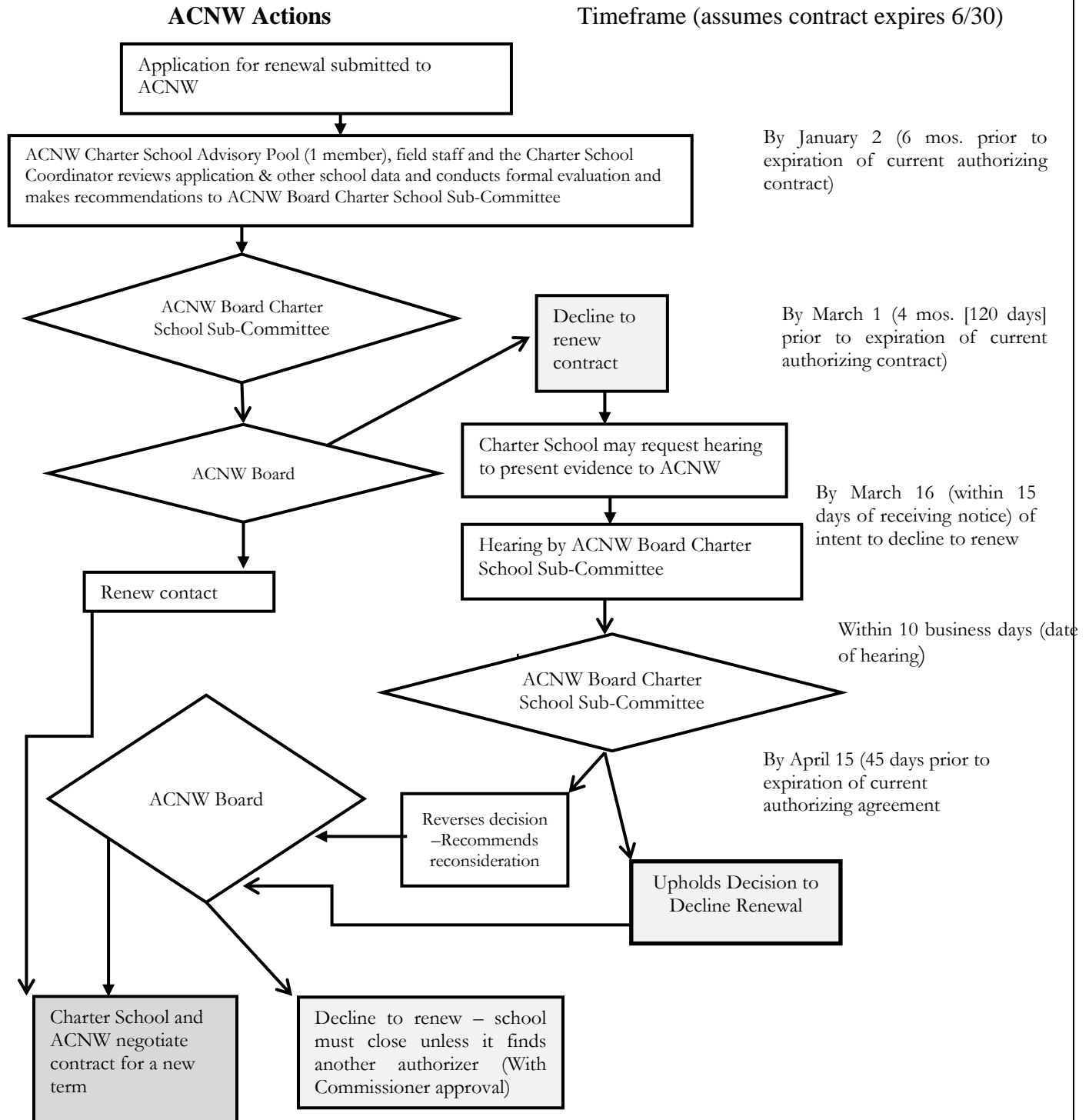
Failure by the charter school board to make a written request for a hearing within 15 business days shall be treated as acquiescence to termination of the contract. Upon receiving a timely

¹ Taken from the State University of New York's *Charter Renewal Benchmarks, Version 4.0*, prepared by the Charter Schools Institute, State University of New York, July 2008.

written request for a hearing, ACNW will give 10 business days' notice to the charter school board of a hearing date. ACNW will conduct the formal hearing before taking final action. ACNW will take final action to renew or not renew a contract no later than 45 business days before the proposed date for terminating the contract or the end date of the contract. Every reasonable effort will be made to finalize a decision to terminate a contract well in advance of the end date of the existing contract, to minimize disruption for the school's students and families.

ACNW will follow additional statutory provisions (124D.10 Sub. 23(c)): "If the authorizer and the charter school board of directors mutually agree to terminate or not renew the contract, a change in authorizer is allowed if the Commissioner approves the transfer to a different eligible authorizer to authorize the charter school. Both parties must jointly submit their intent in writing to the Commissioner to mutually terminate a contract. The authorizer that is a party to the existing contract must inform a different eligible authorizer about the fiscal and operational status and student performance of school. Before the Commissioner determines whether to approve a transfer of authorizer, a Commissioner first must determine whether the charter school and prospective new authorizer can identify and effectively resolve those circumstances causing the previous authorizer and charter school to mutually agree to terminate the contract. If no transfer of authorizer is approved, the school must be dissolved according to applicable law and terms of the contract."

Figure 3: ACNW Charter Renewal or Termination Process



ACNW Charter School Shut Down Plan

ACNW provides the following information and commitments relating to Minnesota Statute 124D.10.Subd. 23 that provides if a contract is terminated, the school be dissolved according to the applicable provisions of chapter 308A or 317A.

A charter school that closes or is not renewed or is terminated must do so in an orderly, planned fashion. NACSA advises that when a charter school closes, “Authorizers must strive to treat the disappointed parties respectfully and sympathetically while engaging them in a focused dialog on how best to manage the transition a school closure will ultimately force.” Signs that a school may close are generally apparent months before actual closure. ACNW shall be alert to the possibility of school closure which may result from the authorizer's termination for cause, financial difficulties, inability to enroll a viable population, facility problems, school board conditions, teacher/administrative problems or other causes.

NACSA recommends authorizers provide for a school closure plan, a “standard yet adaptable framework of procedures and essential tasks” to be followed when a charter school must close. NACSA’s *Issue Brief No. 8* goes on to note “The specific execution of such a plan will vary according to the particular school’s circumstances, but a well-thought-out-closure protocol will provide clear, practical and generally applicable guidance to pave the inevitably difficult path to closure.” ACNW has created a draft *ACNW Charter School Closure Process and Plan* (Appendix #8 to this manual), which meets the provisions of 124D.10 Subd. 6 pertaining to school closure and seeks to address key tasks to minimize disruption to students and families in the unfortunate event of a school closing.

In case of a school closure, input will be sought from the Minnesota Department of Education and from legal counsel to ensure no critical issues are missed. Assigning responsibility to a specific party for each task and identifying the timeline in which it will be carried out will be critical to the effective use of the Closure Plan. While ACNW will attempt to hold the school’s board responsible for closure actions, ACNW will take charge of the situation if the school is unable to collaboratively and properly process the school’s closure.

Appendix 8 to this manual is a detailed plan and process for a charter school closure.

Appendix 1:

Audubon Center of the North Woods

Affidavit of Intent to Authorize a Charter School

The following provisions are the terms and conditions under which **Audubon Center of the North Woods**(Authorizer), would authorize the proposed charter public school. (ACNW will request that both the school and authorizer initial the box next to each provision.)

1. The authorizer of _____ charter public school states and represents to the Minnesota Department of Education the following, with the understanding that the commissioner will take action relying on the following information:

Initial below

a. The proposed charter school does not provide a means to keep open a school that otherwise would be closed.	
b. In what school district would the proposed charter school be located? _____	
c. The school district has been notified regarding the location of the charter school.	
d. The programs, admission policies, employment practices and all other operations of the proposed charter school are nonsectarian.	
e. The proposed charter school is not affiliated with a nonpublic sectarian school or a religious institution.	
f. The programs of the proposed charter school are not affiliated with a nonpublic sectarian school or religious institution.	
g. The primary focus of the proposed charter school is to provide a comprehensive elementary and/or secondary program of instruction for at least one grade or age group from 5 through 18 years of age.	

2. By placing initials following each subsection below, the authorizing agency has determined that the proposed charter school is aware of the following requirements as identified in Minn. Stat. ch. 124D.10 (2009):

Initial below

a. Will meet all applicable state and local health and safety requirements.	
b. Will not charge tuition.	
c. Will comply with the requirement that licensed teachers employed at the school comprise a majority of the school's board of directors unless the commissioner waives the requirement for the school.	
d. Will be subject to and will comply with chapter 363A (human rights) and section 121A.04 (equal opportunities in athletic programs).	
e. Will comply with the Pupil Fair Dismissal Act, sections 121A.40 to 121A.56, and the Minnesota Public School Fee Law, sections 123B.34 to 123B.39.	
f. Is subject to the same financial audits, audit procedures and audit requirements as a school	

district.	
g. Is a school district for the purposes of tort liability under chapter 466.	
h. Will be subject to and will comply with sections 13.32; 120A.22, subdivision 7; 121A.75; and 260B.171, subdivisions 3 and 5.	
i. Will be subject to the Pledge of Allegiance requirement under section 121A.11, subdivision 3.	
j. Will comply with sections 125A.02 125A.03 to 125A.24 and 125A.65 and rules relating to the education of pupils with a disability as though it were a district.	
k. Will employ or contract with necessary teachers, as defined by section 122A.15, subd. 1, who hold valid Minnesota licenses to perform the particular service for which they are employed in the proposed charter school.	

3. As specified in Minn. Stat. § 124D.10, subd. 1 (2006), the proposed charter school must carry out one or more of the following purposes. Please identify the following purpose(s) for the formation of the charter school—initial the applicable purpose(s):

Initial below

a. Improve pupil learning;	
b. Increase learning opportunities for pupils;	
c. Encourage the use of different and innovative teaching methods;	
d. Require the measurement of learning outcomes and create different and innovative forms of measuring outcomes;	
e. Establish new forms of accountability for schools;	
f. Create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site.	

4. Admission Requirements.

Initial below

a. Admission policies are compliant with 124D.10, subd. 9.	
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5. By placing initials following each subsection below, the contract between the authorizer and the proposed charter public school will contain, as specified under Minn. Stat. § 124D.10, subd. 6 (2006):

Initial below

a. A description of a program that carries out one or more of the purposes in subd. 1;	
b. Specific and measurable outcomes pupils are to achieve under subd. 10;	
c. Admission policies and procedures;	
d. A description of the management and administration of the school;	
e. Requirements and procedures for program and financial audits;	
f. How the school will comply with applicable state and local requirements under subd. 8;	
g. Length of school year under subd. 13;	
h. Provisions for transportation of pupils enrolled at the school under subd. 16;	
i. Provisions for renewal, non-renewal or termination of the contract under subd. 23;	
j. Assumption of liability by the charter public school;	
k. Types and amounts of insurance coverage to be obtained by the charter public school;	

l. Term of the contract, which may be up to three years; and	
m. A description of the financial parameters within which the charter public school will operate to provide the special instructions and services to children with a disability.	
n. A description of the process and criteria the authorizer intends to use to monitor and evaluate the fiscal and student performance of the charter school, consistent with subdivision 15.	
6. By placing initials following each subsection below, the Authorizer assures that each statement is true and has been agreed to by the proposed charter public school:	
<i>Initial below</i>	
a. The proposed charter school has agreed that it will submit the type and frequency of information required by the Authorizer (Minn. Stat. § 124D.10, subd. 14 (2006)).	
b. The proposed charter school has agreed that it will submit an annual report to the commissioner of the Minnesota Department of Education by October 1, consisting of the information required by the Authorizer or the commissioner (Minn. Stat. § 124D.10, subd. 14 (2006)).	
c. The proposed charter school and the Authorizer will disseminate information, consistent with Minn. Stat. § 124D.10, subd. 19 (2006), on how to form and operate a results oriented school and how to utilize the offerings of a results oriented school. Particular groups to be targeted include low-income families and communities, and students of color.	
d. Upon approval, the Authorizer and board members of the proposed charter school agree to attend all required post-approval trainings.	

Based upon assurances that the above terms and conditions will be satisfactorily met, as well as all other provisions contained in Minn. Stat. ch. 124D.10 (2006), we hereby intend to authorize the proposed charter school.

This affidavit documents to the Minnesota Department of Education the terms and conditions under which a authorizing school board, intermediate board, education district board, private college, community college, state university, technical college, the University of Minnesota or charitable organization intends to authorize a results-oriented charter school. As stated under Minn. Stat. § 124D.10, subd. 4b (2009):

“Before the operators may form and operate a school, the authorizer must file an affidavit with the Commissioner of the Minnesota Department of Education stating its intent to authorize a charter school. The affidavit must state the terms and conditions under which the authorizer would authorize a charter school.”

The authorizer’s responsibility is to assure that the contract meets the provisions of Minn. Stat. ch. 124D.10 (2009), and that sufficient evidence is provided by the school to the Authorizer, at least annually, which demonstrates that the charter school is meeting the provisions of the contract. Once the affidavit is filed along with required charter school application, the Minnesota Department of Education must approve or disapprove the Authorizer’s proposal within 60 business days of the receipt of the application.

Appendix 2: SAMPLE CHARTER SCHOOL AUTHORIZER CONTRACT

Note: This Sample Contract will be continuously subjected to legal review before it will be used as the template for contracts between ACNW and authorized charter schools. This contract will be a negotiated agreement between the school and ACNW.

CHARTER SCHOOL CONTRACT

BETWEEN THE
Audubon Center of the North Woods – the Authorizer

AND THE
- the Charter School

This contract and the indicated attachments as part and parcel of this contract is entered into by and between _____ and the Audubon Center of the North Woods, Inc., the Authorizer (hereinafter “the AUTHORIZER”) and hereinafter “the CHARTER SCHOOL”).

The CHARTER SCHOOL is a Minnesota nonprofit corporation under Minnesota Statutes chapter 317A as specifically identified in **Attachment 1: CORPORATE STATUS**. This contract is effective from the latest date indicated in the section BINDING AGREEMENT for the planning and/or operation of an active CHARTER SCHOOL with enrolled students through **June 30, 20__**, unless this contract is terminated pursuant to section 15.

The parties’ understanding is that the CHARTER SCHOOL is/ planned to be operating in the following location in Minnesota:_____:

WHEREAS, the parties are authorized under Minnesota law to contract for the development and management of a results-oriented charter school under Minnesota Statutes 124D.10 (1997), as amended, (“the Act”), and

NOW, THEREFORE, IT IS AGREED:

1. PURPOSE

The purpose of this Contract is to authorize and permit the Board of Directors of the CHARTER SCHOOL to manage a results-oriented charter school consistent with the information provided by the CHARTER SCHOOL. The description of the program including the governance, management, and administrative plan for the school as well as the specific academic and nonacademic outcomes that pupils must achieve is provided in **Attachment 2: DESCRIPTION – ORIGINAL CONTRACT OR**

APPROVED STRATEGIC PLAN FOR RENEWAL SCHOOLS. The Attachment shall include the school developer/founding group's CHARTER SCHOOL Application including the statement of assurances. This contract when utilized for an existing school in renewal or transfer shall include the strategic plan for the future of the CHARTER SCHOOL including an updated statement of assurances. When the strategic plan is further developed by the CHARTER SCHOOL'S Board of Directors and school leadership the strategic plan(s) shall be consistent with the original description of the program. The CHARTER SCHOOL's Strategic Plan (Strategic Plan Template is available from ACNW), whenever finalized for implementation or modified, must be forwarded to the AUTHORIZER within 20 days and upon written acceptance by the AUTHORIZER shall become an amendment to Attachment 2.

