

**1. AGENDA APPROVAL**

Does the Public Charter School Commission (PCSC) have any changes or additions to the agenda?

**COMMISSION ACTION**

A motion to approve the agenda as submitted.

**2. MINUTES APPROVAL**

Does the PCSC have any changes or additions to the meeting minutes from June 11, 2020?

**COMMISSION ACTION**

A motion to approve the meeting minutes from June 11, 2020, as submitted.

**DRAFT MEETING MINUTES**  
**IDAHO PUBLIC CHARTER SCHOOL COMMISSION**

June 11, 2020  
Zoom Only

This meeting was called to order by Chairman Reed at 9:00 a.m. The following Commissioners attended remotely:

Alan Reed  
Brian Scigliano  
Wanda Quinn  
Nils Peterson  
Kitty Kunz  
Sherrilynn Bair  
Julie VanOrden

**TAB A: COMMISSION WORK**

**1. Agenda Review/Approval**

**M/S (Quinn/Bair)** To approve the agenda as presented. *The motion passed unanimously.*

**2. Minutes Review/Approval**

**M/S (Peterson/VanOrden)** To approve the minutes as presented. *The motion passed unanimously.*

**TAB B: PUBLIC COMMENT**

There was no public comment.

**TAB C: COVID-19 RESPONSE**

Jenn Thompson, PCSC Director updated the commissioners on the impact and response to COVID-19. Including financial impacts, CARES funding, and noted that several committees are preparing re-opening plans.

Katie Allison, Administrator, iSucceed also spoke about online learning and how virtual schools can help brick and mortar schools with distance learning. Ms. Allison spoke about more funding going towards devices and internet rather than the building for virtual schools.

Joel Weaver, Administrator, CTEA spoke about the transition to online learning. Internet access was an issue as was getting devices to the students. He

mentioned the need to include equipment loss and replacement in the budget in the future. He also spoke about the different devices available.

First Interruption. Virtual meeting room security features increased.

Kelly Edginton, Administrator, IDVA spoke about keeping students engaged with online learning. She also spoke about having processes and policies in place to handle the distractions in online learning, including reaching out to students and parents. She mentioned the importance of communication with families.

Second Interruption.

Laura Sandidge, Administrator, ACVS shared her experience with engaging students and the importance of communication. She spoke about using advisors to work with individual students. ACVS also has support services to help students transition to online learning.

Amanda Judd with IDVA and ITCA spoke about special education and distance learning. She explained that students may work one on one with an educator as needed. She also spoke about moving services such as speech therapy and occupational therapy to online only. They are offering different tools for parents to make it easier for special needs students.

Katie Allison talked about the possibility of the state adopting a state-wide learning management system (LMS). She explained the components of learning management systems. She also explained accountability issues with online learning.

Commissioner Quinn thanked the presenters for the information provided.

## **TAB D: PRE-OPENING SCHOOLS UPDATE**

Director Thompson provided an update on the five schools that will be opening in 2020. Four of these schools will be ready to open this fall.

McCall Community School has chosen to delay their opening by a year. They requested an amendment to change their pre-opening condition concerning financial stability from May of 2020 to May of 2021.

The PCSC's legal counsel asked for a break to verify Open Meetings law in relationship to virtual meeting room security. Break began at 10:23 am. Meeting resumed at 10:36 am.

**M/S (Quinn/Kunz)** A motion to accept the McCall Community School's resolution to delay opening until the fall of 2021 and to amend the school's performance

certificate to extend the due date of the existing pre-opening condition to May 11, 2021. *The motion passed unanimously.*

#### **TAB E: DIRECTOR'S REPORT**

Director Thompson gave an update on the PCSC office. She mentioned the cutbacks for all state offices. We have an open position for a Program Manager. There are also two new petitions and four performance certificate amendments in progress. Director Thompson gave an update on the 2020 legislature session.

#### **TAB F: NOTIFICATION OF FISCAL CONCERN**

Director Thompson reviewed the purpose and process of notifications of fiscal concern as well as the data points the decision. The Commission then proceeded to consider each of the six schools up for consideration.

**Syringa Mountain School: M/S (Kunz/Scigliano)** A motion to lift the notification of fiscal concern for Syringa Mountain School. *The motion passed unanimously.*

**Bingham Academy: M/S (Peterson/Quinn)** A motion to continue the notification of fiscal concern for Bingham Academy. *The motion passed unanimously.*

**Peace Valley Charter School: M/S (VanOrden/Bair)** A motion to issue a notification of fiscal concern for Peace Valley Charter School. *The motion passed unanimously.*

Teresa Fleming, Board Chair for PiSTEM Academy spoke on behalf of the school.

**Project Impact STEM Academy: M/S (Peterson)** A motion to not issue a notification of fiscal concern for Project Impact STEM Academy. *There was no second. The motion failed.*

Discussion followed regarding the school's enrollment.

PCSC legal counsel recommended that the meeting be cancelled and rescheduled as virtual meeting room security could potentially prevent a member of the public from attending the meeting.

**M/S (Quinn/Bair)** A motion that any actions taken pursuant to agenda Item D and Item F be voided and reconsidered at the next meeting. *The motion passed unanimously.*

**M/S (Bair/Van Orden)** A motion to adjourn. *The motion passed unanimously.*

The meeting adjourned at 11:15 am.

**SUBJECT**

Pre-Opening Schools Update

**APPLICABLE STATUTE, RULE, OR POLICY**

Idaho Code § 33-5206(6)

**BACKGROUND**

The PCSC approved four (4) new charter schools to open in the fall of 2020. The PCSC also approved the transfer of authorization for one (1) school that was preparing to open in the fall of 2020.

Pre-Opening schools include: McCall Community School, Doral Academy of Idaho, Pinecrest Academy of Idaho, MOSAICS, and Hayden Canyon Charter School.

**DISCUSSION**

The governing board of McCall Community School (MCS) passed a resolution to delay the school's opening until fall of 2021. The resolution, included in these materials, addresses the need to amend their performance certificate, changing the due date of the existing pre-opening condition to May 11, 2021. The PCSC must consider whether to accept the resolution and approve the subsequent amendment.

**IMPACT**

Accepting the MCS resolution will allow the PCSC to hold the school accountable to the existing pre-opening condition next year. Not accepting the MCS resolution does not prevent the school from opening at a later date within its approved operating term, but would render the existing condition non-enforceable in the future.

**STAFF COMMENTS AND RECOMMENDATIONS**

Staff recommends that the PCSC accept the MCS resolution and approve the amendment to extend the due date of the school's existing pre-opening condition to May 11, 2021.

**COMMISSION ACTION**

A motion to accept the McCall Community School's resolution to delay opening until fall of 2021 and to amend the school's Performance Certificate to extend the due date of the existing pre-opening condition to May 11, 2021.

### Resolution of the Board of Directors

McCall Community School

P.O. Box 490

208-697-3345

### Resolution Declaring Delay in Opening

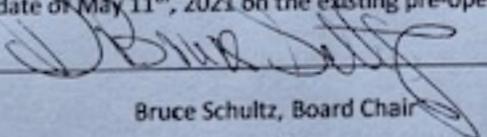
WHEREAS, the Idaho Public Charter School Commission has authorized [School Name] and has issued a Performance Certificate with a fixed operational term of 2020-2025; and

WHEREAS, McCall Community School was not selected as a recipient of the federal Charter Start-up Grant; and

WHEREAS, McCall Community School facility plans are not feasible without this grant;

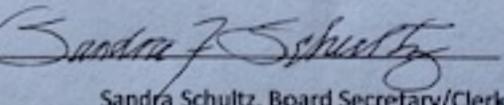
THEREFORE, BE IT RESOLVED that the McCall Community School Board, by majority vote, has determined that McCall Community School will delay opening and will begin operations in the 2021-2022 school year.

