

**SUBJECT**

Proposed PCSC Policy Amendments: Third Reading

**APPLICABLE STATUTE, RULE, OR POLICY**

I.C. §33-5213(2)

**BACKGROUND**

The PCSC adopted its current policies and procedures in 2015. Changes to statute and administrative rule made since that time require that these policies and procedures be updated. Proposed policy amendments were drafted based on stakeholder, PCSC, and PCSC committee feedback gathered since fall 2016.

The first reading for the proposed policies occurred during the March 1, 2018, special PCSC meeting. The second reading occurred during the April 12, 2018, regular PCSC meeting. At a May 14, 2018, special PCSC meeting, commissioners listened to stakeholder feedback regarding the content of the proposed PCSC policy amendments. Public comment regarding the policies was accepted during all three meetings, and relevant documents were available on the PCSC website continuously since February 22, 2018.

**DISCUSSION**

PCSC staff modified the draft policies in response to stakeholder and commissioner feedback provided during the May 14, 2018 special PCSC meeting. PCSC stakeholders were notified on May 30, 2018, that the modified draft policies were available on the PCSC website for review and additional comment.

In these materials, the most recent changes are shown in yellow highlight for ease of review.

**IMPACT**

Once adopted, the new and amended PCSC policies will take effect immediately.

**STAFF COMMENTS AND RECOMMENDATIONS**

Staff recommends that the PCSC adopt the proposed policy amendments as presented.

**COMMISSION ACTION**

A motion to adopt the proposed policy amendments as presented.

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_ Carried Yes \_\_\_\_\_ No \_\_\_\_\_



IDAHO PUBLIC CHARTER SCHOOL COMMISSION

# POLICIES & PROCEDURES

As Amended June 11, 2015



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## Section I: General Pursuant to Idaho Statute §33-5213(2)

### A. Submission of Meeting Materials

- i. Definition of Meeting Materials: For purposes of this section, meeting materials are defined as documents provided by new charter petitioners or charter holders for consideration by the Public Charter School Commission (PCSC) at regular or special PCSC meetings.

Documents submitted in accordance with the renewal process described in Section V of this policy are exempt from the deadlines described in this section.

Public comments are not considered meeting materials and are exempt from the deadlines described in this section.

- ii. Regular Meeting Materials Deadline: Materials to be considered at a regular meeting of the ~~Public Charter School Commission (PCSC)~~ must be received by the PCSC office no later than 5:00 p.m. Mountain Time thirty (30) calendar days prior to the meeting date. Additional or revised materials will be received after this deadline only upon the specific direction of PCSC staff.
- iii. Special Meeting Materials Deadline: Materials to be considered at a special meeting of the PCSC must be received by the PCSC office no later than 8:00 a.m. Mountain Time three (3) days prior to the meeting date. Additional or revised materials will may be received after this deadline only upon the specific direction of PCSC staff.
- iv. Meeting Materials Format: Meeting materials must be submitted electronically via electronic mail, web-based file-sharing services, ~~or~~ portable data storage device, or secure server provided by the PCSC office. Documents must be combined into the smallest possible number of files and be submitted in Microsoft Word, Excel, or Adobe PDF. Completed budget templates must be submitted in Excel. Materials submitted in or as more than five (5) separate electronic files will not be accepted, except in rare cases as specifically directed, in advance, by PCSC staff.
- v. Additional Materials and Handouts: No ~~a~~ Additional materials or handouts will may be accepted at PCSC meetings. Rare exceptions may be made only as specifically directed by at the discretion of the chairman.

## Section II: New and Transfer Charter School Petitions Pursuant to Idaho Statute §33-5205 and IDAPA 08.02.04.201

### ~~A. Petition Consideration Timeline~~

- ~~i. The PCSC shall consider new and transfer charter school petitions on a timeline in compliance with Section 33-5205, Idaho Code.~~
- ~~ii. New and transfer charter petitions shall be considered only at regularly scheduled PCSC meetings.~~

- iii. ~~The PCSC shall hold an initial hearing to consider the merits of the petition within 75 days after a petition is “considered received” as defined in IDAPA 08.03.01.300.04.~~
- iv. ~~Pursuant to Section 33-5205(2), Idaho Code, the initial hearing on a petition may be delayed for a specified period of time by mutual, written agreement of both parties. The initial hearing for any petition may be delayed only once.~~