The ACNW's Affidavit to authorize the CHARTER SCHOOL is attached as **Attachment 3 (This Affidavit can be located in Appendix #1 to the ACNW Charter School Authorizing Manual 2010-2011)**. This affidavit confirms the authorization for the CHARTER SCHOOL, consistent with the Commissioner's action authorizing negotiation of a CHARTER SCHOOL contract.

- 1.1 The overall purpose of the CHARTER SCHOOL is to provide an educational program for its students. The specific purpose(s) which the CHARTER SCHOOL intends to carry out and how the school will report its implementation of these purpose(s) are included in **Attachment 4: List of the Statutory Purposes Selected by your School**. These specific purposes shall be consistent with charter school law purposes for establishing a new public charter school listed in Minnesota Statute 124D.10 Subdivision 1.
- 1.2 The CHARTER SCHOOL shall be nonsectarian in its programs, admission policies, employment practices and all other purposes.
- 1.3 The CHARTER SCHOOL will not charge Minnesota residents tuition for admission to the school.
- 1.4 The CHARTER SCHOOL shall not be used as a method of providing education or generating revenue for students who are being home schooled.

2. TERM

The term of this contract is for **three** school operational year(s), Fiscal year **2010** though Fiscal year **2012**, except that this Contract may be terminated pursuant to section 15 of this Contract.

3. AMENDMENTS

This Contract and its attachments may not be amended absent written agreement executed by both parties and properly authorized. If the authority of the CHARTER

SCHOOL, as operator, or the AUTHORIZER, is altered by legislative act, this Contract is automatically modified to conform to the new law.

4. GOVERNANCE, MANAGEMENT, AND ADMINISTRATION

- 4.1 The CHARTER SCHOOL shall be exempt from all Minnesota statutes and rules applicable to a school, a school board or a school district, except as provided by Minnesota Statute 124D.10 or as otherwise specified in this contract.
- 4.2 The CHARTER SCHOOL shall be governed by a Board of Directors elected in accordance with policies and procedures in the CHARTER SCHOOL'S Bylaws in **Attachment 5: YOUR SCHOOL'S BYLAWS**. Bylaws shall be amended in accordance with the procedures specified in the CHARTER SCHOOL'S Bylaws. Updated CHARTER SCHOOL Bylaws (as amended) must be forwarded to the AUTHORIZER within 20 days and upon written acceptance by the AUTHORIZER shall become an amendment to Attachment 5.
- 4.3 At least one-third of the CHARTER SCHOOL board of directors shall be elected during the 2nd year of operation and the full board elected by the completion of the 3rd year of operation. Employees at the school including teachers providing instruction under a contract with a cooperative, and all parents or legal guardians of children enrolled in the school are the voters eligible to elect the members of the CHARTER SCHOOL board of directors. The election shall take place in accordance with the policies and procedures set forth in the CHARTER SCHOOL'S Bylaws. The board must notify eligible voters at least 30 days before the election. The board of directors must be composed of at least 5 non-related members; at least one a teacher, one a parent, and one a community member as described in 124D.10. Ex officio, non voting members of the board shall at least include the chief administrator and the chief financial officer.
- 4.4 Meetings of the CHARTER SCHOOL Board of Directors shall comply with the Minnesota Open Meeting Law, Minnesota Statutes section 471.705.
- 4.5 If the CHARTER SCHOOL chooses to engage in collective bargaining, the CHARTER SCHOOL shall comply with Minnesota Statutes chapter 179A, the Public Employment Relations Act (PERA).
- 4.6 The CHARTER SCHOOL Board of Directors shall employ and contract with necessary teachers, as defined by Minnesota Statutes section 122A.15, subdivision 1, who hold valid licenses to perform the particular service for which they are employed at the CHARTER SCHOOL. In addition, teaching duties may be performed with special permission of the Minnesota Board of Teaching.

- 4.7 Teachers employed by the CHARTER SCHOOL shall be treated by the CHARTER SCHOOL as public school teachers for the purposes of Minnesota Statutes, chapters 354 and 354A.
- 4.8 The CHARTER SCHOOL Board of Directors may employ necessary employees who are not required to hold teaching licenses to perform duties other than teaching and may contract for other services.
- 4.9 The CHARTER SCHOOL Board of Directors may discharge teachers and non-licensed employees.
- 4.10 The CHARTER SCHOOL Board of Directors shall decide matters related to operation of the CHARTER SCHOOL, including, but not limited to, budgeting, curriculum, and operating procedures.
- 4.11 The CHARTER SCHOOL shall have all powers, duties and responsibilities provided by law to a results-oriented charter school.
- 4.12 The CHARTER SCHOOL shall abide by all applicable federal laws, statutes and regulations.
- 4.13 The CHARTER SCHOOL shall employ or contract with a Minnesota licensed director of special education to be responsible for program development, coordination, evaluation, in-service training, general special education supervision, and administration for the school's total special education system (TSES). This administrator shall also be responsible for seeing that the CHARTER SCHOOL has a written Child Find Policy, and shall oversee the implementation of this policy, as well as the school's continued compliance with this policy and special education services to students.

The CHARTER SCHOOL shall pursue all financial resources available to charter schools to provide special education services. As the first step, the school will notify the school district of residence within 30 days, in a manner required by state law, of a special education student who resides in a traditional district of residence that is entitled to receive special education services at the CHARTER SCHOOL. This will entitle the CHARTER SCHOOL through the Minnesota Department of Education (MDE) to 'bill' school district(s) for costs exceeding the state and federal reimbursements. Moreover, the CHARTER SCHOOL will report through the MDE specified reporting system and match with the school's UFARS data to collect all state and federal aid reimbursements available for special education expenditures.

5. AUTHORITY OF THE CHARTER SCHOOL

- 5.1 The CHARTER SCHOOL may exercise those powers reasonably necessary to accomplish its obligations in this Contract.

- 5.2 Except as stated herein or otherwise required by law, the AUTHORIZER shall have no authority, control, power, or administrative or financial responsibility over the CHARTER SCHOOL. This clause does not prohibit the parties from contracting for any services deemed appropriate in the future.
- 5.3 The CHARTER SCHOOL may lease space from any government, public, nonprofit, or nonsectarian private organization, as it deems necessary. However, before entering into any facility lease agreement, the CHARTER SCHOOL will submit the lease contract for review by MDE and the AUTHORIZER.
- 5.4 The CHARTER SCHOOL shall indemnify and hold harmless the Commissioner and the AUTHORIZER, its officers, and their agents and employees from any suits, claims, or liability arising under this Contract. The parties recognize and agree that the Commissioner and the AUTHORIZER are immune from liability under this Contract under Minnesota Statutes section 124D.10, subdivision 25 (1994), as amended, and this paragraph is not intended to modify or otherwise affect that provision or any other law.

6. PERFORMANCE INDICATORS AND EVALUATION

- 6.1 The Performance goals for the Charter School are set forth in **Attachment 6: (SAMPLE GOALS CAN BE FOUND IN APPENDIX #3 TO THE ACNW CHARTER SCHOOL AUTHORIZER MANUAL 2010-2011. ACNW ALSO HAS INFORMATION AND ASSISTANCE AVAILABLE IN WRITING ‘SMART’ GOALS).**

The process for regular CHARTER SCHOOL study of the goals in section 6.1 and 6.2 shall be as follows:

Annual goals review and/or goals updating for each operating school year will be conducted by September 30th of each year with the CHARTER SCHOOL leadership including the Board of Directors and the school director and, at the option of the CHARTER SCHOOL, additional school staff. Updated (amended) goals, properly authorized by the Board of Directors will be incorporated in this contract only by written agreement executed by both CHARTER SCHOOL and AUTHORIZER.

In addition, the CHARTER SCHOOL shall conduct a review of progress concerning the academic and non-academic goals at the school level with all staff a minimum of three times per year. Minutes of these meetings shall be reviewed by the CHARTER SCHOOL board and sent to the AUTHORIZER for review.

In the event the CHARTER SCHOOL has not met the year’s goals, the CHARTER SCHOOL shall advise the Commissioner, the AUTHORIZER and the CHARTER SCHOOL staff, students and parents on how it plans to achieve the school’s goals. Notification may be accomplished by incorporation of plans into the CHARTER SCHOOL’s annual report.

6.2 In addition to, or in conjunction with, the above mentioned goals in Attachment 6, the CHARTER SCHOOL must also set forth a minimum of two environmental related goals in **Attachment 7: Your School’s Curriculum Environmental Focus**. Updated (amended) goals, properly authorized by the Board of Directors will be incorporated in this contract only by written agreement executed by both parties.

These goals will be reviewed and updated as needed annually along with the performance goals. The CHARTER SCHOOL will update interested parties on these goals by including a progress update in the annual report.

6.3 The AUTHORIZER will conduct an annual performance evaluation of the CHARTER SCHOOL to determine the progress and effectiveness of the CHARTER SCHOOL program in attaining their goals and communicate the results of the evaluation to the Board of Directors of the CHARTER SCHOOL.

6.4 Graduation Standards. The School will comply with the requirements of the Minnesota Graduation Standards, as defined by Minnesota Statutes 120B.02 and 120B.024; and Minnesota

Rules parts 3501.0010–.0280; and the School will document the levels of student performance

on the state assessments developed and administered by the Department.

6.5 *No Child Left Behind*(NCLB)/Elementary and Secondary Education Act (ESEA) ([Pub.L. 89-10,](#)

[79 Stat. 27,](#) [20 U.S.C. ch.70](#)). The School will comply with the responsibilities and obligations

of the Title I, Part A accountability provisions specified in the federal *No Child Left Behind Act*

and its implementing regulations established by the U.S. Department of Education, including,

but not limited to, participating in statewide assessments, meeting the state adequate yearly

progress (“AYP”) definition, meeting public and parent reporting requirements, implementing

school sanctions if the School is identified for improvement, and meeting the highly qualified

teacher and paraprofessional requirements. In addition, the School will comply with ESEA

requirements to the degree it pursues, qualifies for and benefits from Title funding. This includes programs required for English language learners and all other special populations

included in ESEA, The School will fulfill program requirements, financial management, reporting, and accounting for each active ESEA program and will comply with all Minnesota

Statutes and applicable rules implemented pursuant to ESEA in Minnesota.

7. ADMISSIONS REQUIREMENTS

- 7.1 The Charter School is open to all Minnesota students for the grades/ages that the CHARTER SCHOOL is authorized. The school need not necessarily offer all grades/ages for which the school is authorized.
- 7.2 The CHARTER SCHOOL may not limit admission to pupils on the basis of intellectual ability, measures of achievement or aptitude, or athletic ability.
- 7.3 The CHARTER SCHOOL shall enroll an eligible pupil who submits a timely application as indicated by being filed with the CHARTER SCHOOL before the CHARTER SCHOOL's published deadline for applications, unless the number of applicants exceeds the capacity of the program, class, or grade level. In such cases, selection shall be by lot. A sibling of an enrolled pupil and a foster child of that pupil's parents will be given preference for enrollment as consistent with 124D.10. The lottery policy and process that will be used will be published on the CHARTER SCHOOL's website and in a document made available with the applications for enrollment.
- 7.4 The enrollment application form shall be made available to all interested parties and its requirements for information to be submitted on the form shall be limited to the data that is legally required to apply.

8. FINANCIAL MANAGEMENT

- 8.1 The CHARTER SCHOOL will utilize the UFARS financial accounting principles and methods. Student accounting will comply with MARSS requirements. All accounting records will be audited annually by a public accounting firm engaged by the CHARTER SCHOOL Board of Directors.
- 8.2 The CHARTER SCHOOL will comply with the same financial audits, audit procedures, and audit requirements of school districts (Minnesota Statutes sections 123B.75 to 123B.83) except when deviations are necessary because of the program of the CHARTER SCHOOL. The program, financial and compliance audits may be conducted by the Minnesota Department of Education, the State Auditor, or Legislative Auditor.
- 8.3 The CHARTER SCHOOL shall provide the AUTHORIZER with a final copy of the annual audit within fifteen (15) days of its completion, but no later than January 14th of the year following school's fiscal year end.

9. TRANSPORTATION

- 9.1 Transportation for pupils enrolled at the CHARTER SCHOOL may be provided by the CHARTER SCHOOL. If the CHARTER SCHOOL elects to provide transportation, it shall be provided as follows:

- a. The CHARTER SCHOOL shall notify the independent school district in which the school is located and the Minnesota Department of Education by March 1 for operating charter schools whether it will provide transportation or request that the school district provide transportation for pupils enrolled at the CHARTER SCHOOL for the fiscal year.
 - b. The CHARTER SCHOOL shall provide transportation at least within the school district within which the CHARTER SCHOOL is located unless the school Board chooses to designate another transportation area consistent with transportation provisions in 124D.10.
 - c. The Minnesota Department of Education shall pay transportation aid to the CHARTER SCHOOL according to Minnesota Statutes section 124D.11, subdivision 2.
 - d. For pupils who reside outside of the district in which the CHARTER SCHOOL is located, the CHARTER SCHOOL is not required to provide or pay for transportation between the pupil's residence and the border of the district.
 - e. The CHARTER SCHOOL may reimburse a parent for costs of transportation from the pupil's residence to the border of the district if the pupil is from a family whose income is at or below the poverty level as determined by the federal government. The reimbursement may not exceed the pupil's actual cost of transportation or 15 cents per mile traveled, whichever is less. Reimbursement may not be paid for more than 250 miles per week.
- 9.2 All transportation routes, pick-up points and times, student bus assignments, method of transportation, and other transportation scheduling shall be established by the School District in which the CHARTER SCHOOL is located unless the CHARTER SCHOOL provides the transportation. If the CHARTER SCHOOL provides transportation then all transportation routes, pick-up points and times, student bus assignments, method of transportation, and other transportation scheduling shall be established by the CHARTER SCHOOL subject to the applicable laws.
- 9.3. The CHARTER SCHOOL may enter into a separate Contract, if desired by the CHARTER SCHOOL, with a school district or another contractor to receive additional transportation services for extracurricular events, field trips, and other activities.