BE IT FURTHER RESOLVED that the McCall Community School Board declares that, pending approval of the Idaho Public Charter School Commission or its designee, the school's Charter should be amended to reflect this delay in opening and the school's Performance Certificate should be amended to reflect the due date of May 11<sup>th</sup>, 2021 on the existing pre-opening condition.

By:   
Bruce Schultz, Board Chair

Date: 04/16/2020

Secretary's Certification: I certify that the foregoing resolution was duly adopted by the McCall Community School Board of Directors at a properly noticed open meeting held on the 15<sup>th</sup> day of April, 2020, at which a quorum was present.

By:   
Sandra Schultz, Board Secretary/Clerk

Date: 4/16/2020

**SUBJECT**

Notifications of Fiscal Concern FY21

**APPLICABLE STATUTE, RULE, OR POLICY**

Idaho Code §33-5209C(3)

**BACKGROUND**

Pursuant to 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 written notification of concern.

According to PCSC policy, with regard to notifications of fiscal concern, “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.”

Staff recommendations are based on the following data points:

- Year-end fund balance, as reported in the school’s most recent financial audit.
- Year-end cash flow, as reported in the most recent performance report.
- Most recent year debt service coverage ratio, as reported in the most recent performance report.
- The financial accountability designation, as reported in the most recent performance report.
- Enrollment projects, as reported by the school the July prior to the current school year (FY20).
- Mid-Term Average Daily Attendance, as reported by the SDE (FY20).

**DISCUSSION**

Four PCSC schools operated under a notification of fiscal concern during FY20. The PCSC must decide whether to lift or continue these notifications for FY21. The four schools are Bingham Academy, Blackfoot Charter Community Learning Center (BCCLC), Syringa Mountain School, and The Village Charter School (TVCS).

The financial stability of two additional schools has risen to the level of concern during FY20. The PCSC must consider whether to issue notifications of fiscal concern for Peace Valley Charter School (PVCS) and Project Impact STEM Academy (Pi STEM).

All schools have been informed of staff recommendations. The data used to inform staff recommendations is included in these materials.

Several schools have provided additional documentation for the PCSC’s consideration. Pi STEM provided a letter from their board of directors. BCCLC

provided a cash flow for the end of FY20 and a letter from its new administrator and board chair. TVCS provided letters from their board, admin, and bondholder as well as several financial documents evidencing the school's cash flow, fund balance, and debt service coverage for FY20.

### **IMPACT**

A motion to lift a notification of fiscal concern allows a school to receive funding on the same distribution schedule as all other schools. That is, the school will receive 75% of its anticipated revenue by November 15<sup>th</sup>.

A motion to issue or continue a notification of fiscal concern requires funding distributions to be of equal percentage, thereby protecting taxpayer investment. That is, if a school closed due to financial failure half-way through the school year, the school would only have received 50% of its anticipated operational funds for that year.

### **STAFF COMMENTS AND RECOMMENDATIONS**

PCSC staff recommends that the PCSC lift the notification of fiscal concern for Syringa Mountain School, continue the notification of fiscal concern for Bingham Academy, and issue new notifications of fiscal concern for Peace Valley Charter School and Project Impact STEM Academy.

The situations for both TVCS and BCCLC are somewhat more complicated. While these two schools technically meet the PCSC policy definition of "fiscally sound", the enrollment challenges experienced by both schools in FY20 leave room for concern. Both schools have made big strides in their financial recovery over the past year, but whether they are now strong enough to weather the COVID-19 financial impact and fall enrollment uncertainties and maintain their current levels of financial stability through the end of their performance certificate terms (2023 and 2024, respectively) is unclear.

PCSC staff recommends that the PCSC continue the notification of fiscal concern for both TVCS and BCCLC at this time.

### **COMMISSION ACTION**

1. A motion to lift the notification of fiscal concern for Syringa Mountain School.
2. A motion to continue the notification of fiscal concern for Bingham Academy for FY21.
3. A motion to issue a notification of fiscal concern for Peace Valley Charter School for FY21.
4. A motion to issue a notification of fiscal concern for Project Impact STEM Academy for FY21.

5. A motion to continue the notification of fiscal concern for Blackfoot Charter Community Learning Center for FY21.
6. A motion to continue the notification of fiscal concern for The Village Charter School.

## PCSC Staff Analysis of Fiscal Concern

### Syringa Mountain

According to the most recently issued annual report, the school's year-end fund balance was positive by \$104,347.00 and the FY19 cash flow was positive by \$162,167.00, both of which meet PCSC standard. Additionally, the debt service coverage ratio was 2.79, which also meets standard. Overall, the school earned a financial accountability designation of "honor", and earned 95% of the points possible on the FY19 Annual Performance Report. During FY20, the school was able to maintain 95% of its projected enrollment through the mid-term enrollment count, meeting the PCSC's enrollment standard.

### Bingham Academy

According to the most recently issued annual report, the school's year-end fund balance was negative by \$18,182.00, which does not meet PCSC standard. The FY19 cash flow was positive by \$30,740.00, which does meet standard. Additionally, the debt service coverage ratio was .5, which does not meet standard. Overall, the school earned a financial accountability designation of "critical" for each of the previous four years. During FY20, the school maintained 84% of its projected enrollment through the mid-term enrollment count. This does not meet the PCSC standard of 95%.

### Blackfoot Charter Community Learning Center

According to the most recently issued annual report, the school's year-end fund balance was positive by \$66,901.00; the FY19 cash flow was positive by \$254,213.00, both of which meet PCSC standard. Additionally, the debt service coverage ratio was 1.5, which also meets the PCSC standard. Overall, the school earned a financial accountability designation of "good standing" in FY19, but earned a "critical," "good standing," and "remediation" in the three previous years. The school expects to end FY20 with a positive year-end fund balance, as evidenced in the cash flow included in these materials. During FY20, the school maintained 79% of its projected enrollment through the mid-term enrollment count. This does not meet the PCSC standard of 95%.

### Peace Valley Charter School

According to the most recently issued annual report, the school's year-end fund balance was positive by \$166,065.00 and the FY19 cash flow was positive by \$1,627.00, both of which meet PCSC standard. The debt service coverage ratio was .3, which does not meet the PCSC standard. Overall, the school earned a financial accountability designation of "remediation" in FY19. During FY20, the school maintained 73% of its projected enrollment through the mid-term enrollment count. This does not meet the PCSC standard of 95%.

### Project Impact STEM Academy

According to the most recently issued annual report, the school's year-end fund balance was positive by \$122,672.00 and the FY19 cash flow was positive by \$65,374.00, both of which meet PCSC standard. The debt service coverage ratio was .25, which does not

meet the PCSC standard; however, this school has since retired the debt and currently operates without long-term debt. Overall, the school earned a financial accountability designation of “good standing” in FY19. During FY20, the school maintained 69% of its projected enrollment through the mid-term enrollment count. This does not meet the PCSC standard of 95%.

