

OFFICE OF SCHOOL IMPROVEMENT, OVERSIGHT AND RECOVERY
Summary of State Board of Education Agenda Items
November 15-16, 2012

OFFICE OF SCHOOL IMPROVEMENT

04. Approval to begin the Administrative Procedures Act process: To establish Board Policy 2650 – Conversion Charter Schools and approval of the Conversion Charter School Petition and Conversion Plan

Board Policy 2650 – Conversion Charter Schools is established as required by Section 37-165-7 of the Mississippi Code.

Recommendation: Approval

Back-up material will be provided



Mississippi Department of Education

DESCRIPTOR TERM: Conversion Charter Schools	CODE: 2650
ADOPTION DATE:	REVISION:

Procedure for submission of petition

The Petition for the conversion of a public school to a conversion charter school status shall be submitted to the State Board of Education by the sponsor as that term is defined by state statute.

Each member of the local school district board and superintendent must certify under notary seal that the petition and conversion plan have been approved by more than fifty percent (50%) of the families of the students enrolled in a chronically under-performing public school during the third consecutive year in which the school has been designated as Low-Performing, At-Risk of Failing or Failing (classification of "F"). For those families approving the petition and conversion plan, the certification must include a certified list of the names of student/students enrolled in a chronically under-performing public school, name of parent(s) or legal guardian(s) of student(s), addresses of the parent(s) or legal guardian(s), phone numbers of parent(s) or legal guardian(s), grade level(s) of child/children and names of teachers of each student.

Each member of the local school district board and superintendent must certify under notary seal that the family of a student enrolled in a chronically under-performing public school proposed to be converted to a conversion charter school status has only voted once per family without regard to the number of children a family may have enrolled as students at the school.

The sponsor must conduct a public hearing in the local school district in which the school proposed for conversion is located to allow the parents or legal guardian(s) of students enrolled in the chronically under-performing public school (classification of "F") affected by the conversion to be informed of the conversion process and to address any concerns relating to the process and subsequent operation of the conversion charter school. Notice of the public hearing shall be published at least once a week for at three (3) consecutive weeks in a newspaper published within the jurisdiction of the local school district, or if no newspaper is published in the district, then in a newspaper having a general circulation. The sponsor shall submit documentation of the public hearing as part of the petition which shall include, but is not limited to, a written agenda of the public hearing, a proof of publication of the newspaper notice, any additional written notice of the hearing, a

transcript of the hearing from a certified court reporter and a list of those individuals in attendance to include names, current addresses and current phone numbers.

A conversion plan that meets all statutory and policy requirements must be attached to the Petition when submitted to the State Board of Education. The sponsor must submit to the State Board of Education a Statement of Assurances as part of the petition.

The State Board of Education and the Commission on School Accreditation shall review and rate all petitions for a conversion charter school based on the criteria established in statute and policy.

Format for the petition and conversion plan

The forms and format for the filing of a petition for the conversion of a public school to a conversion charter school and a conversion plan approved by the State Board of Education may be obtained from the Mississippi Department of Education.

Criteria to approve or deny a petition

The State Board of Education with the advice of the Commission on School Accreditation may approve or deny a petition for conversion charter school status. In order to be approved, a petition for conversion charter school status must adequately include:

- a) A Plan for Improvement at the school level for improving student learning and achievement of a minimum of a Successful (classification of "C") rating or higher under the State Accountability Model;
- b) A set of academic or vocational, or both, performance-based objectives and student achievement-based objectives for the term of the contract and the means for measuring those objectives on no less than an annual basis;
- c) An agreement to provide a yearly report to parents, the school board of the school district in which the conversion charter school is located, and the State Board of Education, which indicates the progress made by the conversion charter school in the previous year in meeting the academic or vocational, or both, performance objectives;
- d) An agreement that the conversion charter school shall be nonsectarian;
- e) An agreement that the conversion charter school shall not charge tuition;
- f) An agreement that the conversion charter school shall be subject to financial audits in the same manner as public school districts;
- g) A plan for improving student performance and encouraging new and innovative programs; and

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- h) Written documentation to demonstrate ability to successfully operate a conversion charter school.