10. HEALTH AND SAFETY, HUMAN RIGHTS, AND STUDENT DISMISSAL GUIDELINES.

THE CHARTER SCHOOL WILL:

- 10.1 Meet the same health and safety requirements of a school district;

- 10.2 Comply with Minnesota Statutes section 121A.15, requiring proof of student immunization against measles, rubella, diphtheria, tetanus, pertussis, polio, mumps, and homophiles influenza type b and hepatitis B prior to enrollment.
- 10.3 Comply with the Minnesota Human Rights Act, Chapter 363, which prohibits unfair discriminatory practices in employment, public accommodations, public services, or education; and comply with Minnesota Statutes section 121A.04, which governs provision of equal opportunities for members of both sexes to participate in athletic programs;
- 10.4 Comply with the Minnesota Pupil Fair Dismissal Act (MPFDA), Minnesota Statutes section 121A.40 to section 121A.56. The CHARTER SCHOOL Board of Directors shall have adopted a discipline policy and procedure consistent with MPFDA and submit it for review to the AUTHORIZER at least 30 days prior to the first day of school, if the school is a new school.
- 10.5 Comply with the Minnesota Public Schools Fee Law, Minnesota Statutes section 123B.34 to section 123B.39, which governs authorized and prohibited student fees.
- 10.6 Comply with Minnesota Statutes section 125A and section 124D.10, and rules relating to the education of pupils with a disability as though it were a school district;
- 10.7 Parties acknowledge the provisions of Minnesota Statutes, Section 124D.10 subd. 6 (10) regarding the CHARTER SCHOOL's obligation to provide certain data to the Commissioner. At such time as the CHARTER SCHOOL has determined the number of its students who have disabilities as defined in Minnesota Statutes, sections 125A.03-24 and 125A.65, the CHARTER SCHOOL shall provide to the Commissioner a description of the financial parameters by input to the MDE EDRS system within which the CHARTER SCHOOL will operate to provide special education instruction and services to such children.

11. LENGTH OF SCHOOL YEAR

The CHARTER SCHOOL shall provide instruction each year for at least the number of days or at least the number of hours specified in its proposal to become a charter school and/or as agreed to in any prior contract with the AUTHORIZER. The initial school calendar shall be provided in **Attachment 8: Your Annual Approved School Calendar**. The CHARTER SCHOOL may provide instruction throughout the year according to Minnesota Statutes section 124D.12 to section 124D.128. If the number of days or number of hours is projected to be less than the initial agreement, the new instructional time shall be approved only by written agreement executed by both parties.

12. INSURANCE

Notwithstanding anything to the contrary in this Contract, the CHARTER SCHOOL shall be considered a school district for the purposes of tort liability under MN Statutes chapter 466. The CHARTER SCHOOL shall acquire and keep in continuous coverage all insurances as required by state and or federal law. The CHARTER SCHOOL must submit changes in liability insurance carrier or policy under chapter 466 within 20 days of the change. The CHARTER SCHOOL shall acquire and keep in full force and effect the following insurance coverage and maintain a file of these insurance policies at the school for review by the AUTHORIZER:

- General Liability Insurance. The minimum insurance coverage shall be at limits established for a municipal corporation by Minn. Stat. 466.04, subd. 1 (2007) of \$500,000 per individual claim and \$1,500,000 for any number of claims arising out of a single occurrence. If Minn. Stat. 466.04, subd. 1 is changed during the term of this contract, then the new minimums will apply. The *CHARTER SCHOOL will also provide to the Audubon Center of the North Woods (ACNW) a certificate from the insurance company naming the ACNW as an "additional insured"*.
- Officers and Directors Errors and Omissions Insurance with coverage of \$400,000 per individual claim and \$1,200,000 for any number of claims arising out of a single occurrence.
- Property Insurance adequate to cover losses and maintain the standard of school operation prior to the loss.
- Workers Compensation to all eligible employees with coverage to meet state and federal guidelines based upon the school's payroll expense.

13. PROPERTY OWNERSHIP

13.1 Upon termination of this Contract, and in the event of subsequent dissolution of the CHARTER SCHOOL, all property which it might lease, borrow or contract for use, shall be promptly returned to those organizations or individuals from which the CHARTER SCHOOL has leased or borrowed the materials.

13.2 All property which has been purchased by the CHARTER SCHOOL will remain its own, unless acquired by funds made available to the school through Charter School Planning and/or Implementation Federal Grant. In the event of subsequent dissolution of the CHARTER SCHOOL, owned property will be donated to the extent permitted by law and the CHARTER SCHOOL articles of incorporation after all financial obligations are met.

13.3 All property personally and/or individually owned by licensed teachers or other staff employed by the CHARTER SCHOOL shall be exempt from distribution of property and shall remain the property of the individual teachers and staff. Such property includes, but is not limited to, curriculum manuals, personal mementos and other materials or apparatus which have been personally financed or personally developed by teachers or staff.

14. GENERAL AUTHORITY AND IMMUNITY

The CHARTER SCHOOL may not levy taxes or issue bonds. It shall have the right to sue or be sued. The Commissioner, the AUTHORIZER, members of the board of the AUTHORIZER in their official capacity, and employees of the AUTHORIZER are immune from financial, civil, or criminal liability with respect to all activities related to the operation of the CHARTER SCHOOL. If Minnesota Statute section 124D.10, subdivision 25 regarding AUTHORIZER immunity from liability is eliminated from the Statute, this contract is immediately rendered void.

15. NON-RENEWAL AND TERMINATION OF CONTRACT

- 15.1 The AUTHORIZER may determine not to renew this Contract at the end of the term for any ground listed hereafter in paragraph 15.6. In addition, the AUTHORIZER may unilaterally terminate the Contract during the term for any grounds listed in paragraph 15.6.
- 15.2 At least 60 days before not renewing or terminating this Contract, the AUTHORIZER shall notify CHARTER SCHOOL of the proposed action in writing, such notice to be sent by certified U.S. mail return receipt requested. The notice shall state the grounds for the proposed action in reasonable detail and that the CHARTER SCHOOL Board of Directors may request, in writing, an informal hearing before the AUTHORIZER within fourteen (14) days of receiving notice of non-renewal or termination of this Contract or 21 days from date of mailing the notice, whichever is less. If at the end of a contract term, either the AUTHORIZER or the charter school board of directors wants to voluntarily terminate the contract, a change in AUTHORIZERS is allowed if the commissioner approves the decision of a different eligible AUTHORIZER to authorize the charter school. The party intending to terminate the contract must notify the other party and the commissioner of its intent at least 90 days before the date on which the contract ends. The AUTHORIZER that is a party to the existing contract must inform the approved different eligible AUTHORIZER of, at least the fiscal and student performance of the school. If no different eligible AUTHORIZER is approved, the school must be dissolved according to applicable law and the terms of this contract.
- 15.3 Failure by the CHARTER SCHOOL Board of Directors to make a written request for a hearing within the 14-21 day period referred to in paragraph 15.2 shall be treated as acquiescence to the proposed action.
- 15.4 Upon receiving a timely written request for a hearing, the AUTHORIZER shall give reasonable notice to the CHARTER SCHOOL Board of Directors of the hearing date. The AUTHORIZER shall then conduct an informal hearing at a mutually agreeable time before taking final action.
- 15.5 The AUTHORIZER shall take final action to renew or not to renew the Contract by the last day of classes in the last school year of any contract period.

- 15.6 The AUTHORIZER may unilaterally determine not to renew this Contract or may terminate the Contract during the term of this Contract for these grounds:
- a. Failure to meet the requirements for pupil performance (goals) contained in paragraph 6 of this Contract;
 - b. Failure to meet generally accepted standards of fiscal management;
 - c. For violations of law;
 - d. Other good cause shown.
- 15.7 Violations of law. The CHARTER SCHOOL will immediately notify the AUTHORIZER of all complaints that allege that a violation of state or federal law or regulation has been committed by the CHARTER SCHOOL unless such reporting would be in non-compliance with a state or federal law.
- 15.8 The AUTHORIZER requires to be informed by the CHARTER SCHOOL on a current basis any significant areas of concern and/or change that may arise at the CHARTER SCHOOL; including, but not limited to financial, staff, student/parent, and community issues. The extent to which the CHARTER SCHOOL is proactive in keeping the AUTHORIZER well informed during the contract period may be a significant factor in the AUTHORIZER's consideration of Contract termination or non-renewal.
- 15.9 If this Contract is terminated or not renewed, the CHARTER SCHOOL shall be dissolved according to the applicable provisions of Minnesota Statutes chapter 308A and 317A. The Plan for the CHARTER SCHOOL to close shall be as detailed in **Attachment 9: (The ACNW Charter School Closure Process and Plan can be found in the Appendix 8 to the ACNW Charter School Authorization Manual 2010-2011)**

16. RENEWAL

- 16.1 The AUTHORIZER shall actively consider renewal at least 6 months prior to last day of the term of this contract. There is no guarantee of renewal.
- 16.2 To consider renewal the AUTHORIZER requires a 3 year Strategic Plan including the governance, management, professional development, financial and administrative plans for the CHARTER SCHOOL, as well as the specific academic and nonacademic outcomes that pupils will achieve. This Plan should provide content to be useful to the school, is expected to be implemented, and will be used as a basis for consideration by the AUTHORIZER for renewal of the contract by the AUTHORIZER.
- 16.3 The AUTHORIZER requires to be informed by the CHARTER SCHOOL on a current basis any significant areas of concern and/or change that may arise at the CHARTER SCHOOL; including, but not limited to financial, staff, student /parent, and community issues. The extent to which the CHARTER

SCHOOL is proactive in keeping the Authorizer informed during the contract period will be a major factor in considering renewal of the AUTHORIZER.

17. CHARTER SCHOOL REPORTING, AUTHORIZER OVERSIGHT, & EVALUATION PROCESS

Sections 15.7 and 15.8 delineate the significant responsibility of the CHARTER SCHOOL to be in active communication with the AUTHORIZER. Both the Board of Directors and the school leader shall participate in the active communication with the AUTHORIZER.

17.1 The CHARTER SCHOOL shall follow its responsibilities of reporting as indicated in the document: *AUDUBON CENTER OF THE NORTH WOODS – AUTHORIZER OVERSIGHT Mission / Governance / Finance / Student Performance / General Operations & Follow-through*. This document is included in **Attachment 10: AUTHORIZER OVERSIGHT (ACNW fully explains the Oversight Process in the Oversight and Annual Evaluation section of the ACNW Charter School Authorization Manual 2010-2011. It has been developed into an updated worksheet with all the components for field staff and schools to use in self-monitoring and conducting oversight. This document will be attachment 10 to this Contract)**. Updates to the document must be forwarded by the AUTHORIZER to the CHARTER SCHOOL within 20 days and will become amendments to this agreement upon written acceptance by both parties.

17.2 The CHARTER SCHOOL shall provide all reports required by the Commissioner.

17.3 The AUTHORIZER criteria, processes, and procedures used for ongoing oversight of the fiscal, operational, and student academic performance of the CHARTER SCHOOL, as specified in 124.10, are included in the document *AUDUBON CENTER OF THE NORTH WOODS – AUTHORIZER OVERSIGHT* and as updated as Attachment 10.

17.4 The AUTHORIZER Ready-to-Open standards shall be utilized by the AUTHORIZER to determine if the CHARTER SCHOOL is ready to open the CHARTER SCHOOL or ready to open at an additional site if approved by the MDE. The AUTHORIZER “Ready to Open” expectations are:

1. Healthy enrollment
2. Demonstrated parent involvement
3. Adequate facility
4. School leadership with a demonstrated capacity to lead the program
5. Adequate curriculum development and
6. A Board of Directors that is responsive, has dealt properly with conflicts of interest, and has actively worked to establish a mutually productive relationship with the Authorizer.

17.5 Attendance at AUTHORIZER scheduled meetings for the CHARTER SCHOOL board of directors, board officers, and school leaders are required for the oversight process to be effectively administrated. The AUTHORIZER scheduled meetings include a late Fall Conference (up to 2 days) and two leadership meetings (up to 4 hours each). Registration costs to the CHARTER SCHOOL, if any, will be limited to meals and lodging.

17.6 Liaison. The Authorizer will designate a liaison for the School and will inform the School if the liaison changes. The School will notify staff, parents and stakeholders that the liaison is accessible for communication of concerns or commendations. The Authorizer will communicate how it will respond to communications from the school and its stakeholders and handle potentially negative reports. The liaison will have freedom to communicate with designated individuals and enter the school with reasonable warning and request.

18. AUTHORIZER OVERSIGHT FEE

The AUTHORIZER shall monitor and evaluate the fiscal, operational, and student academic performance of the CHARTER SCHOOL as specified in 124.10 and will for these purposes assess the CHARTER SCHOOL an annual fee. The total annual fee payable to the AUTHORIZER is a minimum of the state aid payment for one pupil unit or an amount as specified in 124D.10, whichever is the greater amount. The fee will be billed to the school (based on the Oct 1st student count) and payable by the CHARTER SCHOOL to the AUTHORIZER by Oct. 30th of each year. No additional costs for oversight will be charged to the school; except if the number of visits to the CHARTER SCHOOL exceeds six, in which case the AUTHORIZER may charge mileage to/from the school and overnight accommodations. The number of visits to the CHARTER SCHOOL is solely the determination of the AUTHORIZER.

19. RESIDENT DISTRICT AUTHORIZERSHIP

Nothing in this Contract is intended to prohibit the CHARTER SCHOOL from seeking AUTHORIZER status from the public school district in which it is located. This Contract terminates if a contract with an AUTHORIZING district is implemented.

20. CHARTER SCHOOL BOARD MEMBER SIGNED AGREEMENTS

The CHARTER SCHOOL must attach to this agreement a list of Board members current as of the signing of this contract. Each current CHARTER SCHOOL board

member on the list shall complete a signed statement that they have read and reflected on this contract and agree to comply with all federal and state laws, governing, programmatic, and financial requirements applicable to charter schools. These documents are included as **Attachment 11: UP TO DATE LIST OF CHARTER SCHOOL BOARD MEMBERS**

Each new Board member appointed/elected to the Board shall complete a signed statement that they have read and reflected on this contract and agree to comply with all federal and state laws, governing, programmatic, and financial requirements applicable to charter schools. A new director must complete the statement within 30 days of being appointed/elected and the statement must be forwarded to the AUTHORIZER within 20 of execution by the new Board member.

21. DISCLAIMER

This Contract is not intended to be, nor shall it be interpreted in such manner as, an employment contract, subcontracting contract, or assignment of normal curricular, co-curricular, or extra-curricular duties by and between any party or person referred to therein.

22. WAIVER

No waiver by either party or any breach of any covenant or provision of this Contract shall be deemed to be a waiver of any succeeding breach of the same or any other covenant or provision.

23. SEVERABILITY

If any provision of this Agreement is held to be unenforceable for any reason, the Agreement will be modified rather than voided, if possible, to achieve as fully as possible the original intent of the parties. Any provision held to be overbroad will be deemed amended to narrow its application to the extent necessary to make the provision enforceable under applicable law. All other provisions of this Agreement will be deemed valid and enforceable to the full extent permitted by law.

24. ENTIRE AGREEMENT; MODIFICATION AND WAIVER

This Agreement represents the entire agreement of the parties. The parties also agree that the terms of this Agreement shall not be modified by any conflicting course of dealing or performance. No modification or waiver of any provision of this Agreement will be binding unless set forth in a written document signed by the parties.

25. COUNTERPARTS.

This Agreement may be executed in counterparts.

AUDUBON CENTER OF THE NORTH WOODS

(CHARTER SCHOOL)

(AUTHORIZER)

By _____
(signature)

By _____
(signature)

Its _____
(title or role)

Its _____
(title or role)

(please print name)

(please print name)

Date

Date

Attachment 1: CORPORATE STATUS	MN Non-profit Corporation registration
Attachment 2: DESCRIPTION.	Original Proposal &/or Strategic Plan
Attachment 3: AFFIDAVIT	from ACNW: 2010-2011 ACNW Authorizing Manual
Attachment 4: PURPOSES	One or more of the 6 purposes in charter school law
Attachment 5: BYLAWS	School Bylaws w/ amendments
Attachment 6: GOALS	Academic & School wide goals
Attachment 7: ENVIRONMENTAL FOCUS	School Environmental goals
Attachment 8: SCHOOL CALENDAR	FY 2011 & updated each year
Attachment 9: CLOSURE PROCEDURES.	from ACNW: 2010-2011 ACNW Authorizing Manual
Attachment 10: AUTHORIZER OVERSIGHT	from ACNW: 2010-2011 ACNW Authorizing Manual
Attachment 11: CHARTER SCHOOL BOARD MEMBERS	Kept current as additions & changes occur

Note to schools: these documents are required to be included in the contract per the new law. The reason we have these as attachments is because in part, they are unique to each school & in part, so that the changes that are likely & necessary as your school evolves & can be changed more easily. The attachments can be amended (agreed to by both parties). The #11 requires that as each new Board member comes on that a signed assurance must also be added to this attachment.