### **The Village Charter School**

According to the most recently issued annual report, the school’s year-end fund balance was positive by \$479,000 and the FY19 cash flow was positive by \$292,000. While this meets PCSC standard, it also reflects a loan. The debt service coverage ratio was -1, which does not meet standard. Overall, the school earned a financial accountability designation of “remediation”, which is an improvement over the three preceding years during which the school earned “critical” accountability designations. The school has provided several additional financial documents evidencing that the school no longer has debt beyond its facility, has maintained a positive cash flow all year, and expects to have a positive year-end fund balance for FY20. During FY20, the school maintained 64% of its projected enrollment through the mid-term enrollment count. This does not meet the PCSC standard of 95%.



# Project Impact STEM Academy

*Invested in the life-long pursuit of knowledge.*

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May 12, 2020

RE: PCSC possible Letter of Fiscal Concern

Chairman Reed, Commissioners, Director Thompson & Staff:

The Board and staff of Project Impact STEM Academy (Pi STEM) would like to thank Director Thompson for providing the opportunity to discuss the proposed Notification of Fiscal Concern for FY21. We understand the need for accountability of charter schools and appreciate the continued support we receive from you and your team.

Pi STEM has managed a number of issues in its first two years. Opening, and operating a school is certainly, and understandably, difficult. Nonetheless, I believe the board and staff have grown through each obstacle it has had to face. Each mistake and misstep have been analyzed to determine how it occurred and also how the team can grow and learn from it.

In the school's first year, a great deal was learned regarding operations, transparency, and management. The disruptions from our first year had a large impact on our enrollment and retention. The team decided at the time, not to focus on enrollment numbers but rather to focus on the culture, and improve the trust damaged with the community. It was a decision to accept the lower enrollment and rebuild the structure. In hindsight, we now understand enrollment (recruitment and retention) must always remain a focus. The lack of this focus has made this, our second year, an extremely difficult year financially.

A great deal of effort was needed for the school to financially survive this year. Thanks to the hours of additional work from our incredible financial team and administration, Pi STEM is on

track to finish this school year with positive cash flow and year-end balance. However, the financial difficulties generated additional stress and work that could have been avoided. From this year, the team has understood the value of improving its budget planning, as well as the importance of recruitment and retention. Specifically, the following improvements have been made:

1. Developing a recruitment & retention specialist
2. Increased financial committee meetings with focused reviews of ADA, retention, cash flow, and strategic planning
3. Improved budget planning, financial training, and an increased review of the budget
4. Improved understanding of reported projections to you (we reported highly optimistic enrollment numbers knowing we would likely have less)

The Pi STEM team has realized that it must work to manage each aspect equally: academic, operations, and financial. While our shifted focus did cause difficulties, it was not without its gains.

We feel it is important that we share the full qualitative story of this year with you, as well. Although we will not be able to assess our students on the ISAT, we have continued to test all of our K-6 grade students, nearly monthly, on iStation reading and iReady math. We would be happy to share our results with you.

We feel the results show our continued commitment to growing a high achieving school that is accountable to the state for how the state tax dollars are spent. Additionally, both our teacher and parent satisfaction ratings are up this year, which is reflective of our improved culture. Even going into our COVID-19 online school, we enrolled two additional students and are currently maintaining an attendance rate of >93%, as we continue providing full day learning opportunities to our students. We believe this is a testament to our improved image with our families, staff and the community of Kuna.

Pi STEM appreciates your role as our authorizer to not only provide support but also hold us accountable. While we have struggled this year, we believe we have learned and grown from the mistakes we have made. We are concerned that a formal letter from your office might generate additional issues for the school as we move into the upcoming year. We believe such a letter

could cause uncertainty with prospective families as well as damage the school's ability to buy out its current investors and lower our facility payments.

We respectfully ask that you do not formally present the letter at this time, and we ask for the opportunity to show the growth we have made. We would welcome the opportunity to present this growth more frequently to Director Thompson and provide any assurances needed of the school's continued sustainability for the upcoming year.

Sincerely,

Teresa Fleming

Pi STEM Board Chairman



May 12, 2020

Public Charter School Commission  
304 North 8th St., Suite 242  
Boise, ID 83702

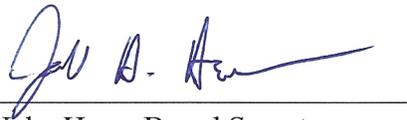
As you are aware, The Village Charter School had many financial and operational hurdles to overcome this past year, and we are pleased to report that we have done so in a positive manner. From a financial position, we have maintained positive cash flow without any additional borrowings and will also end the year with a healthy fund balance. The included cash flow is for July 2019 - August 2020 and does not include the August 2020 foundation payment for the purposes of showing expenses and revenue related to the 2019/2020 school year. We were approved for the SBA PPP loan and received the funds, but we did not include them in the cash flow in order to demonstrate a positive position without them. We are also being very cautious with the categorization and use of these funds, and are watching for any guidance that may change for them. We continue to work with our bondholders on a debt repayment plan that aligns with our enrollment and are confident we are very close to a solution.

The lottery this year was very successful with 213 students signing up and we have 106 that have accepted a spot. In addition to our lottery we have retained 216 students for the 2020-2021 school year. After our lottery was completed on Friday, April 24<sup>th</sup> we had 11 students added to our waitlist, of which seven have accepted our enrollment offer. The included draft 2020/2021 budget is based on 341 students and will be adjusted accordingly as we gain a better understanding where enrollment will land. We have also reflected a 5% funding reduction as well. We also anticipate some growth over the summer but are not including that in our budget at this time.

We have been focused this year on aligning with our mission, ensuring that future growth and retention is driven by delivering on our Charter. We have demonstrated one of the best safety track records over the past seven years, along with consistent proficiency performance in Science and Language Arts. We anticipate soon the recognition of our school becoming only the second Lighthouse School for Leadership in the State of Idaho. With a new energy toward our cohesive goals of being the #1 Leadership School of Choice, and the #1 Employer of Choice, and with the acute challenges of the past behind us, we are confident that we have a strong value proposition

for families to enroll their children for the 2020-2021 school year and further into the future. Making this possible is a constructive relationship with our Bondholders, Administration and Staff, who all understand that a culture-based approach to long term performance is our future, and we are already seeing those positive results unfold.

We ask that you look closely at our selection of capable partners, including Adam Holcomb as our Chief Financial Officer and Candie Massey as our Business Administrator to see that we are making thoughtful decisions about our finances. This is the best financial support team we have ever had, and along with the considerable support from our bondholders, we are well positioned to continue our conservative approach to cash flow. We ask that you consider these factors, along with our perseverance and our adherence to a long-term strategy going forward, to remove the Letter of Financial Concern from our constraints.

A handwritten signature in blue ink, appearing to read "Jake Hays", written over a horizontal line.

Jake Hays, Board Secretary

**From:** Maneesh Jhunjunwala  
**To:** Jenn Thompson  
**Subject:** Village Charter Bondholder Update  
**Date:** Tuesday, May 19, 2020 1:22:34 PM

Hi Jenn,

It was nice chatting with you last week about The Village Charter School (TVCS), and to hear the general update on the school environment in Idaho. As we discussed, the Bondholders of TVCS remain strongly committed to the future success of the school and its students. We have been actively working with TVCS' Board and its financial support team, including Adam Holcomb, to try to determine the best way to revise and restructure the existing debt to give the school the best chance to stabilize--and ultimately grow to a sustainable enrollment with strong academic and financial characteristics.