## ~~B. Standards for Petition Approval~~

- i. ~~In order to be eligible for approval, a charter petition must score at least a 2 on every indicator on the Petition Evaluation Rubric (PER). The PER shall be available to charter petitioners in advance of petition submission.~~
- ii. ~~Consideration shall be given to indicators receiving a score of 3 and thereby influencing the total points earned to demonstrate the overall strength of the petition, but such indicators shall not overrule Section II.B.i of this policy.~~
- iii. ~~Petitions shall be scored against the PER by PCSC staff in advance of the PCSC’s consideration of the petition. The PCSC may, at its discretion and by formal motion, modify the PER ratings recommended by PCSC staff.~~
- iv. ~~The PCSC may approve a new or transfer charter petition contingent upon specific revisions that the petitioners are directed to make to PCSC staff’s satisfaction. The PCSC’s written notice of approval shall not be issued until the revisions are approved by PCSC staff. If not finalized by written notice, the PCSC’s contingent approval shall expire effective at 8:00 a.m. Mountain Time on the date of the PCSC’s next regularly scheduled meeting.~~

## A. Petition Evaluation Process

- i. New and transfer charter petitions shall be considered only at regularly scheduled PCSC meetings.
- ii. Petitions shall be submitted electronically via electronic mail, web-based file-sharing services, or portable data storage device. ~~Documents must be combined into no more than two (2) PDF documents, one comprising the body of the petition and the other the combined appendices.~~
- iii. Petitions shall be submitted in the following format:
  - a. One Adobe PDF document comprising the body of the petition and all appendices, including the completed budget template; and
  - b. One Excel document comprising the completed budget template.
- iv. Upon initial submission to the PCSC office, petitions shall be evaluated ~~using the PER by PCSC staff.~~ Results A written review shall be provided to the petitioning group within thirty (30) days.

- v. One (1) ~~petition revision~~ revised petition shall be accepted by PCSC staff prior to the ~~initial~~ PCSC hearing, provided it is received no later than the meeting materials submission deadline described in Section I.A.ii of this policy.
- vi. Revised petitions shall show in legislative format all changes from the most recent version reviewed by ~~the PCSC office staff~~ (see The Idaho Rule Writer’s Manual, Section II.4), with the exception of changes to ~~budget spreadsheets and~~ PCSC templates. The “track changes” or “show markup” feature in Microsoft Word shall not be considered an acceptable substitute for legislative format.
- vii. Revised petitions shall clearly show the submission date of the most recent revision on the title page.
- viii. ~~Petition revisions~~ Revised petitions shall be submitted in accordance with Section II.A.ii of this policy. The entire petition, including appendices, must be submitted with ~~each~~ the revision in the format required by Section II.A.iii of this policy.
- ix. ~~Petition revisions~~ Revised petitions that are not submitted in compliance with this section ~~shall~~ may be returned to the petitioners without further review.
- x. ~~Petition revisions~~ Revised petitions that are returned without review in accordance with Section II.A.ix of this policy may be resubmitted, with relevant corrections made, within the ~~initial meeting materials submission deadlines imposed by~~ described in Section I.A.ii of this policy.
- xi. The most recent, complete ~~version of the petition revision~~ in the possession of PCSC staff by 5:00 p.m. Mountain Time on the meeting materials submission deadline ~~will~~ shall be the version provided to the PCSC.
- xii. The version of the petition ~~revision~~ provided to the PCSC shall be accompanied by a ~~PER written review~~ updated to reflecting the merits of that revision version. The petitioning group shall also be provided with the ~~updated PER results~~ written review.
- xiii. Additional revisions or supplementary documents submitted separately from the petition and/or after the materials submission deadline shall not may be considered, except in rare cases and only by advance permission of PCSC staff, unless an exception is made in accordance with Section I.A.iv of this policy. Public comment on the petition is excluded from this provision. at the discretion of PCSC staff, if relevant and substantial information was not available at the time of the materials submission deadline.
- xiv. ~~If, at the initial hearing, a decision regarding a petition is delayed pursuant to Section 33-5205(2), Idaho Code, one (1) revision will be accepted by the PCSC office within thirty (30) days.~~