Appendix 3: Sample Charter School Goals

Goal 1: Students entering at grade level achievement and attending for year-long enrollment will attain one year's growth or greater in reading as measured by a nationally normed standardized test such as NWEA/MAP, Stanford 10 or MCA-II, and /or MTELL/MTAS.

Goal 2: Students entering at grade level achievement and attending for year-long enrollment will attain one year's growth or greater in mathematics they as measured by a nationally normed standardized test such as NWEA/MAP, Stanford 10 or MCA-II, and /or MTELL/MTAS.

Goal 3: Students entering not at grade level achievement and/or not attending for year-long enrollment will attain an amount of growth equal to or greater to their most immediate prior school year's growth in reading as measured by a nationally normed standardized test such as NWEA/MAP, Stanford 10 or MCA-II, and /or MTELL/MTAS.

Goal 4: Students entering not at grade level achievement and or not attending for year-long enrollment will attain an amount of growth equal to or greater to their most immediate prior school year's growth in mathematics as measured by a nationally normed standardized test such as NWEA/MAP, Stanford 10 or MCA-II, and /or MTELL/MTAS.

Goal 5: In the spring of 2011, the percentage of K-3 grade students meeting or exceeding the state Mathematics and Language Arts/Reading performance standards will increase 10% as measured on the Stanford 10 math assessment, and by the end of 2010-2011, 90% of students who attended (your school) all year, on average, will have made at least the national average value-added growth in the areas of reading/language arts and math as measured by NWEA testing. The NWEA will be administered three times per year. At least 50% of these students will make, on average, gains of at least 50% above the national fall-spring average.

Goal 6: 10% of all ELL students, determined by cohort, will attain English Proficiency by May of 2011 as measured by the LAS assessment.

Goal 7: The school wide student average attendance percentage will increase over their previous year by at least one percent as measured by school attendance records for each year of this contract.

Goal 8: Students, staff and parents will report an 80% or greater percentage of satisfaction with school as measured by a school satisfaction surveys.

The Authorizer will annually determine the success of the school in reaching the above goals by an examination of the data for the above goals which is to be detailed in the school's annual report. A summary judgment will be made based on the end of the contract evaluation.

Appendix 4:

Charter School Start-Up Guide and Progress Checklist

Audubon Center of the North Woods

Month & Task	Person(s) Responsible	Resources Needed	Date Completed - Progress
October - August			
<i>Financial Management/Business Plan</i>			
Create a comprehensive business plan which includes a 4 year budget projection and 4 year market analysis			
Develop at least two contingency budgets (one with lowest possible operating enrollment and one another enrollment scenario)			
Identify potential board members with a financial background			
Other			
<i>Governance and Management</i>			
Ensure contract with ACNW is signed and submitted to within MDE 90 days of MDE application approval			
Determine governance structure Identify legal status, tax-exempt status (file for 501c3 status)			
Other			
<i>Learning Program</i>			
Identify instructional strategies the school will use to achieve academic goals			
Other			
<i>School Culture</i>			
Develop mission/vision statements for the school			
Compose a brief history of the origin of the school and community need for the school			
Description of school (grade levels served, expected enrollment demographics, etc)			
Other			

Month & Task	Person(s) Responsible	Resources Needed	Date Completed - Progress
September			
Facilities			
Conduct needs assessment			
Identify options and assess accessibility of proposed school locations			
Other			
Financial Management/Business Plan			
Establish relationship, open account with local banking institution, order checks			
Refine planning grant budget (if necessary)			
Hire auditor			
Designate financial manager for school			
Identify check writers and signers			
Schedule monthly board financial reviews			
Identify a team member to provide ACNW with monthly financial updates for grant money			
Other			
Governance and Management			
Recruit board members with specific expertise (law, finance, real estate, etc)			
At least five interim board members recruited (independent contractors may NOT be interim board members)			
The board adopts, and each individual signs, a conflict-of-interest policy			
Establish a board meeting calendar			
Obtain board liability insurance (Directors and Officers)			
Review public meetings law			
Legal Issues			
Review and print copies of MN Statute 124D.10 (www.revisor.leg.state.mn.us/stats/124D/10.html) for board members and staff			
Review civil rights and equity issues (including MN Education Statutes, www.revisor.leg.state.mn.us/stats/120.html)			
Other			
Community Relations and Marketing			
Board creates a marketing committee			
Consider hiring a marketing/enrollment coordinator OR identify person responsible for organizing marketing/enrollment activities			

Other			
Learning Program			
Other			
School Culture			
Other			

Month & Task	Person(s) Responsible	Resources Needed	Date Completed - Progress
October			
Facilities			
Evaluate/inspect potential sites			
Review codes/ordinances/regulations			
Consider seeking services of a Real Estate firm			
Research the MN Charter School Lease Aide formula			
Other			
Financial Management/Business Plan			
Develop internal controls and fiscal policies			
Acquire forms (purchase orders, checks, etc)			
Other			
Governance and Management			
A board member serves as legal counsel OR counsel is obtained through contract or other means			
Develop by-laws			
Define committees and write descriptions			
Develop job description for Board of Directors and Officers			
Develop and begin performing board self-evaluations			
Other			
Legal Issues			
Other			
Community Relations and Marketing			
Develop a marketing plan			
Enrollment projections, caps, and waiting list/lottery plan established			
Develop appropriate communications materials (brochures, newsletters)			
Identify community events at which to market the school			

Identify strategies to recruit a diverse student body (community groups, etc)			
Other			
Learning Program			
Assign an interim board member to make sure Special Education Assurances checklist is fulfilled			
Other			
School Culture			
Other			

Month & Task	Person(s) Responsible	Resources Needed	Date Completed - Progress
November			
Facilities			
Necessary facility inspections initiated and required improvements/timeline established			
Select site, consider expansion potential			
Consider how facility supports curriculum			
Board legal counsel reviews lease and any addendums, etc			
Site is acquired, lease is signed.			
Other			
Financial Management/Business Plan			
Other			
Governance and Management			
Develop a board manual			
Establish separation of duties (start-up coordinator, director, board, staff)			
Define communication methods to school leaders, staff, and community			
Other			
Personnel and Policy Development			
The school board adopts an evaluation process for the Executive Director/Principal			
Hire start-up coordinator (and recruitment coordinator, if applicable)			
Start-up coordinator and/or recruitment coordinator has clearly defined responsibilities and authority (what can be done without specific board approval)			
Determine staffing needs			
Other			

Legal Issues			
Other			
Community Relations and Marketing			
A systematic plan for relationship development with community organizations that have mission alignment with the school is created			
Database of interested/enrolled students is created and utilized to keep students/families associated with school during enrollment period			
Identify potential partners in the community, develop plan to build relationships			
Other			
Learning Program			
Other			
School Culture			
Other			

Month & Task	Person(s) Responsible	Resources Needed	Date Completed - Progress
December			
Facilities			
Enlist facility design help if needed			
Consult with MDE Specialist re: lease aid			
Other			
Financial Management/Business Plan			
Other			
Governance and Management			
Criminal background checks conducted for each board member			
Other			
Personnel and Policy Development			
Identify strategies to deal with external controversy/internal conflict			
Other			
Legal Issues			
Other			
Community Relations and Marketing			
Other			
Learning Program			
Other			
Develop a plan for ensuring that service learning opportunities are embedded in the curriculum			

School Culture			
Develop an intake process for students and families			
Other			

Month & Task	Person(s) Responsible	Resources Needed	Date Completed - Progress
January			
Facilities			
Other			
Financial Management/Business Plan			
Form 990 for non-profit organizations completed and submitted to IRS			
Other			
Governance and Management			
Set date prior to opening for administrative review with ACNW and one or more charter resource groups (MACS, Authorizer Assistance Network, etc)			
Set date to participate in goal setting exercise with school community, ACNW, and one or more charter resource groups (see above).			
Other			
Personnel and Policy Development			
Applicant pool for School Director position and staff is established by recruiting potential candidates through ads placed in multiple media outlets and referrals from charter/education sources.			
Establish terms of employment, including performance-based, at-will contracts for all employees			
Develop staff policies			
Other			
Legal Issues			
Other			
Community Relations and Marketing			
Other			
Learning Program			
Other			
School Culture			
Other			

Month & Task	Person(s) Responsible	Resources Needed	Date Completed - Progress
February			
Facilities			
Address building security issues			
Establish insurance policies			
Other			
Financial Management/Business Plan			
Other			
Governance and Management			
Other			
Personnel and Policy Development			
Develop hiring policies and procedures for Director and staff (including plan for hiring teachers and staff that reflect the racial/ethnic/cultural character of the school's identified location)			
Establish terms of employment, including performance-based, at-will contracts for all employees			
Design benefit packages, vacation policies, pension policies, worker compensation, etc.			
Develop staff policies			
Screen and select potential candidates (multiple candidates identified for Director position and interviewed per hiring policies)			
Other			
Legal Issues			
Other			
Community Relations and Marketing			
Other			
Learning Program			
Other			
School Culture			
Other			

Month & Task	Person(s) Responsible	Resources Needed	Date Completed - Progress
March			
Facilities			
Other			
Financial Management/Business Plan			
Develop cash flow plan and monitor monthly			

Other			
Governance and Management			
Other			
Personnel and Policy Development			
Other			
Legal Issues			
Other			
Community Relations and Marketing			
Other			
Learning Program			
Develop scope and sequence of learning outcomes at each grade level			
Create a matrix of curriculum resource options to make informed decisions			
Other			
School Culture			
Other			

Month & Task	Person(s) Responsible	Resources Needed	Date Completed - Progress
April			
Facilities			
Other			
Financial Management/Business Plan			
Complete MDE budget template (MDE Website)			
Monitor Cash Flow			
Other			
Governance and Management			
School Director registered for mandatory MDE director training			
All board members registered for mandatory MDE board training			
Director attends Title I training at MDE (EMAP training)			
Other			
Personnel and Policy Development			
Establish staff salary range			
Establish staff benefits			
Establish personnel policies/handbook			
School Director is hired and transition process from Start-up Coordinator is established			
School Director hires or continues hiring licensed staff in conjunction with Board of Directors and established hiring policies			

Other			
Legal Issues			
Other			
Community Relations and Marketing			
Develop specific plan for parent involvement opportunities			
At least two community partnerships initiated and outlined for ACNW review			
50% of projected enrollment achieved			
Other			
Learning Program			
Other			
School Culture			
Develop a student handbook			
Other			

Month & Task	Person(s) Responsible	Resources Needed	Date Completed - Progress
May			
Facilities			
Secure rates for second term of lease			
Other			
Financial Management/Business Plan			
Monitor Cash Flow			
Identify and purchase financial management software (UFARS compatible)			
PERA is set up with State			
TRA is set up with State			
Establish direct deposit (EFT Authorization) with the Minnesota Department of Finance			
Enrollment projections aligned with appropriate student weighting formulas (including free/reduced and special education revenues)			
Other			
Governance and Management			
School Director registered for mandatory MDE director training			
All board members registered for mandatory MDE board training			
Director attends Title I training at MDE (NCLB/SERVS training)			
Other			

Personnel and Policy Development			
Establish staff salary range			
Establish staff benefits			
Establish personnel policies/handbook			
School Director is hired and transition process from Start-up Coordinator is established			
School Director hires or continues hiring licensed staff in conjunction with Board of Directors and established hiring policies			
Identify potential vendors for Special Education Director Services and secure services.			
Other			
Legal Issues			
Develop a health and safety policy handbook			
Other			
Community Relations and Marketing			
Develop specific plan for parent involvement opportunities			
At least two community partnerships initiated and outlined for ACNW review			
75% of projected enrollment achieved			
Other			
Learning Program			
Other			
School Culture			
Develop a student handbook			
Other			

Month & Task	Person(s) Responsible	Resources Needed	Date Completed - Progress
June			
Facilities			
Lease-aid application submitted to MDE			
Other			
Financial Management/Business Plan			
Monitor Cash Flow			
Approve annual budget and communicate approval to MDE (submit board minutes indicating budget approved)			
Title I application submitted to MDE			

Planning Grant continuation request filed with MDE			
Other			
Governance and Management			
Plan for transition of permanent board			
Transportation plan developed and approved (necessary contracts signed)			
Food service plan developed and approved (necessary contracts signed)			
Other			
Personnel and Policy Development			
Create student and parent handbook/policy manual			
Develop a school calendar			
Acquire medical forms (student and staff)			
75% of staff is hired			
Identify and hire Special Education Teacher(s)			
Identify contractors for supplemental services (speech, psychologist, etc)			
Identify staff member to learn EDRS to ensure flow of special education funding			
Identify staff member responsible for Special Education record keeping procedures			
Create a system for identifying special needs Students (Child Find and FAPE)			
Other			
Legal Issues			
Other			
Community Relations and Marketing			
95% of projected enrollment achieved			
Other			
Learning Program			
Purchase curriculum materials			
Identify and plan for any curricular staff development needs			
Develop curriculum based measures to track progress toward academic goals			
Other			
School Culture			
Develop a school disciplinary policy that is compliant with the MN Pupil Fair Dismissal Act (see also statute 121A.45 at www.revisor.leg.state.mn.us/stats/121A/45.html)			
Other			

Month & Task	Person(s) Responsible	Resources Needed	Date Completed - Progress
July			
Facilities			
Work with Landlord to make necessary repairs/installations			
Arrange for custodian/maintenance services			
Other			
Financial Management/Business Plan			
Purchase technology equipment			
Governance and Management			
District in which charter school is located notified of school's intention to utilize district busing services (if part of approved plan)			
Other			
Personnel and Policy Development			
Staff Development Program designed, approved, and communicated to teachers/staff			
Conduct criminal background/reference checks			
Secure a full set of Board Policies for the operation of a charter school and customize to your school.			
Design discipline policies, code of ethics, and student responsibility code			
Establish enrollment, attendance, transportation, food services, dress code, and harassment policies			
Design teacher evaluation system			
Necessary applications and approval for variances and community expert status acquired			
Other			
Legal Issues			
Other			
Community Relations and Marketing			
100% of projected enrollment achieved			
School Vision and Mission are strategically placed throughout the building.			
Other			
Learning Program			
Identify and purchase appropriate standardized assessments			

Purchase Student Planners			
Purchase Teacher Lesson Plan Books (If not incorporated into the SIS system)			
Other			
School Culture			
Other			