Time line for accepting petitions

The State Board of Education will accept petitions for the conversion of a public school to a conversion charter school status subsequent to the State Board of Education meeting in which the State Board of Education has approved the annual classifications of the public schools in the state.

Criteria and Procedure for the Operation of a Conversion Charter School

The conversion charter school may begin operation on July 1 following the filing of the petition and approval of the petition by the State Board of Education or at a time established by the State Board of Education. No conversion charter school may begin operations prior to July 1, 2013.

The conversion charter school must comply with all rules, regulations, policies and procedures of the State Board of Education and the local school district board and the provisions of the Mississippi Code of 1972 relating to the elementary and secondary education of students, except those rules, regulations, policies or procedures from which the conversion charter school specifically requests to be exempted and which have been agreed upon by the State Board of Education as specified in the school's contract.

Conversion charter schools must comply with general health and safety standards, state test assessments and accountability requirements, financial accountability and auditing requirements, and all reporting and data collecting requirements in the same manner as public schools in the local school district.

The local management board shall not directly or indirectly communicate to a parent or legal guardian that the conversion charter school is unable to meet the needs of a child, but shall provide a free and public education to every student in the attendance zone.

The operation of a conversion charter school shall comply with all state and federal statutory and regulatory requirements.

Selection of Conversion Charter School Local Management Board Members

The selection of members to the local management board of conversion charter schools shall be performed in accordance with the rules and regulations promulgated by the State Board of Education for the selection of conversion charter school local management board members. The local management board shall be comprised of parents or legal guardians of students enrolled and in attendance at the conversion charter school, selected by other parents or legal guardians of students enrolled in and in attendance at that school.

The local management board members shall be selected by written, secret ballot submitted to the local school district board to determine the results of the selection process. Members of the local

management board must meet all statutory requirements for board members of public schools. Individuals who have been removed as a district superintendent or a local school board member shall not qualify as a local management board member.

Cessation of the Conversion Charter School

A conversion charter school shall cease to be designated a Conversion Charter School at the completion of the term of the contract which shall not exceed three (3) years unless the contract is renewed by the State Board of Education on a one-year or multiyear basis, not to exceed an additional three (3) years. The conversion charter school shall cease to be designated as a conversion charter school if the local management board fails to substantially comply with the statutory and policy requirements for a conversion charter school.

Modifications

(This policy will be subject to modification as the charter school process develops.)

**MISSISSIPPI CONVERSION CHARTER SCHOOL
PETITION AND CONVERSION PLAN**

November 14, 2012

PETITION COVER SHEET FOR CHARACTER SCHOOL CONVERSION

NAME OF PROPOSED CHARTER SCHOOL: _____

NAME OF SPONSOR OR ORGANIZATION UNDER WHICH CHARTER WILL BE ORGANIZED OR OPERATED:

The Organization has applied for 501(c) (3) Non-profit Status: Yes _____ No _____

Provide the name, address, & phone number of the person who will serve as **the primary contact** for this Petition. **The primary contact** should serve as the contact for follow-up, interviews, and notices regarding this Petition.

NAME OF CONTACT PERSON: _____

TITLE/RELATIONSHIP TO NONPROFIT OR SPONSOR: _____

MAILING ADDRESS: _____

PRIMARY TELEPHONE: () _____ ALTERNATE TELEPHONE: () _____

E-MAIL ADDRESS: _____

NAME OF EDUCATION SERVICE PROVIDER (IF ANY): _____

NAME OF PARTNER/PARENT ORGANIZATION (IF ANY): _____

Projected School Opening: _____

School Year	Grade Levels PK-6 or 7-12	Total Projected Student Enrollment	Student Enrollment Capacity (if known)
First Year			
Second Year			
Third Year			

I certify that I have the authority to submit this application and that all information contained herein is complete and accurate, realizing that any misrepresentation could result in disqualification from the application process or revocation after award. I understand that incomplete applications will not be considered. The person named as the contact person for the application is so authorized to serve as the primary contact for this application on behalf of the applicant.