**Section III: Charter and Performance Certificate Amendments** Pursuant to Idaho Statute §33-5206(8) and IDAPA 08.02.04.302

## A. Proposed Charter or Performance Certificate Amendment Consideration Timeline Process

~~The PCSC will consider proposed amendments to a school's charter or performance certificate on a timeline in compliance with IDAPA 08.02.04.302.03.~~

~~Proposed amendments, other than those deemed appropriate for administrative approval in accordance with Section III.A.iv of this policy, must be submitted according to the meeting materials deadlines described in Section I.A.i.~~

~~Except as provided in Section III.A.iv of this policy, proposed charter amendments will be considered at regular meetings only.~~

~~In accordance with IDAPA 08.02.04.302.08, the PCSC delegates to the Public Charter School Commission Director authority to approve minor revisions to a school's charter or performance certificate.~~

~~Pursuant to Section 33-5206(8), Idaho Code, proposals to increase enrollment by 10% or more of the public charter school's approved enrollment cap shall be considered by the PCSC during a public hearing.~~

## ~~Proposed Charter or Performance Certificate Amendment Process~~

~~Proposed charter or performance certificate amendments shall be submitted electronically via electronic mail, web-based file-sharing service, or portable data storage device.~~

~~Proposed charter or performance certificate amendments shall be accompanied by a cover letter explaining the nature of and rationale for the proposed amendment. Supporting documentation, including budgets, shall be provided when relevant.~~

~~Documents associated with a proposed charter or performance certificate amendment must be combined into no more than two (2) files, one comprising the section(s) of the charter or performance certificate to be amended and the other comprising the cover letter and documentation described in Section III.B.ii of this policy.~~

~~Proposed charter or performance certificate amendments must show all proposed changes in legislative format. Use of Microsoft Word's "track changes" or "show markup" feature shall not be considered an acceptable substitute for legislative format.~~

~~One (1) revision of the proposed charter or performance certificate amendments will be accepted by PCSC staff prior to the PCSC hearing, provided it is received within the deadline established in writing by PCSC staff.~~

~~The most recent, complete version of the proposed amendment in the possession of PCSC staff by 5:00 p.m. Mountain Time on the deadline established in writing by PCSC staff shall be provided to the PCSC.~~

The version provided to the PCSC will be accompanied by a PER or alternate evaluation document updated to reflect the merits of the proposal. The charter holder will also be provided with the evaluation document.

Additional revisions or supplementary documents submitted separately from the proposed charter or performance certificate amendment and/or after the deadline established in writing by PCSC staff shall not be considered, except in rare cases and by advance permission of PCSC staff. Public comment on the proposed charter amendment is excluded from this provision.

The PCSC shall approve or deny a proposed charter or performance certificate amendment at the time of consideration.

The PCSC may approve a proposed amendment contingent upon specific revisions that the charter holders are directed to make to PCSC staff's satisfaction. The PCSC's written notice of approval shall not be issued until the revisions are approved by PCSC staff. If not finalized by written notice, the PCSC's contingent approval shall expire effective at 8:00 a.m. Mountain Time on the date of the PCSC's next regularly scheduled meeting.

Student-level data may be considered by the PCSC, in a manner consistent with federal and state law, for the purpose of decision-making with regard to proposed charter amendments.

- i. Except as provided in Section III.A.xii of this policy, proposed charter or performance certificate amendments shall be considered only at regularly scheduled PCSC meetings.
- ii. Proposed charter or performance certificate amendments shall be submitted electronically via electronic mail, web-based file-sharing service, portable data storage device, or secure server provided by the PCSC office.
- iii. Proposed charter or performance certificate amendments, other than those deemed appropriate for administrative approval in accordance with Section III.A.xii of this policy, must be submitted according to the meeting materials submission deadline described in Section I.A.ii.
- iv. Proposed charter or performance certificate amendments shall be submitted in the following format:
  - a. A cover letter explaining the nature of and rationale for the proposed amendments;
  - b. One Adobe PDF document comprising the section(s) of the charter or performance certificate to be amended; and
  - c. One Adobe PDF document comprising any supporting documentation, including budgets, if applicable.
- v. Upon initial submission to the PCSC office, proposed charter or performance certificate amendments shall be reviewed by PCSC staff. A written review shall be provided to the charter holder within thirty (30) days.