Month & Task	Person(s) Responsible	Resources Needed	Date Completed - Progress
August			
Facilities			
Other			
Financial Management/Business Plan			
Monitor Cash Flow			
Other			
Governance and Management			
Other			
Personnel and Policy Development			
Create Personnel Files			
100% of Staff is hired			
Other			
Legal Issues			
Other			
Community Relations and Marketing			
125% of projected enrollment achieved			
110% of registered student have transferred their records from the previous school.			
Conduct Orientation and Open House			
Other			
Learning Program			
Teachers create mapping documents of the entire curriculum and imbed all appropriate MN Academic Standards			
School Leadership and teachers create a detailed curriculum plan for at least the first 6 weeks of the school year (Posted for all to see)			
Other			
School Culture			
Staff are trained in all aspects of school operation including discipline policies and student conduct and procedures.			
Other			

Appendix 5:

Charter School Ready-to-Open Checklist

Audubon Center of the North Woods

Name of School:
Start-up coordinator:
Director:
Phone number and email address:
Checklist filled out by:
Date:

Item	Status
1. Authorizer contract	
1.1 The charter contract between Audubon Center of the North Woods(ACNW) and the charter school must be finalized and filed with the commissioner within 90 days of commissioner approval of the Authorizer's intent to grant a charter.	
2. Purpose	
2.1 The program model is developed consistent with the application and contract with Authorizer.	
3. Learning Program, Student Achievement and Accountability	
3.1 An academic program has been developed that is consistent with state academic standards	
3.2 A scope and sequence has been developed for the school's academic program	
3.3 An assessment system is in place that aligns with the curriculum	
3.4 A draft accountability plan is in place	
3.5 Student graduation/grade progression criteria have been identified	
3.6 A special education and LEP program have been developed	

Item	Status
3.7 Job-embedded Professional Development Plans have been developed for the school's professional staff	
3.8 Textbooks, materials, computers, supplies, etc. have been ordered and received	
3.9 Capital equipment has been ordered and received	
3.10 A special education director is hired or contracted	
3.11 Staff development is conducted for staff prior to the start of school so that staff are ready to start school with students	

4. Governance – Composition of the Board

4.1 Five to nine members are on the Board	
4.2 At least one board member has expertise regarding the school mission and program concepts	
4.3 A board member with a finance background or expertise is designated as Treasurer	
4.4 A criminal background check has been conducted on each board member	
4.5 Voting interim board members are not independent contractors for the school	
4.6 The Board has participated in training conducted by MDE or other approved organization	

5. Governance – Foundational Documents

5.1 The school's application has been approved by the Commissioner of Education	
5.2 Certificate of Incorporation as a non-profit entity has been filed with the Minnesota Secretary of State's Office and submitted to MDE	
5.3 Direct deposit (EFT Authorization) has been established with the Minnesota Department of Finance	
5.4 The school's Planning Grant budget (federal application) has been submitted and/or approved by the Board and MDE	
5.5 The school has filed with the I.R.S. for a Federal Employer Identification Number (FEIN)	
5.6 The school has filed for a sales tax exempt number with the State	
5.7 The school has filed with the I.R.S. for Section 501(c)3 status	

6. Governance – Policy

6.1 The Board has developed and approved Articles and Bylaws, after review by members during a Board meeting	
6.2 Objectives have been set for the school, which are consistent with the accountability goals in the contract with the Authorizer	

Item

Status

6.3 The school has approved a conflict of interest policy that avoids apparent and actual conflicts of interest when administering grants and entering into contracts for equipment and service that is in compliance with applicable Minnesota statutes and with Federal Charter Schools Program requirements	
6.4 The Board has developed and is carrying out fair employment practices that are in compliance with applicable Minnesota and federal statutes	
6.5 The school has in place an admission and lottery process that provides equal access to all and is in compliance with Minnesota statute	
6.6 The Board provides policy direction to the director	
6.7 The Board has approved a Calendar for the school year	

7. Governance – Financial

7.1 The school has established a checking account with duplicate signature	
7.2 The Board carries out monthly review of fiscal reports and approval of the payment of bills	
7.3 The Board submits monthly financial reports for revenue and expenditures to the Board and the authorizer for review	
7.4 The Board has considered securing a bank line of credit	
7.5 The Board has adopted the annual budget and budget amendments	

8. Governance – Operations

8.1 The Board hears monthly reports on school development progress to assure school is being developed consistent with the charter's mission and contract with authorizer	
8.2 Authorizer has a place on the agenda for "board/authorizer discussion."	
8.3 Meetings are held regularly and comply with Open Meeting Law	
8.4 A written agenda for each meeting is published for public inspection in the administrative offices, and provided to the authorizer	
8.5 School board meeting minutes recorded, approved, on file for public inspection in the administrative offices and distributed to the authorizer, MDE, and any other organizations requesting them; updated board rosters and contact information distributed as well	
8.6 The Board approves the hiring of all employees	
8.7 All staff are appropriately credentialed.	
8.8 If the board choose not to employ staff but rather contracts with another entity for professional services, this contract is developed and approved by the board.	
8.9 The board has secured legal counsel through contract or other means.	
8.10 Criminal background checks are conducted on all staff	
8.11 The Board has means in place to hold the director accountable	

Item	Status
9. Budget and Financial	
9.1 The Board has approved a preliminary 5 year budget. The budget includes major revenue components: General education, Lease aid, and Federal & State start up; and major expenditures: Staffing & benefits, Lease costs, other fixed costs, and startup costs	
9.2 The school's preliminary 5 year budget is periodically updated to include: Special education, Federal & NCLB, Transportation, and Food service	
9.3 Board has identified expenditures that will remain uncommitted until enrollment projections are met	
9.4 The school has established effective business practices: Staff has attended appropriate training on UFARS, MARSS, STARS & year-end financial reporting and established business processes to meet board policies & financial reporting needs	
9.5 Revenue budget is periodically updated to reflect current data for: Enrollment, Legislative changes, and other changes	
9.6 Expenditure budget is periodically updated to reflect current data for: Staffing needs, Salaries, benefits, and Lease & other costs	
9.7 Roster of registered & verified students submitted to MDE by June 15; Approved MARSS software has been obtained	
9.8 A completed, Board-approved budget is approved by June 30	
9.9 The Board provides financial oversight: Attends appropriate training on financial management and establishes policies on internal control, contract approval, purchasing and financial reporting	
9.10 Special Education and, if applicable, Federal Title 1 Program staff are entered into the MDE's EDRS system	
9.11 The school's staff provide appropriate, regular, and timely financial information to board, including: Detailed cash disbursements data, Detailed revenue & expenditure budgets, and Cash flow projections	
9.12 The school has submitted its Federal CSP Implementation Grant continuation request (if applicable)	
9.13 The school has established access to approved software; contracted with an auditor for the start-up fiscal year; established a line of credit established; and developed a Business Administration Policy/Procedures Manual	
10. Facility	
10.1 The school has secured a facility appropriate for educational use, by 150 days prior to opening date	
10.2 If applicable, any significant build-out of the school facility has begun no later than 120 days prior to opening date	
10.3 The facility meets accessibility requirements	
10.4 Facility has been inspected, and inspector's report is free of issues	
10.5 The space is adequate for the program model	

Item	Status
10.6 Board ensures that the lease is affordable and includes appropriate lease termination and renewal language	
10.7 Building lease has been compared to the Building Lease Levy maximum for appropriateness. Leasehold improvements are included in the lease payment.	
10.8 Prior to signing the lease, there is evidence that an adequate student marketing plan is implemented and recruitment results indicate a sufficient enrollment will result thereby. Also prior to signing, the lease should be reviewed by the school's legal counsel and by an appropriate person at MDE	
10.9 The school has applied for lease aid to MDE (should be submitted by June 1 for lease aid to be included in their metered payment in July)	
10.10 The school has developed a transportation plan, independently or with another entity	
10.11 If the school district is to transport students, notice must be given to that district not later than July 1 (sooner is preferable)	
10.12 The school has purchased appropriate insurance	
11. Marketing, Student Recruitment and Outreach	
11.1 Projected enrollment and budget are consistent	
11.2 The school has put in place and implemented an outreach plan for informing students of the school	
11.3 The school's recruitment plan is being implemented: Registrations are being submitted and 75% of budgeted enrollment is registered & verified by 90 days prior to school's opening day.	
11.4 The school provides opportunities for discussion with the parents, students if applicable and the public	
11.5 Regular communication has been initiated with parents of students to be enrolled	
11.6 Student selection is ongoing (if oversubscribed, a lottery must be used to select students)	
11.7 Student enrollment includes all appropriate data elements	
12. Leadership, Staffing and Management	
12.1 A position description for the school administrator has been approved by the Board	
12.2 The school administrator has been hired at least 150 days prior to the school's opening date	
12.3 The director has participated in training conducted by MDE or other approved organization	
12.4 The Board has ensured that compensation plans for all staff are reasonable	
12.5 Staff reduction provisions are included in contracts for lack of enrollment/funding to maintain expenditures as projected	

Item

Status

12.6 All teachers have been hired by 60 days prior to school opening, in order to begin employment 30 days in advance of opening day	
12.7 All teachers are appropriately licensed, are approved community experts or a variance has been obtained from the commissioner	
12.8 The school has set up an unemployment compensation option with the State	
12.9 The school has set up TRA and PERA with the State	
12.10 The school submits required state reports to MDE and the authorizer, consistent with MDE and authorizer timelines	

Appendix 6:

ACNW Charter School Annual Site Visit Report Form

Audubon Center of the North Woods (ACNW), as the authorizing entity, is committed to making an Annual Site Visit to each authorized school. The Site Visit is to be conducted by ACNW staff or contractors and will include review of previously-requested documents, interviews with school stakeholders, and observation of school operations. ACNW will contact school administration well in advance of the site visit to make arrangements for visiting the school with minimal disruption of its operations.

The site visit will review ACNW Performance Indicators in four areas. Indicators are listed below, with brief commentary on how a school might demonstrate whether the indicator was met.

Within two weeks of the Annual Site Visit, ACNW will provide this report to the school's administration, using this template. School administration will then have two weeks to respond to the Site Visit Report, with the opportunity to comment on each area.

Name of School:
Primary contact at school:
Phone number and email address:
School address(es):
Year of Operation:
Year of Authorizer Contract term:
ACNW Site Visit personnel:
Date and time of visit:

1. Educational Performance Indicators.

(Attach a copy of the latest version of the Educational Performance Indicators from Authorizer/School Contract to the back of this document for reference.)

Authorized schools' accountability plans, including goals and performance targets, are to be shared with ACNW each year. Data pertaining to achievement of the goals will be included in the Annual Report. The Annual Site Visit provides an opportunity for the authorizer and school representatives to confer regarding any aspect of the school's goals and performance targets that is unclear or may have changed recently. ACNW's representatives will ascertain the extent to which the school's academic and program goals are being met, with reference to data previously reviewed as well as what is shared during the site visit.

- a) Annual school wide academic achievement goals address **NCLB state and federal accountability expectations** in mathematics and reading (e.g., MCA-II/MTELL /MTAS, TEAE/MN SOLOM, NWEA/MAP, OTHER _____) and establish rigorous, attainable increases in student achievement from previous year.

Goals do not address NCLB requirements or regressed over last year.	Goals are not realistic, achievable and/or measureable. Students are showing no progress.	Realistic, achievable, and measureable goals are showing improvement over last year.	Realistic, achievable, and measureable goals are being achieved.
0	1	2	3
Comments:			

- b) Annual results of student achievement in **reading** show regular and consistent increases in student performance with rates of change equal to or greater than other entities such as the state averages, attendance area schools, national schools with similar demographics.

Goals do not address requirements. Students do not show increases in student performance. Student achievement scores indicate that the school is performing below other entities such as the state averages, attendance-area schools, and national schools with similar demographics.	Realistic, achievable, and measureable goals are showing improvement over last year and the school shows little or no increase in student performance when compared to other entities such as the state averages, attendance-area schools, and national schools with similar demographics.	Realistic, achievable, and measureable goals are showing improvement over last year and the school shows regular and consistent increases in student performance with rates of change equal to or greater than other entities such as the state averages, attendance-area schools, and national schools with similar demographics.	Realistic, achievable, and measureable goals are being achieved. School is making AYP in Reading.
0	1	2	3
Comments:			

- c) Annual results of student achievement in **mathematics** show regular and consistent increases in student performance with rates of change equal to or greater than other entities such as the state averages, attendance area schools, national schools with similar demographics.

Goals do not address requirements. Students do not show increases in student performance. Student achievement scores indicate that the school is performing below other entities such as the state averages, attendance-area schools, and national schools with similar demographics.	Realistic, achievable, and measureable goals are showing improvement over last year and the school shows little or no increase in student performance when compared to other entities such as the state averages, attendance-area schools, and national schools with similar demographics.	Realistic, achievable, and measureable goals are showing improvement over last year and the school shows regular and consistent increases in student performance with rates of change equal to or greater than other entities such as the state averages, attendance-area schools, and national schools with similar demographics.	Realistic, achievable, and measureable goals are being achieved. School is making AYP in Reading.
0	1	2	3
Comments:			

- d) Reported growth measures (disaggregated by teacher/grade level) of student achievement in **reading** indicate students performing on grade level are making at least one year's expected growth when receiving one year of opportunity to learn and struggling students are making more than one year's growth when receiving one year of opportunity to learn.

Reported growth measures for all grades and teachers (disaggregated by teacher/grade level) of student achievement in reading indicate students performing on grade level are not making at least one year's expected growth when receiving one year of opportunity to learn and struggling students are not making more than one year's growth when receiving one year of opportunity to learn in over half the grades/teachers measured.	Reported growth measures for all grades and teachers (disaggregated by teacher/grade level) of student achievement in reading indicate students performing on grade level are making at least one year's expected growth when receiving one year of opportunity to learn and struggling students are making more than one year's growth when receiving one year of opportunity to learn in over half the grades/teachers measured.	Reported growth measures for all grades and teachers (disaggregated by teacher/grade level) of student achievement in reading indicate students performing on grade level are making at least one year's expected growth when receiving one year of opportunity to learn and struggling students are making more than one year's growth when receiving one year of opportunity to learn in over 80% the grades/teachers measured.	Reported growth measures for all grades and teachers (disaggregated by teacher/grade level) of student achievement in reading indicate students performing on grade level are making at least one year's expected growth when receiving one year of opportunity to learn and struggling students are making more than one year's growth when receiving one year of opportunity to learn in 100% the grades/teachers measured.
0	1	2	3
Comments:			

e) Reported growth measures (disaggregated by teacher/grade level) of student achievement in **mathematics** indicate students performing on grade level are making at least one year's expected growth when receiving one year of opportunity to learn and struggling students are making more than one year's growth when receiving one year of opportunity to learn.

Reported growth measures for all grades and teachers (disaggregated by teacher/grade level) of student achievement in mathematics indicate students performing on grade level are not making at least one year's expected growth when receiving one year of opportunity to learn and struggling students are not making more than one year's growth when receiving one year of opportunity to learn in over half the grades/teachers measured.	Reported growth measures for all grades and teachers (disaggregated by teacher/grade level) of student achievement in mathematics indicate students performing on grade level are making at least one year's expected growth when receiving one year of opportunity to learn and struggling students are making more than one year's growth when receiving one year of opportunity to learn in over half the grades/teachers measured.	Reported growth measures for all grades and teachers (disaggregated by teacher/grade level) of student achievement in mathematics indicate students performing on grade level are making at least one year's expected growth when receiving one year of opportunity to learn and struggling students are making more than one year's growth when receiving one year of opportunity to learn in over 80% the grades/teachers measured.	Reported growth measures for all grades and teachers (disaggregated by teacher/grade level) of student achievement in mathematics indicate students performing on grade level are making at least one year's expected growth when receiving one year of opportunity to learn and struggling students are making more than one year's growth when receiving one year of opportunity to learn in 100% the grades/teachers measured.
0	1	2	3
Comments:			

f) Additional annual school wide goals address other aspects of student learning (i.e. content areas not mathematics or reading, critical thinking, problem solving, 21st Century skills, personal responsibility, etc.) related to the school's mission, if appropriate, and establish rigorous, attainable increases from previous year.