Signature

Title

Printed Name

Date

Phone Number _____

I. PETITION FOR CHARTER SCHOOL CONVERSION

The following must be submitted to the State Board of Education as part of the Petition for conversion charter School:

- A. A Plan for Improvement at the school level for improving student learning and achievement of a Successful (classification of "C") rating or higher under the State accountability model
- B. A set of academic or vocational, or both, performance-based objectives and student achievement-based objectives for the term of the contract and the means for measuring those objectives on no less than an annual basis;
- C. An agreement to provide a yearly report to parents, the school board of the school district in which the conversion charter school is located, and the State Board of Education, which indicates the progress made by the conversion charter school in the previous year in meeting the academic or vocational, or both, performance objectives;
- D. An agreement that the conversion charter school shall be nonsectarian;
- E. An agreement that the conversion charter school shall not charge tuition;
- F. An agreement that the conversion charter school shall be subject to financial audits in the same manner as public school districts;
- G. A plan for improving student performance and encouraging new and innovative programs; and
- H. Written documentation to demonstrate ability to successfully operate a conversion charter school.
- I. A certification under notary seal executed by each member of the local school board and superintendent that the petition and conversion plan have been approved by more than fifty percent (50%) of the families of the students enrolled in a chronically under-performing public school during the third consecutive year in which the school has been designated as Low-Performing, At-Risk of Failing or Failing (classification of "F"). For those families approving the petition and conversion plan, the certification must include a certified list of the names of student/students enrolled in a chronically under-performing public school, name of parent(s) or guardian(s) of student(s), addresses of the parent(s) or guardian(s), phone numbers of parent(s) or guardian(s), grade level(s) of child/children and names of teachers of the student(s).

- J. A certification under notary seal executed by each member of the local school board and superintendent that the family of a student enrolled in a chronically under-performing public school proposed to be converted to a conversion charter school status has only voted once per family without regard to the number of children a family may have enrolled as students at the school.
- K. Documentation that a public hearing has been conducted in the local school district in which the school proposed for conversion is located to allow the parents or guardians of students enrolled in the chronically under-performing public school (classification of “F”) by the conversion to be informed of the conversion process and to address any concerns relating to the process and subsequent operation of the conversion charter school. The documentation shall include, but is not limited to, a written agenda of the public hearing, a proof of publication of the newspaper notice, any additional written notice of the hearing, a transcript of the hearing from a certified court reporter and a list of those individuals in attendance to include names, current addresses and current phone numbers.

II. FORMAT FOR THE CONVERSION PLAN

The conversion plan that is required to be attached to the petition for Charter School Conversion must include:

- A. A description of the plan for school improvement that addresses how the school proposes to work toward improving student learning and achievement of a Successful (“C”) rating or higher under the State Accountability Model.
- B. An outline of proposed academic or vocational, or both, performance criteria to be used during the initial period of the contract to measure progress of the school in improving student learning and achievement of a Successful (“C”) rating or higher under the State Accountability Model requiring that:
 - (1) Academic performance criteria must include specific and measureable benchmarks of academic performance on state assessments; and
 - (2) Academic performance criteria include a requirement that conversion charter schools not miss adequate yearly progress for any two (2) consecutive years as defined by No Child Left Behind Act of 2001, or other future federal school accountability requirements;
- C. A provision requiring the conversion charter school comply with all rules, regulations, policies and procedures of the Mississippi Board Education, and the local school board and the provisions of the Mississippi Code relating to elementary and

secondary education, except those rules, regulations, policies or procedures from which the conversion charter specifically requests to be exempted and which have been agreed upon by the State Board of Education as specified in the school's contract. Conversion charter schools must comply with general health and safety standards, state test assessments and accountability requirements, financial accountability and auditing requirements, and all reporting and data collecting requirements in the same manner as public schools in the local school district.