- vi. One (1) revision of the proposed charter or performance certificate amendments will be accepted by PCSC staff prior to the PCSC hearing, provided it is received no later than the meeting materials submission deadline described in Section I.A.ii of this policy.
- vii. The most recent, complete version of the proposed charter or performance certificate amendments in the possession of PCSC staff by 5:00 p.m. Mountain Time on the meeting materials submission deadline shall be the version provided to the PCSC.
- viii. Additional revisions or supplementary documents submitted after the meeting materials submission deadline may be considered, at the discretion of PCSC staff, if relevant and substantial information was not available at the time of the materials submission deadline.
- ix. A school's current accountability designation and student-level data may be considered by the PCSC, in a manner consistent with federal and state law, for the purpose of decision-making with regard to proposed charter or performance certificate amendments.
- x. The PCSC shall approve or deny proposed charter or performance certificate amendments at the time of the hearing at which they are considered.
- xi. The PCSC may approve proposed charter or performance certificate amendments contingent upon specific revisions that the charter holders are directed to make to PCSC staff's satisfaction. The PCSC's written notice of approval shall not be issued until the revisions are approved by PCSC staff. If not finalized by written notice, the PCSC's contingent approval shall expire effective at 8:00 a.m. Mountain Time on the date of the PCSC's next regularly scheduled meeting.
- xii. In accordance with IDAPA 08.02.04.302.02, the PCSC delegates to the Public Charter School Commission Director authority to approve minor amendments to a school's charter or performance certificate.

## B. Standards for Charter Amendment Approval

### ~~Application of Petition Evaluation Rubric~~

~~When proposed charter amendments are closely aligned to a section of the Petition Evaluation Rubric (PER), PCSC staff will use the PER to evaluate the proposed charter amendment and make recommendations to the PCSC.~~

~~Proposed charter amendments that score at least a 2 on every relevant indicator on the Petition Evaluation Rubric (PER) are most likely to be recommended for approval. The PER will be available to charter holders in advance of amendment submission~~

- i. School Enrollment Expansion Eligibility
  - a. Enrollment expansion proposals include proposals to broaden the range of grades served or to add additional students in grades already served by a public charter school.

- b. Enrollment expansion proposals for schools whose current academic accountability designation is honor or good standing shall be considered by the PCSC. ~~A school's current accountability designation is the designation reflected in the school's most recent midterm annual report or renewal year performance report.~~
  - c. Enrollment expansion proposals for schools whose current academic accountability designation is remediation or critical shall not be approved for enrollment expansion are unlikely to succeed. Exception to this provision may be made on the basis of contextual factors impacting a school's accountability designation.
  - d. Enrollment expansion proposals for schools whose current academic accountability designation is critical shall not be considered for approval.
  - e. Enrollment expansion proposals shall include documentation of the school's capacity to serve additional students without compromising the quality of the existing program and evidence of community interest in expansion.
- ii. Amendments During Non-Renewal or Revocation Proceedings
- a. During non-renewal or revocation proceedings, ~~schools may not propose the PCSC shall not consider approval of~~ amendments to sections of the charter or performance certificate that are relevant to the reasons for possible non-renewal or revocation.
  - b. A school shall be considered to be in non-renewal proceedings from the time it receives written notice ~~from PCSC staff stating that the school will be recommended that PCSC staff is recommending for non-renewal of the charter.~~ The school shall remain in non-renewal proceedings until such time as the PCSC moves to renew the charter.
  - c. A school shall be considered to be in revocation proceedings from the time the PCSC moves to issue a notice of intent to revoke ~~to the school the charter.~~ The school shall remain in revocation proceedings until such time as the PCSC takes action to allow the school to continue operations, or until the State Board of Education overturns the PCSC's revocation decision upon appeal.