Goals not evident	Not meeting goals or not sure if goals are being met	Some of the goals are being met	All goals are well written and are being met 100%
0	0	2	3
Comments:			

- g) Other school performance goals will address state and federal accountability targets for student attendance, and for graduation rates if applicable.

Goals not evident	Not meeting goals or not sure if goals are being met	Some of the goals are being met	All goals are well written and are being met 100%
0	0	2	3
Comments:			

General comments on educational performance:

2. School Climate and Satisfaction Performance Indicators

The annual site visit should include review of data on student retention, the most recent data on stakeholder satisfaction, and perceptions of safety on the part of school stakeholders.

- a) Student retention rates show improvement over time for all subgroups enrolled in the school.

Goals not evident	Not meeting goals or not sure if goals are being met	School is retaining and average of 75% annually	School is retaining more than 93% of its students from year to year
0	1	2	3
Comments:			

b) Perception measures of satisfaction (e.g. surveys, focus groups, etc) indicate a positive learning environment for all students from the perspective of multiple stakeholders including students, parents, and community members.

Surveys not evident	Less than 80% of the measures of satisfaction of positive learning environment are positive. (Average.)	More than 80% of the measures of satisfaction of positive learning environment are positive. (Average.)	More than 95% of the measures of satisfaction of positive learning environment are positive. (Average.)
0	1	2	3
Comments:			

c) Perception measures of safety (e.g. surveys, focus groups, etc.) indicate students and parent perceive the school environment as safe for all student groups.

Surveys not evident	Less than 80% of the measures of satisfaction of a safe school environment are positive. (Average.)	More than 80% of the measures of satisfaction of a safe school environment are positive. (Average.)	More than 95% of the measures of satisfaction of a safe school environment are positive. (Average.)
0	1	2	3
Comments:			

General comments on school climate and satisfaction performance indicators:

3. Operational Performance Indicators

The Annual Site Visit should include an interview with the Board chair or another member(s). Documentation addressing Operational Performance Indicators should be prepared by the school in advance for ease of review during the site visit.

- a) The Charter School Board is organized consistent with state law and follows good governance practices including:
 - i) No conflicts of interest for any members;
 - ii) compliance with the Minnesota open meeting law;
 - iii) following own by-laws;
 - iv) adopting required policies; and
 - v) developing a strategic plan (optional).

No Evidence available	Not sure if evidence meets all criteria	Meets nearly all of the criteria	Exemplary job of meeting all criteria
0	1	2	3
Comments:			

- b) The Board meetings are conducted following parliamentary procedure including a published agenda, minutes of previous meetings, and a defined meeting process.

No Evidence available	Not sure if evidence meets all criteria	Meets nearly all of the criteria	Exemplary job of meeting all criteria
0	1	2	3
Comments:			

- c) The Board makes key school decisions including:
 - i) setting policies of the school;
 - ii) setting performance expectations consistent with the contract with the authorizer
 - iii) adopting an annual budget and monitoring/reviewing the budget regularly;
 - iv) approving all expenditures;
 - v) reviewing and accepting the annual audit;
 - vi) reviewing school academic performance regularly;
 - vii) reviewing the annual report;
 - viii) adopting an educational improvement plan (could be a School Improvement Plan, or included in a strategic plan);

ix) reviewing the performance of the school’s lead administrator at least annually.

No Evidence available	Not sure if evidence meets all criteria	Meets nearly all of the criteria	Exemplary job of meeting all criteria
0	1	2	3
Comments:			

d) The Board has a “board development plan” including annual training.

No Evidence available	Not sure if evidence meets all criteria	Meets nearly all of the criteria	Exemplary job of meeting all criteria
0	1	2	3
Comments:			

e) Appropriate management by school leadership are reflected in a variety of summary data including:

- i) Staff qualifications/licensure compliant with state requirements;
- ii) Staff selection process fair and appropriate;
- iii) Staff assignments and turnover reasonable;
- iv) Enrollment process implemented with fidelity and projections are reasonable;
- v) Transportation system functioning well;
- vi) Established Complaint and resolution procedures implemented with fidelity when necessary;
- vii) State reporting completed accurately and timely;
- viii) Board policies implemented; and
- ix) Appropriate insurance acquired and maintained.

No Evidence available	Not sure if evidence meets all criteria	Meets nearly all of the criteria	Exemplary job of meeting all criteria
0	1	2	3
Comments:			

- f) The school complies with state and federal standards for civil rights, health/safety/welfare, special education, English Language Learners, discipline, food/nutrition, student performance accountability, and audits including:
- i) Non-discrimination laws followed;
 - ii) Health and safety laws adhered to.
 - iii) State testing and accountability requirements implemented with fidelity; and
 - iv) Special populations such as students with disabilities and English Language Learners, appropriately served.

No Evidence available	Not sure if evidence meets all criteria	Meets nearly all of the criteria	Exemplary job of meeting all criteria
0	1	2	3
Comments:			

- g) Teacher evaluation and leadership evaluation indicates strong focus on improving instruction.

No Evidence available	Not sure if evidence meets all criteria	Meets nearly all of the criteria	Exemplary job of meeting all criteria
0	1	2	3
Comments:			

- h) Facilities are appropriate and adequate including
- i) The school has adequate space.
 - ii) The lease provisions implemented.

No Evidence available	Not sure if evidence meets all criteria	Meets nearly all of the criteria	Exemplary job of meeting all criteria
0	1	2	3
Comments:			

General Comments on Operational Performance Indicators:

4. Finance Performance Indicators

The Annual Site Visit should include an interview with the school’s business manager, Board treasurer or other individual knowledgeable about the school’s finances. This interview will help evaluate the financial health and fiscal stewardship of the school. Documentation addressing Finance Performance Indicators should be prepared by the school in advance for ease of review during the site visit. The indicators contain standards that are taken from statute, the charter contract and from best practices, including:

- The charter school complies with the relevant laws and statutes.
- The charter board enacts financial oversight policies.
- The charter board provides oversight of financial matters.
- Sound financial practices are implemented by the charter school.

- a) The school has a budget approved by its Board; the budget is being followed or amended when necessary based on student enrollment changes or other appropriate reasons. (The budget was adopted no later than June 30 prior to the year of execution.)

No Evidence available	Not sure if evidence meets all criteria	Meets nearly all of the criteria	Exemplary job of meeting all criteria
0	1	2	3
Comments:			

- b) The school finances are appropriately managed as evidenced by a quality internal control process and by the audit and monthly reports.

No Evidence available	Not sure if evidence meets all criteria	Meets nearly all of the criteria	Exemplary job of meeting all criteria
0	1	2	3
Comments:			

c) State finance reports are filed appropriately and on time.

No Evidence available	Not sure if evidence meets all criteria	Meets nearly all of the criteria	Exemplary job of meeting all criteria
0	1	2	3
Comments:			

d) State/federal taxes, pensions, insurance, etc. are paid as required. In addition, all invoices are paid within a 30 -35 day timeframe.

No Evidence available	Not sure if evidence meets all criteria	Meets nearly all of the criteria	Exemplary job of meeting all criteria
0	1	2	3
Comments:			

e) The budget includes revenue for anticipated future needs, i.e. a quality fund balance. The school also has a quality fund balance policy.

No Evidence available	Not sure if evidence meets all criteria	Meets nearly all of the criteria	Exemplary job of meeting all criteria
0	1	2	3
Comments:			

f) The patterns of expenditures are consistent with the mission, program and goals of the school. Student learning is demonstrated as a priority of the school by having over sixty percent of the budget expenditures being instructional in nature.
Showing _____% in current budget.

No Evidence available	Not sure if evidence meets all criteria	Meets nearly all of the criteria	Exemplary job of meeting all criteria
0	1	2	3
Comments:			

g) The school received an audit that contains no material findings or there are acceptable Corrective Action Plans (CAP) for each finding for the past two years.

No Evidence available	Not sure if evidence meets all criteria	Meets nearly all of the criteria	Exemplary job of meeting all criteria
0	1	2	3
Comments:			

General comments on financial performance:

5. Board Training Requirements

a) The charter board is trained in Board Governance.

No Evidence available or some board members did not complete training within 12 months	Not sure if evidence meets all criteria. Board members have registered for training	Has met requirement of starting training within 6 months.	Exemplary job of meeting all criteria. All board members fully trained within 12 months.
0	1	2	3
Comments:			

b) The charter board is trained in Board's Role and Responsibilities..

No Evidence available or some board members did not complete training within 12 months	Not sure if evidence meets all criteria. Board members have registered for training	Has met requirement of starting training within 6 months.	Exemplary job of meeting all criteria. All board members fully trained within 12 months.
0	1	2	3
Comments:			

c) The charter board is trained in Employment Policies and Practices.

No Evidence available or some board members did not complete training within 12 months	Not sure if evidence meets all criteria. Board members have registered for training	Has met requirement of starting training within 6 months.	Exemplary job of meeting all criteria. All board members fully trained within 12 months.
0	1	2	3
Comments:			

d) The charter board is trained in Financial Matters and Fiscal Oversight.

No Evidence available or some board members did not complete training within 12 months	Not sure if evidence meets all criteria. Board members have registered for training	Has met requirement of starting training within 6 months.	Exemplary job of meeting all criteria. All board members fully trained within 12 months.
0	1	2	3
Comments:			

General Comments on Board Training:

**READER OVERALL ASSESSMENT & RECOMMENDATION OF
LETTER LISTING POSSIBLE INTERVENTIONS OR LETTERS OF
EXEMPLARY OR SATISFACTORY STATUS**

Overall Strengths of School:	Indicator Reference #s
Overall Concerns and Additional Questions:	Indicator Reference #s
Information Needed or Concerns to be Met:	
Summary Comments:	

Summary of Scores by Indicator Section

Indicator	Average Score
1) Educational Performance Indicators	
2) School Climate and Satisfaction Indicators	
3) Operational Performance Indicators	
4) Finance Performance Indicators	
5) Board Training Requirements	
Average Score on all Indicators: (Add all 29 rubric scores and divide by 29)	
Comments:	

Report filed by _____
(print name)

Date _____

Range of Possible Interventions on the following page.

Within two weeks of the Annual Site Visit, ACNW will provide this report to the school's administration, using this template. School administration will then have two weeks to respond to the Site Visit Report, with the opportunity to comment on each area. After the response from the school a letter will be set to the school listing possible interventions or letters of exemplary or satisfactory status.

Audubon Center of the North Woods Range of Possible Interventions

Status	Caused by	Will result in
LEVEL 00 Notice of Exemplary Status	2.5 to 3 in all areas	Letter of Exemplary Performance from ACNW
Level 0 Notice of Satisfactory Status	2.0 or above in all areas	Letter of Satisfactory Performance from ACNW
LEVEL ONE Notice of Concern	<p>Signs of weak school identified through routine monitoring; through implementation, compliance, or performance reviews; or by other means</p> <p>Repeated failure to submit required documents on a timely basis.</p> <p>Fiscal: Failure to provide reports, budgets, audits and policies in a timely manner and a 10.1 to 20% audited fund balance.</p>	<p>Letter from ACNW to the charter school's board of directors detailing areas of concern.</p> <p>and/or</p> <p>Review and reconsideration of goals and Performance targets in the Accountability Plan.</p> <p>and/or</p> <p>ACNW recommendation that the school develops a School Improvement Plan.</p>
LEVEL TWO Notice of Deficiency	<p>Failure to meet multiple performance targets; or glaring or repeated failure to meet a single performance target.</p> <p>Failure to comply with the applicable law or significant failure to comply with the board conditions(s) of the charter.</p> <p>Fiscal: Failure to provide reports, budgets, audits and policies in a timely manner and/or a 1.1 to 10% audited year-end fund balance.</p>	<p>Letter from ACNW to charter school Board of Directors detailing areas of deficiency in the Accountability Plan.</p> <p>and/or</p> <p>School Improvement Plan—containing specific improvement objectives, technical assistance requirements, and schedule for remedial action—negotiated with ACNW.</p>
LEVEL THREE Notice of Probationary Status	<p>Failure to show academic improvement within three years when compared to district averages</p> <p>Continued failure to meet school targets and failure to meet objectives of School Improvement Plan.</p> <p>Continued failure to comply with the applicable law or with the charter.</p> <p>Fiscal: Continued deficiency in providing reports, budgets, audits and policies in a timely manner</p> <p>and/or</p> <p>A 1% or less audited year end fund balance</p>	<p>School Improvement Plan imposed by ACNW in the Accountability Plan</p> <p>and/or</p> <p>Assignment of technical assistance team by ACNW</p> <p>and/or</p> <p>In certain cases, ACNW may appoint field staff or a consultant to monitor the implementation of the School Improvement Plan</p>
LEVEL FOUR Charter Review	<p>Failure to address the terms of Probationary Status.</p> <p>Extended pattern of failure to comply or to meet school targets.</p> <p>Fiscal: Continued deficiency in providing reports, budgets, audits and policies in a timely manner</p> <p>And/or</p> <p>A 1% or less audited year end fund balance or SOD for one year.</p>	<p>Recommendation to revoke, not to revoke or to impose lesser sanctions in the Accountability Plan</p> <p>and/or</p> <p>Decision to commence or not to commence revocation proceedings made by ACNW.</p>
LEVEL FIVE Charter Revocation	<p>Charter Review results in recommendation to revoke.</p> <p>Fiscal: SOD for two years in a row or 1% or less audited year end fund balance for three consecutive years</p>	<p>Written Notice from ACNW stating reasons for proposed revocation.</p> <p>Written notice from ACNW informing the charter school to the right to an informal hearing with MDE.</p> <p>If the school chooses a hearing, another letter indicating the record of the informal hearing and the decision to revoke or not to revoke.</p>

Appendix 7:

**Audubon Center of the North Woods
Application for Charter Contract Renewal**

Charter schools authorized by Audubon Center of the North Woods (ACNW) which want to renew their contracts, are required to submit an application to ACNW, using the format laid out in this document 180 days (January 2) prior to the end of the current contract term.

Name of School:
Primary contact at school:
Phone number and email address:
School address:
Dates of Current Authorizer Contract:

General Instructions and Format for Charter Contract Renewal

- **Deadline:**
 - January 2, 201___ (6 months prior to expansion) 3:00 PM
 - Applications received after this time may not be considered.

- **Format:**
 - 8 ½” x 11” paper, 1” margins on all sides, 12-point font and Single Spaced. Page numbers and name of school in footer on each page.

- **Page Limits:**
 - School is required to submit a copy of the most recent *ACNW Charter School Annual Site Visit Report Form (See Appendix 6 to this manual)*
 - Number of pages is specified in each Component Section
 - Section 1: up to 8 pages
 - Section 2: up to 3 pages
 - Section 3: up to 2 pages
 - Page Limits do not apply to requested attachments.
 - Please limit attachments to those that are requested.