- D. The local management board shall not directly or indirectly communicate to a parent or guardian that the conversion charter school is unable to meet the needs of a child, but shall provide a free and public education to every student in the attendance zone.
- E. Charter schools may not be exempted from the following statutes:
- Section 37-9-75, which relates to teacher strikes;
 - Section 37-11-20, which prohibits acts of intimidation intended to keep a student from attending school;
 - Section 37-11-21, which prohibits abuse of school staff;
 - Section 37-11-23, which prohibits the willful disruption of school and school meetings;
 - Section 37-11-29 and 37-11-31, which relates to reporting requirements regarding unlawful or violent acts on school property;
 - Section 37-151-107, which prohibits false reporting of student counts by school officials;
 - Applicable to State Department of Health regulations;
 - Applicable federal No Child Left Behind requirements and any additional federal education programs; and
 - Applicable federal and state requirements for special education, gifted education and vocational education programs;
- F. A detailed budget and clear business plan, including any projected costs that extend beyond the regular operational costs of the conversion charter school.
- G. A plan of governance and the process by which the members of the local management board of the conversion charter school shall be selected to serve as the governing administrative authority, provided that:
- The local management board shall be comprised of parents or guardians of students enrolled in and in attendance at the conversion charter school, selected by other parents or guardians of students enrolled in and in attendance at that school;
 - Members of the local management board may serve a term of three (3) years; however, a member's term is contingent upon that member having a child continuously enrolled as a student at the conversion charter school during each school year that the member serves on the board.

- Members of the local management board shall serve without compensation.
 - No member of the local school board of any public or private school district may serve on the local management board of a conversion charter school.
 - Procedures for the subsequent selection of members and filling vacancies that occur on the local management board are included; and
 - The selection of members to the local management board of conversion charter schools shall be performed in accordance with the rules and regulations promulgated by State Board of Education for the selection of conversion charter school local management board members;
- H. An agreement to provide an annual academic achievement report to parents, the local school board and the State Board of Education, which indicates the progress made by the conversion charter school during the previous year in meeting its academic or vocational performance objectives. The report shall include, but not be limited to, the following information:
- Student progress concerning academic achievement;
 - Student attendance;
 - Student grades and scores on assessment instruments;
 - Incidents involving student discipline;
 - Student socioeconomic data; and
 - Parent satisfaction with the schools.
- I. An agreement to provide a yearly financial report to parents, the local school board and the State Board of Education, which discloses all public and private funds received by the conversion charter school, and how those funds were expended.
- J. An agreement that all student records, financial documentation, and all other pertinent records of student and school data shall be accessible by the local school board;
- K. An agreement requiring members of the local management board to attend the training required under 37-73-4 provided by the Mississippi School Board Association for local school board members and public school superintendents;
- L. A transcript of the public hearing; and
- M. A description of the discipline policy to be adopted by the local management board, or alternatively, an agreement that the local management board shall adhere to the discipline policy implemented for the school district by the local school board.

III. STATEMENT OF ASSURANCES

This agreement must be signed by a duly authorized representative of the petition sponsor and submitted with the petition for a conversion charter school.

As the authorized representative of the sponsor group, I hereby certify under the penalties of perjury that the information submitted in this petition for a charter for _____ is accurate and true to the best of my knowledge and belief; and further, I certify, that if awarded a charter, the school:

- Will be nonsectarian in its programs, admission policies, employment practices and operations.
- Will comply with all rules, regulations, policies and procedures of the State Board of Education and the local school board and the provisions of the Mississippi Code of 1972 relating to the elementary and secondary education of students, except those rules, regulations, policies or procedures from which the conversion charter school specifically requests to be exempted and which have been agreed upon the State Board of Education as specified in the school's contract.
- Will not charge tuition.
- Will adhere to all applicable federal and state requirements for special education, gifted education, and vocational education programs.
- Will comply with the general health and safety standards, state test assessments accountability requirements, financial accountability and auditing requirements and all reporting and data collecting requirements in the same manner as public schools in the local school district.
- Will provide for an annual report to parents, the school board of the school district in which the conversion charter is located, and the State Board of Education which indicates the progress made by the conversion charter school in meeting academic or vocational, or both, performance objectives in accordance with Section 37-165-7(3)(c) of the Mississippi Code.
- Will be subject to financial audits in the same manner as public school districts.
- Will comply with the Mississippi High School Athletics Association policies and procedures.
- Will provide an yearly financial report as required by 37-165-7(5)(i) of the Mississippi Code.
- Will make all students records, financial documentation and all other permanent records of students and school data shall be accessible to the local school board.

- Will not directly or indirectly communicate to a parent or guardian that the conversion charter school is unable to meet the needs of a child, but will provide a free and public education to every student in the attendance zone.

The sponsor allows _____ (name), _____ (title)
to sign as the legal representative for the school.

Signature

Printed Name

Address

Phone Number