While we do not yet have a permanent solution, I wanted to assure you that the bondholders have no intention of forcing TVCS to make any large payments on the Bonds that would jeopardize the school's financial sustainability. It is our intent to take the large payment that is due in June and restructure it to allow TVCS to maintain some reasonable level of reserves while balancing the interests of the Bondholders. We would then structure the ongoing payments to fall within the budget of the school without draining those reserves. Right now, our ability to structure those payments is dependent on a number of factors, including the expected funding cuts, determination of enrollment, and the outcome of the Commission's assessment of the school's fiscal situation.

While we cannot ask the Bondholders to completely forego payments, we all recognize that asking for payments that are too aggressive now could result in the school failing, or lacking sufficient resources to provide the appropriate level of support to its students.

While we realize that our input in the process is limited, I wanted to ensure that you knew of the Bondholders' commitment to the school, and our desire to find a balance that helps the school and its students. We see a lot of positives with the new administrator coming in, the ongoing efforts to achieve the "Leader in Me" designation, the strong support from the finance team, and the reinvigorated involvement of the Board. We think the school is well-positioned to take a large leap in performance in the upcoming year. We hope the Commission shares our view.

Please do not hesitate to contact me with any questions or if I can provide any additional information.

I hope you are staying safe and sane in these crazy times!

Regards,  
Maneesh

**Maneesh J. Jhunjunwala**  
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1747 N. Fairmeadow Drive  
Boise, Idaho 83704

School (208) 336-2000  
Fax (208) 367-1234

May 11, 2020

Dear Commissioners,

I am writing with the intent of having you consider the lifting of the Letter of Fiscal Concern for The Village Charter School. In respect to correspondence from the school CFO and the company holding the loan on the building, I will not continue to expand on the fiscal reasoning for lifting the Letter, but instead will present additional information that might not readily come to mind in the present situation. Indeed, I believe it to be equally important to consider the resiliency of the school and how it has repeatedly endured what might be considered multiple stress tests that would have likely precipitated the closure of a lesser organization.

Whether it has been the challenges of bureaucracy and pandering by special interests that sufficiently delayed the opening of the school by over a year resulting in a construction cost coverage of 30%, the shouldering of special education costs for having at one point a special education population almost three times the state average, the depredations of a mercenary press corps, or the additional costs associated with having to install a new fire system in a building that required the school to utilize new devised drilling techniques. The Village Charter School has consistently delivered on its promise to provide a supportive educational center for its families and their children.

Aside from financial challenges, the school has over the last seven years achieved one of the best safety records in the state, with no law suits involving special education, or student expulsions. Gangs, drugs, and weapons are not part of the culture of the school, nor have they ever been a part of the school community. In addition, school leadership has only changed hands once in nine years, and the retention of instructional staffing has been largely steady, with 95% of all teachers remaining at the school going into the 2020-2021 school year. All factors that lend credibility to the realization of the school having a strong cultural foundation with parents and guardians who trust in the professionals associated with the institution.

Granted, it might be assumed that since I am the current Lead Administrator for the school, I have a degree of personal bias in favor of the school, and to some degree you would be correct. I have been in the trenches figuratively speaking with my colleagues as we have navigated our way through multiple storms, and yes there were mistakes made along the way. Nevertheless, the school has continued to improve, and each test has made it stronger. More so, as this is my final year with the school, I have no future personal stake in the continued success of the institution except to note that in this case if there was an organization deserving of being given a boost, I would ask you considering doing so now. The Village Charter School and its community are truly a symbol of what it means to have grit, and the people within the organization exemplify the American spirit of never giving up.

Respectfully,

Anthony L. Richard  
Lead Administrator, TVCS

**The Village Charter School**

**Cash Flow July 2019 - August 2020**

<b>Operating Funds</b>	<b>July 2019</b>	<b>August 2019</b>	<b>September 2019</b>	<b>October 2019</b>	<b>November 2019</b>	<b>December 2019</b>	<b>January 2020</b>	<b>February 2020</b>	<b>March 2020</b>	<b>April 2020</b>	<b>May 2020</b>	<b>June 2020</b>	<b>July 2020</b>	<b>August 2020</b>
<b>Beginning Balances (Include Investments)</b>	452,537	266,395	689,268	499,093	273,627	428,138	340,641	235,694	509,910	388,584	253,883	621,451	560,392	465,948
<b>Receipts</b>														
<b>Foundation Payments</b>	76,896	624,793		-	303,263	-	-	356,000	-	-	362,087	-	53,077	-
<b>Other Revenue (Local, Grants ,Special Dist.)</b>	43,569	52,331	17,055	7,160	32,487	64,279	63,230	85,730	-	-	153,000	86,461	-	-
<b>Total Available Funds</b>	573,002	943,519	706,323	506,253	609,377	492,417	403,871	677,424	509,910	388,584	768,971	707,912	613,468	465,948
<b>Less Expenditures</b>														
<b>Payroll, Benefits &amp; Taxes</b>	150,402	159,795	150,633	138,901	121,873	112,851	115,795	105,637	104,331	103,292	112,520	112,520	112,520	112,520
<b>Other Expenditures</b>	156,205	94,456	56,597	93,725	59,366	38,925	52,382	61,877	16,995	31,409	35,000	35,000	35,000	35,000
<b>Total Expenditures</b>	306,607	254,251	207,230	232,626	181,239	151,776	168,177	167,514	121,326	134,701	147,520	147,520	147,520	147,520
<b>Ending Balance</b>	266,395	689,268	499,093	273,627	428,138	340,641	235,694	509,910	388,584	253,883	621,451	560,392	465,948	318,428

**The Village Charter School  
2020/2021 Proposed General Fund Budget**

ACCT NAME	Proposed 2019/2020 BUDGET	Proposed 2020/2021 BUDGET	Change
GENERAL FUND			
<b>G.F. BUDGET BALANCE CARRY FORWARD</b>	<b>260,000.00</b>	<b>581,288.14</b>	
<b>REVENUES</b>			
Local Revenue	14,600.00	11,600.00	(3,000.00)
State Revenue	2,023,805.20	1,872,267.03	(151,538.17)
Other Revenue	36,377.00	25,268.23	(11,108.77)
-----			
<b>TOTAL REVENUES</b>	<b>2,079,043.20</b>	<b>1,912,850.71</b>	<b>(166,192.49)</b>
=====			
<b>EXPENDITURES</b>			
Elementary School Program	619,475.67	612,757.00	(6,718.67)
Secondary School Program	272,745.78	293,399.10	20,653.32
Special Education Program	195,404.62	154,476.80	(40,927.82)
Gifted and Talented Program	3,000.00	3,364.00	364.00
Attendance/Guidance/Health	15,433.58	9,000.00	(6,433.58)
Instruction Improvement Program	4,075.00	-	(4,075.00)
Board of Trustees	25,150.00	20,175.00	(4,975.00)
District Administration	24,257.00	25,000.00	743.00
School Administration	224,243.27	181,982.20	(42,261.07)
Business Operations	201,023.69	212,402.34	11,378.65
Administrative Tech Program	26,011.45	29,755.07	3,743.62
Building Care/Custodial	100,835.00	88,027.00	(12,808.00)
Buildings Maintenance	39,000.00	12,000.00	(27,000.00)
Grounds Maintenance	500.00	500.00	-
Security and Safety Program	1,600.00	1,600.00	-
Pupil to School Transportation	5,000.00	-	(5,000.00)
Debt Costs	-	-	-
<b>TOTAL EXPENDITURES</b>	<b>1,757,755.06</b>	<b>1,644,438.51</b>	<b>(113,316.55)</b>
=====			
<b>Change in Fund Balance</b>	<b>321,288.14</b>	<b>268,412.20</b>	<b>(52,875.94)</b>
<b>FUND BALANCE - GENERAL FUND</b>	<b>581,288.14</b>	<b>849,700.34</b>	