## Section IV: Charter School Oversight

### A. Performance Certificates Pursuant to Idaho Statute §33-5205B, §33-5209A, and §33-5205A

- i. Performance certificates for new, ~~or transfer, or renewed non-alternative~~ public charter schools shall include the ~~standard~~ current performance certificate and performance framework adopted by the PCSC ~~in August 2013, as amended.~~

~~Performance certificates for new or transfer, alternative public charter schools shall include the standard performance certificate adopted by the PCSC in August 2013, as amended, and the alternative framework adopted by the PCSC in May 2014, as amended.~~

~~Performance frameworks for transfer petitions received after January 1, 2015, shall include mission-specific measures.~~

- ii. In cases of ~~proposed~~ transfer from another authorizer to the PCSC, the ~~draft~~ performance certificate, including the performance framework, must be ~~adopted~~ executed by the PCSC and charter ~~school board holder~~ at the time of transfer approval.
- iii. ~~Prior to PCSC consideration~~, PCSC staff and charter ~~school board members~~ holders shall collaborate to draft those sections of the performance certificate and performance framework that are intended for individualization, including any mission-specific performance measures that may be requested by the school or required by conditions of petition approval or charter renewal.
- iv. Whenever possible, PCSC staff and the charter ~~school board~~ holders shall reach agreement regarding the individualized contents of the ~~draft~~ performance certificate and appendices, including the performance framework, prior to ~~its~~ submission of the ~~draft~~ to the PCSC for consideration.
- v. If agreement regarding the individualized contents of the ~~draft~~ performance certificate and appendices, including the performance framework, cannot be reached in time to meet relevant timelines ~~in statute and PCSC policy~~, a subcommittee of three ~~commissioners~~ members may ~~be formed to~~ advise or mediate the collaborative drafting process.

**B. Annual Public Charter School Performance Reports** Pursuant to Idaho Statute §33-5209C(2), and 33-5209B(3)

- i. An annual ~~Public Charter School Performance Report (annual report)~~ shall be issued by the PCSC to each school it authorizes.
- ii. Annual performance reports shall be issued by November 15 to schools whose charters will expire at the end of the current school year (renewal-year schools) and by ~~January~~ December 31 to schools whose charters will not expire at the end of the current school year (midterm schools).
- iii. Annual performance reports shall provide information about schools' statuses with regard to all applicable measures contained in the performance framework, and will provide the schools with academic, operational, and financial accountability designations based on points earned within the framework.
- iv. Annual performance reports shall provide information about schools' statuses with regard to ~~all any conditions contained in Appendix A of petition approval or charter renewal incorporated into the performance certificate~~.
- v. Midterm schools shall not be sanctioned on the basis of their accountability designations, except as otherwise provided in law, administrative rule, or PCSC policy, including Section III.C. The primary purpose of annual performance reports to midterm schools is to provide those schools with ample warning of any concerns that may impact renewal decision-making at the end of the performance certificate term. Midterm ~~results~~ annual

performance reports will also provide information about a school's' changing performance over time, which will be considered in the renewal year.

- vi. ~~Midterm~~ Schools may submit corrections and clarifications to their PCSC's annual performance reports within thirty (30) days of issuance of the performance reports. Corrections and clarifications shall be submitted to the PCSC office in writing and shall include, ~~at minimum,~~ a completed Annual Report Response Form clearly identifying each correction/clarification and documentation supporting each correction/clarification.

~~Midterm schools shall have twenty-one (21) days in which to provide, in writing and with relevant documentation, any corrections or clarifications to the annual report.~~

~~Annual reports may be amended by PCSC staff pursuant to corrections or clarifications provided by schools. When such amendments are not made, for reasons including but not limited to inadequate documentation of the correction or clarification, a notation may be included summarizing the school's requested correction or clarification and the reason for its exclusion.~~

- vii. Annual performance reports shall be published on the PCSC's website no later than January 31.