- **Evaluation Criteria:**
 - ACNW will only accept applications that score between 2 and 3 in every rubric area of the most recent *ACNW Charter School Annual Site Visit Report Form* and the three rubrics included in this application.
 - When feasible ACNW will discuss deficiencies in the application and allow the school to strengthen the application to become a 2+ in all rubric areas.
 - The decision of ACNW Board of Directors is final.

- **Submission:**
 - One original paper copy of the application and all requested attachments and three reproduction copies of the application must be submitted to ACNW.
 - The Document and all attachments should be electronically submitted by “Thumb Drive” in MS-Word, MS-Excel or PDF format to ACNW.
Submit to:

Steve Dess, Charter School Coordinator
ACNW, Suite # 238
43 Main Street SE
Minneapolis, MN 55414

School is encouraged to answer or provide attachments supporting each of the following questions. The completed application should not exceed 13 pages.

1) Evaluation of School/Student Performance

- a) Does the school take into account the four Program Model Performance Indicators when crafting its Annual Goals and performance targets?

Program Model Performance Indicators:

- a) The program model is consistent with that described in its application and statutory provisions.
 - b) Parents, staff, board and students have a clear understanding of the program model and mission of the school.
 - c) The curriculum supports the school mission and program model, is aligned to the Minnesota Academic Standards, and is implemented with fidelity.
 - d) Job-embedded staff development supports the mission, the program model, and continuous school improvement
- b) Has the school met its School Wide Educational Performance Indicators during the current term of the contract? If not, has it made reasonable progress toward meeting those goals?

School wide Educational Performance Indicators:

- i) Annual school wide SMART academic achievement goals address state and federal accountability expectations in mathematics and reading (e.g., NWEA/MAP, MCA-II/MTELL/MTAS, and TEAE/MN SOLOM) and establish rigorous, attainable increases in student achievement from previous year.
 - ii) Annual results of student achievement in mathematics and reading show regular and consistent increases in student performance with rates of change equal to or greater than other entities such as the state, the nation, or regional schools with similar demographics.
 - iii) Reported growth measures of student achievement in mathematics and reading indicate students performing on grade level are making at least one year's expected growth when receiving one year of opportunity to learn and struggling students are making accelerated growth when receiving one year of opportunity to learn.
 - iv) Additional annual school wide goals address other aspects of student learning (i.e. content areas not mathematics or reading, critical thinking, problem solving, 21st Century skills, personal responsibility, etc.) related to the school's mission, if appropriate, and establish rigorous, attainable increases from previous year .
 - v) Other school performance goals will address state and federal accountability targets for student attendance, and for graduation rates if applicable.
- c) Has the school met its School Climate and Satisfaction Performance Indicators during the current term of the contract? If not, has it made reasonable progress toward meeting those goals?

School Climate and Satisfaction Performance Indicators:

- i) Student retention rates show improvement over time for all subgroups enrolled in the school.
- ii) Perception measures of satisfaction (e.g. surveys, focus groups, etc) indicate a positive learning environment for all students from the perspective of multiple stakeholders including students, parents, and community members.
- iii) Perception measures of safety (e.g. surveys, focus groups, etc.) indicate students and parent perceive the school environment as safe for all student groups.

Evaluation of School/Student Performance Evaluation and School Climate and Satisfaction Rubric				
Reviewer Score	0 Failed to Provide	1 Inadequate	2 Adequate	3 Excellent
	Failed to Provide or was unclear and/or little evidence of understanding of criteria for continuing to operate a high-quality charter school	Most information provided and somewhat clear and/or minimal understanding of criteria for continuing to operate a high-quality charter school	All information provided and mostly clear and /or general understanding of criteria for continuing to operate a high-quality charter school	All information is very clearly presented and demonstrates exceptional understanding of criteria for continuing to operate a high-quality charter school
Strengths				
Concerns				
Additional Information or Conditions Needed				

2) Operational Performance of the School

- a) Are there any of Operational Performance Indicators which the school has not met, during the current term of the contract? If so, please comment.
- b) Indicate steps the charter school Board has taken during the current term of the contract, to improve its ability to foster the pursuit of excellent educational programming.

Operational Performance Indicators:

- a) The Charter School Board is organized consistent with state law and follows good governance practices including:
 - i) No conflicts of interest for any members;
 - ii) compliance with the Minnesota open meeting law;
 - iii) following own by-laws;
 - iv) adopting required policies; and
 - v) developing a strategic plan (optional).
- b) The Board meetings are conducted following parliamentary procedure including a published agenda, minutes of previous meetings, and a defined meeting process.
- c) The Board makes key school decisions including:
 - i) setting policies of the school;
 - ii) setting performance expectations consistent with the contract with the authorizer
 - iii) adopting an annual budget and monitoring/reviewing the budget regularly;
 - iv) approving all expenditures;
 - v) reviewing and accepting the annual audit;
 - vi) reviewing school academic performance regularly;
 - vii) reviewing the annual report;
 - viii) adopting an educational improvement plan (could be a School Improvement Plan, or included in a strategic plan);
 - ix) reviewing the performance of the school's lead administrator at least annually.
- d) The Board has a "board development plan" including annual training.
- e) Appropriate management by school leadership are reflected in a variety of summary data including:
 - i) Staff qualifications/licensure compliant with state requirements;
 - ii) Staff selection process fair and appropriate;
 - iii) Staff assignments and turnover reasonable;
 - iv) Enrollment process implemented with fidelity and projections are reasonable;
 - v) Transportation system functioning well;
 - vi) Established Complaint and resolution procedures implemented with fidelity when necessary;
 - vii) State reporting completed accurately and timely;
 - viii) Board policies implemented; and
 - ix) Appropriate insurance acquired and maintained.
- f) The school complies with state and federal standards for civil rights, health/safety/welfare, special education, English Language Learners, discipline, food/nutrition, student performance accountability, and audits including:

- i) Non-discrimination laws followed;
- ii) Health and safety laws adhered to.
- iii) State testing and accountability requirements implemented with fidelity; and
- iv) Special populations such as students with disabilities and English Language Learners, appropriately served.
- g) Teacher evaluation and leadership evaluation indicates strong focus on improving instruction.
- h) Facilities are appropriate and adequate including
 - i) The school has adequate space.
 - ii) The lease provisions implemented.

Operational Performance of the School Evaluation Rubric				
Reviewer Score	0 Failed to Provide	1 Inadequate	2 Adequate	3 Excellent
	Failed to Provide or was unclear and/or little evidence of understanding of criteria for continuing to operate a high-quality charter school	Most information provided and somewhat clear and/or minimal understanding of criteria for continuing to operate a high-quality charter school	All information provided and mostly clear and /or general understanding of criteria for continuing to operate a high-quality charter school	All information is very clearly presented and demonstrates exceptional understanding of criteria for continuing to operate a high-quality charter school
Strengths				
Concerns				
Additional Information or Conditions Needed				

3) Financial Performance of the School

- a) Are there any of Finance Performance Indicators which the school has not met, during the current term of the contract? If so, please comment.
- b) Indicate steps the charter school has taken during the current term of the contract, to enhance the school’s fiscal status.

Finance Performance Indicators

- a) The school has a budget approved by its Board; the budget is being followed or amended when necessary based on student enrollment changes or other appropriate reasons.
- b) The school finances are appropriately managed as evidenced by the audit and monthly reports.
- c) State finance reports are filed appropriately and on time.
- d) State/federal taxes, pensions, insurance, etc. are paid as required.
- e) The budget includes revenue for anticipated future needs, i.e. a reserve fund.
- f) The patterns of expenditures are consistent with the mission, program and goals of the school.
- g) The school audit contains no material findings.

Financial Performance of the School Evaluation Rubric				
Reviewer Score	0 Failed to Provide	1 Inadequate	2 Adequate	3 Excellent
	Failed to Provide or was unclear and/or little evidence of understanding of criteria for continuing to operate a high-quality charter school	Most information provided and somewhat clear and/or minimal understanding of criteria for continuing to operate a high-quality charter school	All information provided and mostly clear and /or general understanding of criteria for continuing to operate a high-quality charter school	All information is very clearly presented and demonstrates exceptional understanding of criteria for continuing to operate a high-quality charter school
Strengths				
Concerns				
Additional Information or Conditions Needed				

READER OVERALL ASSESSMENT & RECOMMENDATION

Overall Strengths of School:	Indicator Reference #s
Overall Concerns and Additional Questions:	Indicator Reference #s
Information Needed or Concerns to be Met:	
Summary Comments:	

Summary of Scores by Indicator Section

Indicator	Average Score
1) Educational Performance Indicators	
2) Operational Performance Indicators	
3) Finance Performance Indicators	
Average Score on all Indicators: (Add all 3 rubric scores and divide by 3)	
Comments:	

Report filed by _____
(print name)

Date _____

Applicants must score between 2 and 3 in all rubric areas or adequate provisions for improvement implemented to reach a 2+ in each area before the charter renewal request will be approved. Charter may only be renewed for 1 year for schools that are in question of being highly successful.

Appendix 8:

**Audubon Center of the North Woods
Charter School Closure Process and Plan**

Name of School _____ **Date** _____

TASKS	Person Responsible	Date Completed and Comments
Establish <i>ad hoc</i> School Board Committee for wind-up / restructuring		
Designate School contact person(s) to send and receive communications from ACNW;		
Designate employees or School Board members who will handle various aspects of winding up of School operations;		
Provide contact information, and list of employees / School Board members and correspondent responsibilities to ACNW		
Other:		
Contact MDE – Charter School Division Immediately		
The Charter School Division needs to be contacted immediately to facilitate the legal transfer of all property of the school that was purchased with Federal Charter School Program funds to other schools. Federal Law and the assurances signed by the school requires special attention be given to this property. Contact the CSP Federal Grant personnel at the MDE for guidelines and assistance. <i>(See Inventory and Liquidation of Assets below)</i>		
Other:		
Reserve Funds		
Segregate by School Board resolution in a separate checking account up to \$45,000 in funds to be used for legal, accounting and other expenses to execute this Closure Plan and to dissolve the School Corporation.		
Other:		
Notification of Parents / Guardians		
Within 10 days after charter revocation, notify parents / guardians and employees of school regarding the closure of the School, if such notification has not been made. Such notification shall include, but not be limited to, the following: <ul style="list-style-type: none"> * date of the last day of regular instruction; * cancellation of any planned summer school; * notice to parents that enrollment of children in their district of residence or other school is mandatory under state law for children that are six years of age or older; 		

* offer of copies of student records before the CHARTER REVOCATION. * Provide ACNW with a copy of the notice.		
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Other:

Final Report Cards and Student Records Notice

<p>Within 7 days after CHARTER REVOCATION, provide parents / guardians with copies of final report cards and notice of where student records will be sent (the school district of the School's location) and specific contact information.</p> <p>* The notice must advise the parent/guardian to contact the school where the student intends to enroll and to have the student's new school contact the School's district of location to have the student's educational records transferred to the new school.</p> <p>* Provide ACNW with a copy of the notice.</p>		
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Other:

Transfer of Student Records and Testing Material

<p>No later than 10 days after CHARTER REVOCATION send student records to the School's district of residence, including:</p> <ul style="list-style-type: none"> * Individualized Education Programs (IEPs) and all records regarding special education and supplemental services; * student health / immunization records; * attendance records; and * all other student records. <p>All end of school year grades and evaluations must be completed and made part of the student records, including any IEP /Committee on Special Education meetings /progress reports. As noted above, parents / guardians should be offered copies of students' records before CHARTER REVOCATION. Testing material, including scores, test booklets, and annual data files etc. required to be maintained by the School by the State Education Department must also be forwarded to the School's district of location. To the extent that scores, etc. will come into existence after the CHARTER REVOCATION, arrangements should be made with the testing agent to forward such material to the district of location. The school should also send a set of Individual Student Reports to resident district and parents.</p>		
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Other:

Notification of School Districts

<p>Within 7 days after the charter revocation, the School must notify school district(s) of students' residence regarding the termination of the education program and lack of future enrollment.</p> <p>* If applicable, notification regarding cessation of food and transportation services should be provided.</p>		
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<ul style="list-style-type: none"> * Provide notice to the districts that arrangements should be made to pick up any district property; e.g., borrowed books, nursing equipment. * Provide ACNW with a copy of the notice. 		
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Other:		
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Notification of Funding Sources / Charitable Partners		
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<p>Within 7 days after CHARTER REVOCATION, all other sources of the School's operational funding must be notified in writing of the closure of the School as well as charitable partners of the School.</p> <ul style="list-style-type: none"> * The School should not accept further loans from management companies, etc. nor otherwise incur additional liability. However, it may continue to accept gifts from charitable partners as long as the charity is aware of the School's closure / restructuring status. * Charities with property on the premises of the School should be notified to remove same as soon as possible or after CHARTER REVOCATION, whichever is appropriate. 		
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Other:		
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Notification of Contractors and Termination of Contracts		
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<p>Within 20 days after charter revocation, formulate a list of all contractors with contracts in effect, and notify them regarding cessation of current school operations at CHARTER REVOCATION.</p> <ul style="list-style-type: none"> * If applicable, instruct contractors to make arrangements to remove any contractor property from the School facility by a date certain, e.g., copying machines, water coolers, other rented property. * Provide ACNW with a copy of such notice. * Retain records of past contracts with proof that they were fully paid (<i>see</i> Records Retention, below) to prevent spurious claims. <p>As appropriate, and to the extent possible, terminate contracts for goods and services as of the last date such goods or services will be needed to the extent not necessary for the educational program or wind-up of the School.</p> <ul style="list-style-type: none"> * Telephone, gas, electric, water, insurance (premises and E&O insurance, <i>see</i> below) should remain operative through the CHARTER REVOCATION and to the extent necessary to wind up the School's affairs beyond that time. 		
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Other:		
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Notification of Employees and Benefit Providers		
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<p>After an employee termination date is established, but in no event later than 60 days before CHARTER REVOCATION, notify all employees of termination of employment and/or contracts, and</p>		
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<p>notify benefit providers of pending termination of all employees. Further notify employees and providers of termination of all benefit programs, and, if allowable, terminate all programs as of the last date of service in accordance with applicable law and regulations (i.e. COBRA), including:</p> <ul style="list-style-type: none"> * health care / health insurance; * life insurance; * dental plans; * eyeglass plans; * cafeteria plans; * 401(k), retirement plans; * pension plans; * TRA; and * PERA <p>Specific rules and regulations may apply to such programs especially teacher's retirement plans so legal counsel should be consulted. Employees should be notified of eligibility for unemployment compensation. (In the event the School has not paid into the unemployment program on an ongoing basis, the School may have significant financial liability on an ongoing basis after the CHARTER REVOCATION, and reserve funds should be set aside for this purpose.) See School Wind-Up Plan and Action regarding payment of taxes, below.</p>		
Other:		
Notification of Food and Transportation Services and Cancellation of Contracts		
<p>Within 20 days after the charter revocation, or earlier if required by the contractual notice requirements, cancel school district or private food and/or transportation services for summer school and next school year.</p>		
Other:		
Notification of ACNW Regarding Lawsuits		
<p>As soon as possible after receiving notice and/or service of process regarding litigation against, or initiated by, the School, School Board or School employees, notify ACNW and provide copies of legal papers received.</p> <p>The School has an ongoing obligation to keep ACNW informed regarding such litigation, including bankruptcy, whether voluntary or involuntary, and to provide copies of all filings.</p>		
Other:		
List of Creditors and Debtors; UCC Search		
<p>Within twenty (20) days after the charter revocation, formulate list of creditors and debtors and any amounts accrued and unpaid with respect to such creditor or debtor.</p> <p>* This list is not the same as the contractor list, above, but</p>		