**The Village Charter School  
2020/2021 Proposed General Fund Budget**

ACCT #	ACCT NAME GENERAL FUND	Proposed 2019/2020 BUDGET	Proposed 2020/2021 BUDGET	Change
100-320000-000-000-0	G.F. BUDGET BALANCE CARRY FORWARD	260,000.00	581,288.14	
100-419200-000-000-0	CONTRIBUTIONS/DONATIONS	2,600.00	2,600.00	-
100-419900-000-000-0	OTHER LOCAL REVENUE	12,000.00	9,000.00	(3,000.00)
100-431100-000-000-0	BASE STATE SUPPORT - ENTITLEMENT	509,783.00	451,785.80	(57,997.20)
100-431100-100-000-0	BASE STATE SUPPORT - SALARY APPORT	1,066,310.00	983,297.50	(83,012.50)
100-431800-000-000-0	BASE STATE SUPPORT - BENEFITS	193,127.00	178,684.55	(14,442.45)
100-431400-000-000-0	STATE SUPPORT - EXCEPTIONAL CHILD	14,586.00	13,856.70	(729.30)
100-431900-100-000-0	SPECIAL - LITERACY PROFICIENCY	49,193.00	46,733.35	(2,459.65)
100-431900-150-000-0	SPECIAL - ENGLISH LANGUAGE LEARNER	3,911.00	3,715.45	(195.55)
100-431900-200-000-0	SPECIAL - GIFTED / TALENTED	3,000.00	2,850.00	(150.00)
100-431900-300-000-0	SPECIAL - REMEDIATION	4,050.00	3,847.50	(202.50)
100-431900-400-000-0	SPECIAL - CHARTER SCHOOL FACILITIES	118,800.00	129,580.00	10,780.00
100-431900-500-000-0	SPECIAL - LEADERSHIP PREMIUMS	17,281.00	16,416.95	(864.05)
100-431900-600-000-0	SPECIAL - PROFESSIONAL DEVELOPMENT	28,940.00	27,493.00	(1,447.00)
100-431900-700-000-0	SPECIAL - CAREER & COLLEGE ADVISOR	9,000.00	8,550.00	(450.00)
100-431900-800-000-0	SPECIAL - STRATEGIC PLANNING	6,600.00	6,270.00	(330.00)
100-431900-900-000-0	SPECIAL - CONTENT & CURRICULUM	3,135.20	2,901.68	(233.52)
100-437000-000-000-0	LOTTERY REVENUE	36,377.00	25,268.23	(11,108.77)
100-439000-000-000-0	OTHER STATE REVENUE	350.00	-	(350.00)
	----- <b>TOTAL REVENUES</b> =====	<b>2,079,043.20</b>	<b>1,912,850.71</b>	<b>(166,192.49)</b>

**The Village Charter School  
2020/2021 Proposed General Fund Budget**

ACCT #	ACCT NAME	Proposed 2019/2020 BUDGET	Proposed 2020/2021 BUDGET	Change
	GENERAL FUND			
100-512110-000-000-0	CERTIFIED SALARIES - ELEMENTARY	415,860.00	398,795.00	(17,065.00)
100-512115-000-000-0	CLASSIFIED SALARIES - ELEMENTARY	12,000.00	32,251.00	20,251.00
100-512117-000-000-0	LEADERSHIP PREMIUMS - K-8	14,284.00	13,400.00	(884.00)
100-512160-000-000-0	SUBSTITUTES - ELEMENTARY	7,000.00	7,000.00	-
100-512210-000-000-0	TAXES/PERSI	85,829.00	89,872.00	4,043.00
100-512210-100-000-0	TAXES/PERSI - LEADERSHIP PREMIUMS	2,978.00	2,794.00	(184.00)
100-512240-000-000-0	HEALTH INSURANCE	37,741.60	44,395.00	6,653.40
100-512300-000-000-0	PURCHASED SERVICES - ELEMENTARY	8,000.00	3,750.00	(4,250.00)
100-512322-000-000-0	EQUIPMENT LEASE/RENTAL - ELEM	10,783.07	-	(10,783.07)
100-512400-000-000-0	SUPPLIES - ELEMENTARY	25,000.00	20,500.00	(4,500.00)
	-----			
	<b>ELEMENTARY SCHOOL PROGRAM</b>	<b>619,475.67</b>	<b>612,757.00</b>	<b>(6,718.67)</b>
	=====			
100-515110-000-000-0	CERTIFIED SALARIES - SECONDARY	189,710.00	200,723.00	11,013.00
100-515160-000-000-0	SUBSTITUTES - SECONDARY	6,000.00	6,000.00	-
100-515210-000-000-0	TAXES/PERSI	39,553.75	41,851.00	2,297.25
100-515240-000-000-0	HEALTH INSURANCE	10,136.40	19,650.10	9,513.70
100-515300-000-000-0	PURCHASED SERVICES - SECONDARY	6,500.00	10,175.00	3,675.00
100-515322-000-000-0	EQUIPMENT LEASE/RENTAL - SECOND	845.63	-	(845.63)
100-515400-000-000-0	SUPPLIES - SECONDARY	20,000.00	15,000.00	(5,000.00)
	-----			
	<b>SECONDARY SCHOOL PROGRAM</b>	<b>272,745.78</b>	<b>293,399.10</b>	<b>20,653.32</b>
	=====			
100-521110-000-000-0	CERTIFIED SALARIES - SPEC EDUC	119,500.00	80,000.00	(39,500.00)
100-521160-000-000-0	SUBSTITUTES - SPEC EDUC	800.00	4,000.00	3,200.00
100-521210-000-000-0	TAXES/PERSI	24,915.00	16,680.00	(8,235.00)
100-521240-000-000-0	HEALTH INSURANCE	11,347.08	9,679.20	(1,667.88)
100-521300-000-000-0	PURCHASED SERVICES - SPEC EDUC	37,500.00	13,800.00	(23,700.00)
100-521400-000-000-0	SUPPLIES - SPEC EDUC	721.00	721.00	-
100-616300-000-000-0	PURCHASED SERVICES - SpEd SUPPORT	121.54	-	(121.54)
100-616400-000-000-0	SUPPLIES - SpEd SUPPORT	500.00	-	(500.00)
	-----			
	<b>SPECIAL EDUCATION PROGRAM</b>	<b>195,404.62</b>	<b>154,476.80</b>	<b>(40,927.82)</b>
	=====			
100-524300-000-000-0	PURCHASED SVC - GIFTED/TALENTED	1,000.00	800.00	(200.00)