C. **Required Reports** Pursuant to Idaho Statute §33-5209C(1), §33-5210(3), §33-5206(7), IDAPA 08.02.04.302, and IDAPA 08.03.01.300

- i. ~~Dashboard Reports~~ School Leadership Updates: Each PCSC-authorized school shall submit a completed ~~annual dashboard report~~ School Leadership Update Form to the PCSC office no later than July 30 of each year. ~~Dashboard reports shall be submitted using the dashboard reporting form provided by the PCSC.~~
- ii. ~~Budget~~ Financial Reports: Each PCSC-authorized school shall submit the following financial reports:
  - a. All budget worksheets submitted to the State Department of Education at the beginning of the fiscal year, including the Support Unit Calculation form, which is due to the PCSC office no later than July 30;
  - b. Revised budgets, if applicable; and
  - c. Quarterly balance sheets and income statements. Schools achieving honor status on the financial section of their ~~most recent~~ current annual performance reports shall be exempt from first and third quarter reporting.
- iii. Independent Fiscal Audits: Each PCSC-authorized school shall submit an independent fiscal audit approved by its governing board to the PCSC office no later than ~~October 15~~ November 1 of each year.
- iv. Mission-Specific Performance Measure Results: Each PCSC-authorized school with a performance framework that includes mission-specific performance measures shall submit relevant results data and supporting documentation for the previous school year

no later than ~~October~~ August 1, or by the alternate deadline specified in the performance certificate, if applicable.

- a. Supporting documentation must demonstrate the accuracy of the results data.
  - b. Schools submitting data that is inaccurate, unverifiable, or otherwise inadequate for determining a score on the framework ~~will~~ may receive a score of zero (0) on the affected measure(s).
- v. Other Reports as Requested: The PCSC or its staff may request additional reports on an as-needed basis in order to understand and monitor the school's financial, operational, and academic status.

#### D. Courtesy Letters

- i. Upon becoming aware of a concern regarding a school's finances, operations, legal compliance, or academic status, PCSC staff may issue to the charter ~~school board holder~~ board charter holder a courtesy letter advising the ~~board~~ charter holder of such concern. Courtesy letters will typically be issued with regard to concerns of sufficient significance as to be noted in the school's annual performance report.
- ii. Courtesy letters shall be for the purpose of ensuring that the ~~public charter school board holder~~ holder is aware of the concern and has maximum opportunity to seek resolution in advance of the next annual performance report or renewal consideration. Courtesy letters should not contain, nor be viewed as, sanctions against the charter school. Because they do not represent sanctions, courtesy letters will not be "removed" or "lifted" by the PCSC or its staff.
- iii. Charter ~~school boards holders~~ holders in receipt of courtesy letters are strongly encouraged to provide PCSC staff with additional information to provide clarity or document resolution of the concern.
- iv. Regardless of whether or not a courtesy letter is issued ~~and or~~ the charter ~~school board holder~~ holder responds, the charter ~~school board holder~~ holder remains responsible for the charter school's operations and outcomes.

#### E. Notice to Entities Responsible for ~~Legal~~ Enforcement

- i. Pursuant to Section ~~33-5210(4)~~ 33-5209(4), Idaho Code, PCSC staff shall notify the entity responsible for administering a law it has reason to believe that a public charter school has violated. Such notice shall be in writing, and a copy shall be provided to the ~~public charter school~~ holder.
- ii. In some cases of non-compliance, an entity responsible for enforcing the relevant provision of statute or administrative rule cannot be identified. In such instances, PCSC staff shall issue to the charter ~~school's board holder~~ holder a courtesy letter ensuring the board is aware of the issue.

- iii. Any sanctions against the public charter school resulting from the issuance of notice to entities responsible for legal enforcement shall be considered imposed by the entity responsible, rather than by the PCSC.
- iv. Charter ~~school boards~~ holders are strongly encouraged to provide PCSC staff with documentation of resolution of the concern as soon as possible in order to ensure accurate reflection of the situation in the school's annual performance report.
- v. Regardless of whether or not a notice to entities responsible for enforcement is issued ~~and or~~ the charter ~~school board~~ holder responds, the charter ~~school board~~ holder remains responsible for the charter school's operations and outcomes.