<p>may include contractors, which should be listed.</p> <p>* Creditors include lenders, mortgage holders, bond holders, equipment suppliers, service providers and secured and unsecured creditors. Security interests may be recorded and filed pursuant to the Uniform Commercial Code (UCC) with the county and State of Minnesota, and may include all of the assets of the School Corporation or specific assets in which a creditor has an interest as long as such debt remains outstanding.</p> <p>* The UCC search should be performed by the School to determine if there are any secured creditors and to what assets security interests are attached.</p> <p>* Debtors include persons who owe the school fees or credits, lessees or sub lessees of the School, and any person holding property of the School.</p> <p>* Provide a copy of the list of creditors to ACNW with the amount owed to each creditor thereon and the amount owed by each debtor.</p>		
Other:		
Notification to Creditors		
<p>Within thirty (30) days after the charter revocation, the School must notify all creditors of its closure. The School should solicit from each creditor a final accounting of the School's accrued and unpaid debt owed to such creditor. This figure should be compared to the School's calculation of the debt and be reconciled between the parties. To the extent possible, the School should also begin to negotiate a settlement of debts, which is ultimately consummated by a settlement agreement reflecting satisfaction and release of the existing obligations, if possible?</p> <p>Other:</p>		
Notification to Debtors		
<p>Within thirty (30) days after the charter revocation, the School must contact all debtors and demand payment. To the extent collection efforts are unsuccessful; the School may turn the debt over to commercial debt collection agencies. All records regarding such collection or disputes by debtors regarding amounts owed must be retained.</p> <p>Other:</p>		
School Wind-Up Plan and Action		
<p>The School Corporation shall collect debts, dispose of assets and negotiate with and pay creditors in an orderly fashion in accordance with a timetable and plan adopted by the School's board of directors. Priority should be given to continuing the School's educational</p>		

<p>program through the end of the school year and retaining funds to complete the wind-up process.</p> <p>The initial plan should be adopted within 20 days of charter revocation, and be updated at least bi-weekly with copies to ACNW. The plan should include, but not be limited to, the following.</p> <ul style="list-style-type: none"> * Termination of non-essential personnel and cancellation of non-essential services prior to CHARTER REVOCATION. * Make final federal, state and local tax payments (every employer, including the School, which pays wages to employees is responsible for withholding, depositing, paying, and reporting federal, state and local income tax, social security taxes, and federal unemployment tax for such wage payments). * Auction / sale of assets in a manner that avoids conflicts of interest, and maximizes net revenue to the extent permitted by ongoing agreements with existing creditors. (<i>See Liquidation of Assets, below.</i>) * Liquidation or closing of bank accounts according to a schedule that minimizes fees but leaves the School enough flexibility to pay creditors, attorneys, accountants, etc. during the course of the wind-up, including funds for a final audit, and (if the School Corporation does not submit or the board of directors do not approve a renewal application), for dissolution. * Cancellation of corporate credit cards and lines of credit. * Change authorized signatures on accounts as needed to reflect changes in persons authorized to implement the winding down operations of the School Corporation, and employment, contract and School Board status of those authorized to sign for the School. * Status reports on the implementation of the School Wind-Up Plan to be submitted to ACNW through Interim Statements and a Final Statement (below). 		
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Other:

Protection of Assets; Insurance

<p>The School's assets and any assets in the School that belong to others must be protected against theft, misappropriation and deterioration.</p> <ul style="list-style-type: none"> * Existing insurance coverage should be maintained on the assets until the disposal of such assets. In accordance with the Wind-Up Plan. * Continue existing insurance for School Facility, vehicles and other assets until <ol style="list-style-type: none"> 1) disposal or transfer of real estate or termination of lease, and 2) disposal, transfer or sale of vehicles and other assets are sold, respectively. * Negotiate School Facility insurance with entities that may take possession of School Facility – lenders, mortgagors; 		
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bond holders, etc., if possible. * Appropriate security services should be obtained or maintained. * Action may include moving assets to secure storage after closure or loss of the School Facility.		
Other:		
Inventory		
No later than 30 days prior to CHARTER REVOCATION, all of the School's assets must be inventoried with item #'s and quantities and/or its inventory updated. * All assets of the School, not just ones over a certain dollar value must be inventoried. * Provide ACNW with a copy of the inventory. * Identify assets purchased with Federal CSP Grant funds, * Identify assets belonging to other entities (school district, county, municipality, teachers, health department, foundations, vendors, PTA, etc.), including those borrowed or loaned. * Identify assets encumbered by the terms of a contingent gift, grant or donation, or a security interest. * Return assets not belonging to School and document same.		
Other:		
Liquidation of Assets		
Assets must be liquidated in a commercially reasonable manner including, but not limited to, sale by way of auction, sealed bidding or other commercially reasonable sales methods to the extent permitted under agreements with existing creditors and to the extent such assets are free and clear of any liens or encumbrances. If an asset is subject to a lien, encumbrance or security interest (above), the secured party should be contacted. <i>(See Federal CSP Grant information above)</i> Pursuant to MN Statute 317A.735, no asset may be given away, except as authorized by law. In cases where the cost of disposing of an asset will exceed the cost to be received at sale or auction, it may be permissible to give away or discard such assets. However, this should be cleared from the largest or sole creditor(s) in advance. School Board members and their relatives as well as employees and students of the School should not purchase any asset unless the purchase is disclosed to the School Board and the disclosure is made a matter of record in the School Board's minutes and approved by a majority of the non-interested members of the School Board.		
Other:		
E&O Insurance		
Maintain existing directors and officers liability (E&O) insurance, if		

any, until final dissolution of the School Corporation. If no such E&O insurance exists, disclose this fact to the board of directors.		
Other:		
Interim Statements		
<p>No later than 10 days after CHARTER REVOCATION, prepare, and submit to ACNW, an interim statement in a form satisfactory to ACNW, of the status of all contracts and other obligations of the School Corporation, and all funds, including principal and accrued interest, owed to, and by, the School Corporation, with supporting evidence showing:</p> <ul style="list-style-type: none"> * all creditors or former creditors, any amounts paid to creditors (or in-kind exchanges of assets), and any amounts of debt of the School or School Corporation outstanding, including principal and accrued interest, as of the date of the interim report; and * all amounts owed to the School Corporation by debtors, any amounts paid by debtors, and whether any debtors have paid in full, and any amounts outstanding; and * all income generated through sale or auction of assets and any other change in status of assets. <p>The School will prepare and submit such statements to ACNW at 30 day intervals until the final statement (below) is prepared and submitted.</p>		
Other:		
Final Statement		
<p>At a date to be determined by ACNW, anticipated to be no later than 90 days after CHARTER REVOCATION, no later than 10 days prior to the filing of a dissolution proceeding, the School shall prepare to the full satisfaction of ACNW a final statement of the status of all contracts and other obligations of the School Corporation, and all funds owed to the School, audited (or confirmed) by an independent accountant, with supporting evidence showing:</p> <ul style="list-style-type: none"> * all assets and the value and location thereof, whether such asset has been distributed to creditors in satisfaction or payment of any existing debt obligation; and * each remaining creditor and any and all amounts owed to each creditor, including principal and accrued interest through the date of such statement; and * statement that (a) all debts have been collected, or (b) that good faith efforts have been made to collect same, and * each remaining debtor of the School or School Corporation and the amounts owed by each debtor, including principal and accrued interest. * This statement is submitted to ACNW in the form in 		

<p>which it will be sworn and submitted to the MN Attorney General and/or MN Secretary of State as part of any dissolution proceeding.</p> <p>* This statement is in addition to the final Financial Statement Audit (below).</p>		
Other:		
Final Financial Statement Audit		
The School must have a financial statement audit performed in accordance with the Charter and the Act no later than November 1st of the calendar year in which the School ceases instruction.		
Other:		
Closeout of State and Federal Grants		
<p>State, federal and other grants must be closed out, (<i>See Contact MDE section above</i>) including:</p> <ul style="list-style-type: none"> * notification to the grant entity of the School closure; and * filing of any required expenditure reports or receipts and any required program reports. <p>The School Corporation should continue to pursue grant funds to which it is entitled, provided that it fully discloses its current situation and intentions with respect to closure. The School Corporation should not seek or accept grant funds for future school years when the School will be closed. Grant status should be noted on financial statements.</p>		
Other:		
IRS Status; Reports		
<p>The School Board must continue to take all steps necessary to maintain its 501(c)(3) status, including, but not limited to, the following:</p> <ul style="list-style-type: none"> * notification to IRS regarding any address change of the School Corporation; and * filing of required tax returns or reports (e.g., IRS form 990 and Schedule A). * If the School Corporation proceeds to dissolution, notify the IRS of dissolution of the education corporation and its 501(c)(3) status and furnish a copy to ACNW 		
Other:		
Corporate Records		
<p>In all cases, the School Board shall maintain all corporate records related to:</p> <ul style="list-style-type: none"> * Loans, bonds, mortgages and other financing; * Contracts; * Leases; 		

<ul style="list-style-type: none"> * Assets and asset sales; * Grants -- records relating to federal grants must be kept in accordance with 34 CFR 8042. * Governance (Minutes, by-laws, policies); * Employees (background checks, personnel files); * Accounting/audit, taxes and tax status, etc.; * Personnel, * Employee benefit programs and benefits; and * Student summary test data files * Any items listed in this Closure Plan. <p>In the event the School Corporation is dissolved, any and all records not previously sent to the school district of the School's location should be sent to that school district.</p>		
Other:		
Resolution of Dissolution		
The School Board must adopt a resolution that the School Corporation be dissolved and proceed to file the same with the MN Attorney General and/or MN Secretary of State.		
Other:		
Dissolution		
<p>If the School Corporation dissolves, the School Board must follow the dissolution provisions in its articles of incorporation and applicable laws. This may include:</p> <ul style="list-style-type: none"> * a complete statement of all assets, their location and an estimate of their value; and * a statement of the ascertainable debts of the education corporation. <p>Whenever the Charter or an order of dissolution is made, the members of the School Board or other custodian of the records of the School have the duty to properly maintain the permanent records of the School according to law and stored in a secure, locked container.</p> <p>Copies of all papers related to dissolution should be sent to ACNW.</p> <p>Members of the School Board are empowered to continue in office even after the expiration of the Charter and dissolution of the School Corporation for the purpose of winding-up and settling the affairs of the School Corporation, and after the dissolution of the School Corporation.</p>		
Other:		
Final Distribution of Assets		
All liabilities and obligations of the School must be paid and discharged (or adequate provision must be made therefore) to the		

<p>extent of the School's assets. Any assets held subject to a lien, encumbrance, security interest or other written conditions or limitations must be disposed of in accordance with and subject to those conditions or limitations. Assets received and held by the School subject to limitations permitting their use only for charitable, benevolent, educational, or similar purposes, but not held upon condition requiring return or with specific disposition instructions, shall be held until dissolution and transferred or conveyed to one or more charter schools in the school district or to the school district.</p> <p>* An itemized receipt must be obtained from each recipient of an asset containing the name, address and telephone number of the recipient. (In case of later question, audit or review by federal bankruptcy or state supreme court, or other governmental body.)</p> <p>* In closing out any federal grant and accounting for any federal grant funds, property owned by the federal government or property acquired under a federal grant must be distributed in accordance with federal regulations.</p>		
Other:		

Minnesota Statutes 124D.10.Subd.3.

(All requirements of this statute have been addressed in this document and in the two application documents submitted along with this manual)

(c) The application for approval as a charter school authorizer must demonstrate the applicant's ability to implement the procedures and satisfy the criteria for chartering a school under this section. The commissioner, in establishing criteria for approval, must consider the applicant's:

- (1) capacity and infrastructure;
- (2) application criteria and process;
- (3) contracting process;
- (4) ongoing oversight and evaluation processes; and
- (5) renewal criteria and processes.

(d) The affidavit to be submitted to and evaluated by the commissioner must include at least the following:

- (1) how chartering schools is a way for the organization to carry out its mission;
- (2) a description of the capacity of the organization to serve as a Authorizer, including the personnel who will perform the Authorizing duties, their qualifications, the amount of time they will be assigned to this responsibility, and the financial resources allocated by the organization to this responsibility;
- (3) a description of the application and review process the authorizer will use to make decisions regarding the granting of charters, which will include at least the following:
 - (i) how the statutory purposes defined in subdivision 1 are addressed;
 - (ii) the mission, goals, program model, and student performance expectations;
 - (iii) an evaluation plan for the school that includes criteria for evaluating educational, organizational, and fiscal plans;
 - (iv) the school's governance plan;
 - (v) the financial management plan; and
 - (vi) the administration and operations plan;
- (4) a description of the type of contract it will arrange with the schools it charters that meets the provisions of subdivision 6 and defines the rights and responsibilities of the charter school for governing its educational program, controlling its funds, and making school management decisions;
- (5) the process to be used for providing ongoing oversight of the school consistent with the contract expectations specified in clause (4) that assures that the schools chartered are complying with both the provisions of applicable law and rules, and with the contract;
- (6) the process for making decisions regarding the renewal or termination of the school's charter based on evidence that demonstrates the academic, organizational, and financial competency of the school, including its success in increasing student achievement and meeting the goals of the charter school agreement; and
- (7) an assurance specifying that the organization is committed to serving as a Authorizer for the full five-year term.

Minnesota Statutes 124D.10.Subd.15.

(All requirements of this statute have been addressed in this document and in the two application documents submitted along with this manual)

(a) The authorizer shall provide a formal written evaluation of the school's performance before the authorizer renews the charter contract. The department must review and comment on the authorizer's evaluation process at the time the Authorizer submits its application for approval and each time the authorizer undergoes its five-year review under subdivision 3, paragraph (e).

(b) A Authorizer shall monitor and evaluate the fiscal, operational, and student performance of the school, and may for this purpose annually assess a charter school a fee according to paragraph (c). The agreed-upon fee structure must be stated in the charter school contract.

(c) The fee that each charter school pays to an authorizer each year is the greater of:

(1) the basic formula allowance for that year; or

(2) the lesser of:

(i) the maximum fee factor times the basic formula allowance for that year; or

(ii) the fee factor times the basic formula allowance for that year times the charter school's adjusted marginal cost pupil units for that year. The fee factor equals .005 in fiscal year 2010, .01 in fiscal year 2011, .013 in fiscal year 2012, and .015 in fiscal years 2013 and later. The maximum fee factor equals 1.5 in fiscal year 2010, 2.0 in fiscal year 2011, 3.0 in fiscal year 2012, and 4.0 in fiscal years 2013 and later.

(d) The department and any charter school it charters must not assess or pay a fee under paragraphs (b) and (c).

(e) For the preoperational planning period, the authorizer may assess a charter school a fee equal to the basic formula allowance.

(f) By September 30 of each year, an authorizer shall submit to the commissioner a statement of expenditures related to chartering activities during the previous school year ending June 30. A copy of the statement shall be given to all schools chartered by the authorizer.

Statement of Certification

All members of the ACNW board and ACNW Charter Sub-Committee are required to sign this Statement of Certification after receiving and reading this Charter Manual.

I understand and support the mission of ACNW to authorize and assist charter schools in pursuit of excellent educational programming.

I have read, understand and will abide by the ACNW Conflict of Interest policy.

Signed

Date

Print name: _____