**The Village Charter School  
2020/2021 Proposed General Fund Budget**

ACCT #	ACCT NAME	Proposed 2019/2020 BUDGET	Proposed 2020/2021 BUDGET	Change
	GENERAL FUND			
100-524400-000-000-0	SUPPLIES - GIFTED AND TALENTED	2,000.00	2,564.00	564.00
	-----			
	<b>GIFTED AND TALENTED PROGRAM</b>	<b>3,000.00</b>	<b>3,364.00</b>	<b>364.00</b>
	=====			
100-611300-000-000-0	PURCHASED SERVICES - HEALTH	5,000.00	1,000.00	(4,000.00)
100-611314-000-000-0	ADMIN TECH - ATTENDANCE	10,388.58	-	(10,388.58)
100-611400-000-000-0	SUPPLIES - HEALTH	45.00	8,000.00	7,955.00
	-----			
	<b>ATTENDANCE/GUIDANCE/HEALTH</b>	<b>15,433.58</b>	<b>9,000.00</b>	<b>(6,433.58)</b>
	=====			
100-621300-000-000-0	PURCHASED SERVICES - INST. IMPROVE	4,048.00	-	(4,048.00)
100-621400-000-000-0	SUPPLIES - INSTRUCTION IMPROVEMENT	27.00	-	(27.00)
	-----			
	<b>INSTRUCTION IMPROVEMENT PROGRAM</b>	<b>4,075.00</b>	<b>-</b>	<b>(4,075.00)</b>
	=====			
100-631300-000-000-0	PURCHASED SERVICES - BOARD	5,000.00	5,000.00	-
100-631310-000-000-0	LEGAL FEES - BOARD	20,000.00	15,000.00	(5,000.00)
100-631400-000-000-0	SUPPLIES - BOARD OF TRUSTEES	150.00	175.00	25.00
	-----			
	<b>BOARD OF TRUSTEES</b>	<b>25,150.00</b>	<b>20,175.00</b>	<b>(4,975.00)</b>
	=====			
100-632270-000-000-0	WORKER'S COMP INSURANCE	9,257.00	9,500.00	243.00
100-632300-000-000-0	PURCHASED SERVICES - DISTR ADMIN	12,500.00	12,500.00	-

**The Village Charter School  
2020/2021 Proposed General Fund Budget**

ACCT #	ACCT NAME	Proposed 2019/2020 BUDGET	Proposed 2020/2021 BUDGET	Change
100-632400-000-000-0	GENERAL FUND SUPPLIES - DISTRICT ADMINISTRATION	2,500.00	3,000.00	500.00
	-----			
	<b>DISTRICT ADMINISTRATION</b>	<b>24,257.00</b>	<b>25,000.00</b>	<b>743.00</b>
	=====			
100-641110-000-000-0	CERTIFIED SALARIES - SCHOOL ADMIN	85,000.00	125,000.00	40,000.00
100-641115-000-000-0	CLASSIFIED SALARIES - SCHOOL ADMIN	63,825.00	-	(63,825.00)
100-641210-000-000-0	TAXES/PERSI	31,030.31	26,063.00	(4,967.31)
100-641240-000-000-0	HEALTH INSURANCE	14,987.96	13,419.20	(1,568.76)
100-641300-000-000-0	PURCHASED SERVICES-SCH ADM	14,000.00	7,000.00	(7,000.00)
100-641300-100-000-0	FINGER PRINTING	400.00	500.00	100.00
100-641400-000-000-0	SUPPLIES - SCHOOL ADMINISTRATION	15,000.00	10,000.00	(5,000.00)
	-----			
	<b>SCHOOL ADMINISTRATION</b>	<b>224,243.27</b>	<b>181,982.20</b>	<b>(42,261.07)</b>
	=====			
100-651115-000-000-0	CLASSIFIED SALARIES - BUSINESS	60,979.80	73,288.16	12,308.36
100-651210-000-000-0	TAXES/PERSI	12,714.29	15,280.58	2,566.29
100-651240-000-000-0	HEALTH INSURANCE	5,283.60	5,283.60	-
100-651300-000-000-0	PROFESSIONAL SERVICES	70,000.00	70,000.00	-
100-651311-000-000-0	PENALTIES & INTEREST	1,750.00	1,750.00	-
100-651314-000-000-0	ADMIN SOFTWARE/HARD MAINT/SVC BUSIN	1,150.00	1,150.00	-
100-651315-000-000-0	AUDIT SERVICES	9,500.00	9,500.00	-
100-651320-000-000-0	BANK CHARGES	650.00	650.00	-
100-651355-000-000-0	ADVERTISING & MARKETING	20,000.00	16,500.00	(3,500.00)
100-651400-000-000-0	SUPPLIES - BUSINESS OFFICE	3,000.00	3,000.00	-
100-651400-100-000-0	POSTAGE SUPPLIES - BUSINESS OFFICE	4,000.00	4,000.00	-

**The Village Charter School  
2020/2021 Proposed General Fund Budget**

ACCT #	ACCT NAME	Proposed 2019/2020 BUDGET	Proposed 2020/2021 BUDGET	Change
100-651710-000-000-0	GENERAL FUND LIABILITY INSURANCE	11,996.00	12,000.00	4.00
	----- <b>BUSINESS OPERATIONS</b> =====	<b>201,023.69</b>	<b>212,402.34</b>	<b>11,378.65</b>
100-656115-000-000-0	CLASSIFIED SALARIES - ADMIN TECH	18,878.98	21,886.97	3,007.99
100-656210-000-000-0	TAXES/PERSI	3,936.03	4,563.08	627.06
100-656240-000-000-0	HEALTH INSURANCE	3,196.44	3,305.02	108.58
	----- <b>ADMINISTRATIVE TECHNOLOGY PROG</b> =====	<b>26,011.45</b>	<b>29,755.07</b>	<b>3,743.62</b>
100-661115-000-000-0	CLASSIFIED SALARIES - CUSTODIAL	36,287.00	28,182.00	(8,105.00)
100-661210-000-000-0	TAXES/PERSI	8,286.00	6,776.00	(1,510.00)
100-661240-000-000-0	HEALTH INSURANCE	3,012.00	2,259.00	(753.00)
100-661300-000-000-0	PURCHASED SERVICES - CUSTODIAL	3,000.00	3,000.00	-
100-661330-200-000-0	UTILITIES - ELECTRIC - FAIRVIEW	16,000.00	17,600.00	1,600.00
100-661334-200-000-0	UTILITIES - WATER/SEWER -FAIRVIEW	6,000.00	6,000.00	-
100-661340-200-000-0	UTILITIES - NAT GAS - FAIRVIEW	1,250.00	1,600.00	350.00
100-661350-200-000-0	TELEPHONE & INTERNET - FAIRVIEW	20,000.00	16,610.00	(3,390.00)
100-661400-000-000-0	SUPPLIES - CUSTODIAL	7,000.00	6,000.00	(1,000.00)
	----- <b>BUILDING CARE/CUSTODIAL</b> =====	<b>100,835.00</b>	<b>88,027.00</b>	<b>(12,808.00)</b>
100-664300-000-000-0	PURCHASED SERVICES - BLDG RPR/MNT	36,500.00	10,000.00	(26,500.00)
100-664400-000-000-0	SUPPLIES - BUILDING REPAIR/MAINT	2,500.00	2,000.00	(500.00)
	----- <b>BUILDINGS MAINTENANCE</b> =====	<b>39,000.00</b>	<b>12,000.00</b>	<b>(27,000.00)</b>
100-665300-000-000-0	PURCHASED SERVICES - GROUNDS	500.00	500.00	-
	----- <b>GROUNDS MAINTENANCE</b> =====	<b>500.00</b>	<b>500.00</b>	<b>-</b>
100-667300-000-000-0	PURCHASED SERVICES - SECURITY	1,600.00	1,600.00	-
	----- <b>SECURITY AND SAFETY PROGRAM</b> =====	<b>1,600.00</b>	<b>1,600.00</b>	<b>-</b>