## F. Letters Written Notification of Fiscal Concern

- i. Pursuant to Section ~~33-5210(3)~~ 33-5209C(3), Idaho Code, if the PCSC has reason to believe that a public charter school may not remain fiscally stable for the remainder of its performance certificate term, the PCSC shall issue to the State Department of Education a ~~letter~~ written notification of concern.
- ii. For purposes of this section, fiscal stability shall be defined as the ability to maintain positive cash flow and positive year-end balances while servicing all obligations, without relying on revenues intended for use in future fiscal years to cover current-year operating expenditures. For purposes of determining fiscal stability:
  - a. Budgets shall be completed on an accrual basis, with year-end balances including encumbrance. That is, revenue intended for use in one fiscal year may not be used to demonstrate fiscal stability by covering expenditures that should have been paid using revenue from the previous fiscal year. (For example, teacher contracts for the 2015-16 school year must be paid entirely out of FY16 funds; payroll over the summer of 2016 should not be met using FY17 revenue.)
  - b. Cash flow projections shall be completed on a cash basis, showing actual cash amounts and projections with funds moving out at the appropriate, anticipated time.
- iii. ~~Fiscal letters~~ Written notifications of concern shall be reevaluated for continuation or removal only at the PCSC's June regular meeting. Schools wishing to have ~~letters written notifications~~ of concern considered for removal shall provide updated fiscal status details and supporting documentation in accordance with Section I.A of this policy.

## Section V: Renewal and Non-Renewal Pursuant to Idaho Statute §33-5205B, §33-5209A, §33-5209B, and §33-5209C

### A. Standards for Renewal Decision-Making

- i. The PCSC shall make renewal decisions based on documented outcomes regarding a school's academic, mission-specific (if applicable), operational, and ~~fiscal~~ financial performance. Such performance shall be evaluated using the provisions, conditions, and

measures contained in the performance certificate and its appendices, including the performance framework.

- ii. Calculation of the percentage of eligible points earned on the academic ~~and mission-specific~~ sections of the performance framework for each school shall determine that school's academic accountability designation: honor, good standing, remediation, or critical. The academic accountability designation shall guide the PCSC's renewal or non-renewal decision-making. Renewal or non-renewal decision-making shall also be influenced by results on the financial, operational, and mission-specific sections of the framework.

- a. Schools achieving an academic accountability designation of honor or good standing shall be recommended for renewal. ~~Schools that fall into the point-percentage range for Honor but whose financial and/or operational outcomes are poor shall not be eligible for an Honor designation.~~

~~Schools achieving an academic accountability designation of good standing shall be recommended for renewal;~~ however, conditional renewal may be recommended if financial and/or, operational, and/or mission-specific outcomes are poor.

- b. Schools achieving an academic accountability designation of remediation may be recommended for non-renewal or conditional renewal, particularly if financial and/or, operational, and/or mission-specific outcomes are poor.

- c. Schools achieving an academic accountability designation of critical are likely to be recommended for non-renewal, particularly if financial and/or, operational, and/or mission-specific outcomes are poor.

- d. Financial or Financial, operational, or mission-specific outcomes shall be considered poor if points achieved on the corresponding section of the performance certificate framework place the school's in accountability designation in the corresponding section of the performance framework is remediation or critical status for that section.

~~Measures for which a school lacks data due to factors such as grade configuration or small size shall not contribute to that school's accountability designation.~~

- e. Student-level data may be considered by the PCSC, in a manner consistent with federal and state law, for the purposes of renewal or non-renewal decision-making.

- iii. The PCSC shall consider contextual factors affecting a school's accountability designations when making renewal or non-renewal decisions. However, renewal decisions shall be based on past outcomes, not on promises of future improvement.

- iv. The PCSC shall consider trends documented in a school's' annual performance reports for the years leading up to renewal throughout the performance certificate term. Statistically significant, positive growth trends will make renewal ~~of schools' with remediation accountability designations~~ more likely, while stagnant or negative growth trends will make renewal ~~of such schools~~ less likely. Trends may also contribute to recommendations for conditional renewal.

- v. If a school fails to meet any conditions of charter approval or specific, written conditions for necessary improvement within the specified timeframes included in Appendix A of the performance certificate, non-renewal may result regardless of the school's accountability designation.
- vi. Conditional renewals shall be for periods of five years, but shall include in Appendix A of the performance certificate specific, written conditions for necessary improvement pursuant to Section 33-5209B(1), Idaho Code.