**The Village Charter School  
2020/2021 Proposed General Fund Budget**

ACCT #	ACCT NAME	Proposed 2019/2020 BUDGET	Proposed 2020/2021 BUDGET	Change
100-682340-000-000-0	GENERAL FUND STUDENT BUSING - FIELD TRIPS	5,000.00	-	(5,000.00)
	----- <b>PUPIL TO SCHOOL TRANSPORTATION</b> =====	<b>5,000.00</b>	-	<b>(5,000.00)</b>
100-911300-000-000-0	OTHER DEBT COSTS	-	-	-
100-911610-000-000-0	DEBT SERVICE PRINCIPAL	-	-	-
100-912620-000-000-0	DEBT SERVICE-INTEREST	-	-	-
	-----	-	-	-
	<b>TOTAL EXPENDITURES</b> =====	<b>1,757,755.06</b>	<b>1,644,438.51</b>	<b>(113,316.55)</b>
	<b>Change in Fund Balance</b>	<b>321,288.14</b>	<b>268,412.20</b>	<b>(52,875.94)</b>
100-320200-000-000-0	<b>FUND BALANCE - GENERAL FUND</b> =====	<b>581,288.14</b>	<b>849,700.34</b>	



\*HLP0091\*

# CORPORATE RESOLUTION TO BORROW / GRANT COLLATERAL

<b>Principal</b> \$345,467.94	<b>Loan Date</b> 04-29-2020	<b>Maturity</b> 04-29-2022	<b>Loan No</b> 2057516	<b>Call / Coll</b> 9b2	<b>Account</b>	<b>Officer</b> TRA	<b>Initials</b>
References in the boxes above are for Lender's use only and do not limit the applicability of this document to any particular loan or item. Any item above containing "*****" has been omitted due to text length limitations.							

**Corporation:** The Village Charter School, Inc.  
1747 N Fairmeadow Dr  
Boise, ID 83704-7007

**Lender:** Columbia State Bank  
Community Financial Resources  
2820 Harrison Avenue NW  
Olympia, WA 98502

### WE, THE UNDERSIGNED, DO HEREBY CERTIFY THAT:

**THE CORPORATION'S EXISTENCE.** The complete and correct name of the Corporation is The Village Charter School, Inc. ("Corporation"). The Corporation is a non-profit corporation which is, and at all times shall be, duly organized, validly existing, and in good standing under and by virtue of the laws of the State of Idaho. The Corporation is duly authorized to transact business in all other states in which the Corporation is doing business, having obtained all necessary filings, governmental licenses and approvals for each state in which the Corporation is doing business. Specifically, the Corporation is, and at all times shall be, duly qualified as a foreign corporation in all states in which the failure to so qualify would have a material adverse effect on its business or financial condition. The Corporation has the full power and authority to own its properties and to transact the business in which it is presently engaged or presently proposes to engage. The Corporation maintains an office at 1747 N Fairmeadow Dr, Boise, ID 83704-7007. Unless the Corporation has designated otherwise in writing, the principal office is the office at which the Corporation keeps its books and records. The Corporation will notify Lender prior to any change in the location of the Corporation's state of organization or any change in the Corporation's name. The Corporation shall do all things necessary to preserve and to keep in full force and effect its existence, rights and privileges, and shall comply with all regulations, rules, ordinances, statutes, orders and decrees of any governmental or quasi-governmental authority or court applicable to the Corporation and the Corporation's business activities.

**RESOLUTIONS ADOPTED.** At a meeting of the Directors of the Corporation, or if the Corporation is a close corporation having no Board of Directors then at a meeting of the Corporation's shareholders, duly called and held on 4/30/2020, at which a quorum was present and voting, or by other duly authorized action in lieu of a meeting, the resolutions set forth in this Resolution were adopted.

**OFFICER.** The following named person is an officer of The Village Charter School, Inc.:

<u>NAMES</u>	<u>TITLES</u>	<u>AUTHORIZED</u>	<u>ACTUAL SIGNATURES</u>
Rachael Smith	Vice-Chairwoman	Y X	

**ACTIONS AUTHORIZED.** The authorized person listed above may enter into any agreements of any nature with Lender, and those agreements will bind the Corporation. Specifically, but without limitation, the authorized person is authorized, empowered, and directed to do the following for and on behalf of the Corporation:

**Borrow Money.** To borrow, as a cosigner or otherwise, from time to time from Lender, on such terms as may be agreed upon between the Corporation and Lender, such sum or sums of money as in his or her judgment should be borrowed; however, not exceeding at any one time the amount of **Three Hundred Forty-five Thousand Four Hundred Sixty-seven & 94/100 Dollars (\$345,467.94)**, in addition to such sum or sums of money as may be currently borrowed by the Corporation from Lender.

**Execute Notes.** To execute and deliver to Lender the promissory note or notes, or other evidence of the Corporation's credit accommodations, on Lender's forms, at such rates of interest and on such terms as may be agreed upon, evidencing the sums of money so borrowed or any of the Corporation's indebtedness to Lender, and also to execute and deliver to Lender one or more renewals, extensions, modifications, refinancings, consolidations, or substitutions for one or more of the notes, any portion of the notes, or any other evidence of credit accommodations.

**Grant Security.** To mortgage, pledge, transfer, endorse, hypothecate, or otherwise encumber and deliver to Lender any property now or hereafter belonging to the Corporation or in which the Corporation now or hereafter may have an interest, including without limitation all of the Corporation's real property and all of the Corporation's personal property (tangible or intangible), as security for the payment of any loans or credit accommodations so obtained, any promissory notes so executed (including any amendments to or modifications, renewals, and extensions of such promissory notes), or any other or further indebtedness of the Corporation to Lender at any time owing, however the same may be evidenced. Such property may be mortgaged, pledged, transferred, endorsed, hypothecated or encumbered at the time such loans are obtained or such indebtedness is incurred, or at any other time or times, and may be either in addition to or in lieu of any property theretofore mortgaged, pledged, transferred, endorsed, hypothecated or encumbered.

**Execute Security Documents.** To execute and deliver to Lender the forms of mortgage, deed of trust, pledge agreement, hypothecation agreement, and other security agreements and financing statements which Lender may require and which shall evidence the terms and conditions under and pursuant to which such liens and encumbrances, or any of them, are given; and also to execute and deliver to Lender any other written instruments, any chattel paper, or any other collateral, of any kind or nature, which Lender may deem necessary or proper in connection with or pertaining to the giving of the liens and encumbrances.