## B. Renewal / Non-Renewal Process

- i. The PCSC shall conduct its renewal/non-renewal process in accordance with Section 33-5209B, Idaho Code.
- ii. No later than July 15 of their pre-renewal calendar year, schools may submit to the PCSC office optional, auxiliary performance data for consideration during the renewal process.
- iii. During the spring or fall prior to a school's renewal consideration, PCSC staff and/or contracted individuals may perform a pre-renewal site visit for the primary purpose of gathering contextual information to inform the PCSC's interpretation of the academic, operational, and financial outcomes described in the schools' annual performance reports and renewal applications.
  - a. Schools shall have an opportunity to respond in writing to pre-renewal site visit evaluation reports.
  - b. Schools achieving honor accountability designations in all sections of their performance frameworks, as of the annual performance reports provided by January 31 of the pre-renewal year, shall be exempt from pre-renewal site visits.
- iv. No later than November 15, the PCSC shall issue to all renewal-year schools an annual performance report and renewal guidance and application guidance that meets the requirements of Section 33-5209B, Idaho Code. The annual performance report shall include notification of the prospect of non-renewal, if applicable.
 

~~Renewal-year schools may submit corrections and clarifications to their PCSC's performance report with thirty (30) days of issuance of the performance report.~~

~~Corrections and clarifications shall be submitted to the PCSC office in writing and shall include, at minimum: A completed Annual Report Response form clearly identifying each correction/clarification; and documentation supporting each correction/clarification.~~
- v. Except as provided in Section V.B.iv.c of this policy, renewal-year schools shall submit a completed renewal application to the PCSC no later than December 15. Renewal applications shall be submitted in accordance with the renewal guidance and application



guidance provided by the PCSC and represent the charter holders' opportunity to submit documents challenging any rationale for non-renewal and supporting the continuation of the school.

- a. Renewal applications shall be submitted to the PCSC office electronically via email, ~~or online file-sharing service, portable data storage device, or secure server provided by the PCSC office.~~
- b. Renewal applications shall be comprised of no more than two (2) documents: the completed application ~~form~~ and an Adobe PDF document providing any supporting documentation. Supporting documentation shall include a table of contents and make use of Adobe's "bookmark" feature for ease of navigation. Additional documents ~~in~~ or other formats may be accepted, on a case-by-case basis, with the prior approval of PCSC staff.

~~Schools that fail to submit their completed renewal applications, in a format consistent with this policy, by the statutory deadline may be recommended for non-renewal.~~

- c. Schools achieving a honor accountability designations in all sections of their performance frameworks, as of the annual performance reports provided on November 15 of the renewal year, shall be eligible for automatic renewal, and shall be exempt from the required submission of a renewal application.
- vi. No later than January 15, PCSC staff will advise any renewal-year schools regarding whether they will be recommended for renewal or non-renewal. ~~The purpose of this notice is to permit schools that may be recommended for non-renewal time to prepare a response in advance of the PCSC's regular February meeting.~~
  - vii. ~~During its February regular meeting,~~ No later than March 15, the PCSC will consider evidence regarding all renewal-year schools.
    - a. Written evidence provided by schools as part of their optional auxiliary data submission and renewal applications, and in response to pre-renewal site visit reports and renewal recommendations, shall be provided to the PCSC ~~by PCSC staff.~~ ~~Additional written evidence shall not be accepted from schools after the meeting materials deadline.~~
    - b. ~~Any w~~Written evidence provided by schools and PCSC staff shall be published on the PCSC's website at least seven (7) days in advance of the meeting.
    - c. Both schools and the PCSC may be represented by counsel.
    - d. Both §schools and the PCSC may call witnesses and give testimony.  
The PCSC may call witnesses and give testimony.
    - e. Renewal proceedings may be recorded.

f. The PCSC may delegate the hearing of evidence to a hearing officer, or may hear evidence itself.

~~Schools may submit written closing arguments to the PCSC office within seven (7) days of the February regular PCSC meeting.~~

viii. No later than March 15, the PCSC will hold a ~~special~~ meeting for the purpose of making final renewal or non-renewal determinations regarding all renewal-year schools.

ix. Final renewal or non-renewal determinations will be conveyed in writing to the charter holders within seven (7) days.