**Negotiate Items.** To draw, endorse, and discount with Lender all drafts, trade acceptances, promissory notes, or other evidences of indebtedness payable to or belonging to the Corporation or in which the Corporation may have an interest, and either to receive cash for the same or to cause such proceeds to be credited to the Corporation's account with Lender, or to cause such other disposition of the proceeds derived therefrom as he or she may deem advisable.

**Further Acts.** In the case of lines of credit, to designate additional or alternate individuals as being authorized to request advances under such lines, and in all cases, to do and perform such other acts and things, to pay any and all fees and costs, and to execute and deliver such other documents and agreements, **including agreements waiving the right to a trial by jury**, as the officer may in his or her discretion deem reasonably necessary or proper in order to carry into effect the provisions of this Resolution.

**CORPORATE RESOLUTION TO BORROW / GRANT COLLATERAL  
(Continued)**

Loan No: 2057516

Page 2

**ASSUMED BUSINESS NAMES.** The Corporation has filed or recorded all documents or filings required by law relating to all assumed business names used by the Corporation. Excluding the name of the Corporation, the following is a complete list of all assumed business names under which the Corporation does business: **None.**

**NOTICES TO LENDER.** The Corporation will promptly notify Lender in writing at Lender's address shown above (or such other addresses as Lender may designate from time to time) prior to any (A) change in the Corporation's name; (B) change in the Corporation's assumed business name(s); (C) change in the management of the Corporation; (D) change in the authorized signer(s); (E) change in the Corporation's principal office address; (F) change in the Corporation's state of organization; (G) conversion of the Corporation to a new or different type of business entity; or (H) change in any other aspect of the Corporation that directly or indirectly relates to any agreements between the Corporation and Lender. No change in the Corporation's name or state of organization will take effect until after Lender has received notice.

**CERTIFICATION CONCERNING OFFICERS AND RESOLUTIONS.** The officer named above is duly elected, appointed, or employed by or for the Corporation, as the case may be, and occupies the position set opposite his or her respective name. This Resolution now stands of record on the books of the Corporation, is in full force and effect, and has not been modified or revoked in any manner whatsoever.

**NO CORPORATE SEAL.** The Corporation has no corporate seal, and therefore, no seal is affixed to this Resolution.

**CONTINUING VALIDITY.** Any and all acts authorized pursuant to this Resolution and performed prior to the passage of this Resolution are hereby ratified and approved. This Resolution shall be continuing, shall remain in full force and effect and Lender may rely on it until written notice of its revocation shall have been delivered to and received by Lender at Lender's address shown above (or such addresses as Lender may designate from time to time). Any such notice shall not affect any of the Corporation's agreements or commitments in effect at the time notice is given.

**IN TESTIMONY WHEREOF, we have hereunto set our hand and attest that the signature set opposite the name listed above is his or her genuine signature.**

**We each have read all the provisions of this Resolution, and we each personally and on behalf of the Corporation certify that all statements and representations made in this Resolution are true and correct. This Corporate Resolution to Borrow / Grant Collateral is dated April 29, 2020.**

**CERTIFIED TO AND ATTESTED BY:**

By:   
\_\_\_\_\_  
Authorized Signer for The Village Charter School,  
Inc.

NOTE: If the officer signing this Resolution is designated by the foregoing document as one of the officers authorized to act on the Corporation's behalf, it is advisable to have this Resolution signed by at least one non-authorized officer of the Corporation.



\*HLP0578\*

# PROMISSORY NOTE

Principal	Loan Date	Maturity	Loan No	Call / Coll	Account	Officer	Initials
\$345,467.94	04-29-2020	04-29-2022	2057516	9b2		TRA	

References in the boxes above are for Lender's use only and do not limit the applicability of this document to any particular loan or item.  
Any item above containing "\*\*\*\*\*" has been omitted due to text length limitations.

**Borrower:** The Village Charter School, Inc.  
1747 N Fairmeadow Dr  
Boise, ID 83704-7007

**Lender:** Columbia State Bank  
Community Financial Resources  
2820 Harrison Avenue NW  
Olympia, WA 98502

**Principal Amount: \$345,467.94**

**Interest Rate: 1.000%**

**Date of Note: April 29, 2020**

**PAYCHECK PROTECTION PROGRAM.** The loan evidenced by this Note is subject to the terms and conditions of the U. S. Small Business Administration Paycheck Protection Program ("PPP"), as authorized by the Coronavirus, Aid, Relief and Economic Security Act (CARES Act), Public Law 116 – 136, 134 Stat 281 (2020).

**PROMISE TO PAY.** The Village Charter School, Inc. ("Borrower") promises to pay to Columbia State Bank ("Lender"), or order, in lawful money of the United States of America, the principal amount of Three Hundred Forty-five Thousand Four Hundred Sixty-seven & 94/100 Dollars (\$345,467.94), together with interest on the unpaid principal balance from April 29, 2020, calculated as described in the "INTEREST CALCULATION METHOD" paragraph using an interest rate of 1.000%, until paid in full. The interest rate may change under the terms and conditions of the "INTEREST AFTER DEFAULT" section.

**PAYMENT.** Borrower will pay this loan in 18 payments of \$19,441.83 each payment. Borrower's first payment is due November 29, 2020, and all subsequent payments are due on the same day of each month after that. Borrower's final payment will be due on April 29, 2022, and will be for all principal and all accrued interest not yet paid. Payments include principal and interest. Unless otherwise agreed or required by applicable law, payments will be applied to the Borrower's obligations under this Note in such order as determined by Lender. Borrower will pay Lender at Lender's address shown above or at such other place as Lender may designate in writing.

**FORGIVENESS.** As provided in the PPP, Borrower may qualify for forgiveness of all or a portion of the principal and interest due under this Note. Upon approval of Borrower's request for forgiveness, Lender may re-amortize the remaining principal balance (the "Re-amortization"), if any, to an amount sufficient to fully amortize the unpaid principal and accrued interest over the remaining term of the Note. Such Re-amortization must be requested by Borrower in writing. No further modification of the Note will be required to memorialize the Re-amortization. The modified payment amount resulting from the Re-amortization will be reflected in Borrower's monthly payment statement. Borrower may also request a payment schedule from Lender reflecting the Re-amortization.

**INTEREST CALCULATION METHOD.** Interest on this Note is computed on a 365/365 simple interest basis; that is, by applying the ratio of the interest rate over the number of days in a year (365 for all years, including leap years), multiplied by the outstanding principal balance, multiplied by the actual number of days the principal balance is outstanding. All interest payable under this Note is computed using this method.

**PREPAYMENT.** Borrower may pay without penalty all or a portion of the amount owed earlier than it is due. Early payments will not, unless agreed to by Lender in writing, relieve Borrower of Borrower's obligation to continue to make payments under the payment schedule. Rather, early payments will reduce the principal balance due and may result in Borrower's making fewer payments. Borrower agrees not to send Lender payments marked "paid in full", "without recourse", or similar language. If Borrower sends such a payment, Lender may accept it without losing any of Lender's rights under this Note, and Borrower will remain obligated to pay any further amount owed to Lender. All written communications concerning disputed amounts, including any check or other payment instrument that indicates that the payment constitutes "payment in full" of the amount owed or that is tendered with other conditions or limitations or as full satisfaction of a disputed amount must be mailed or delivered to: COLUMBIA STATE BANK, P.O. Box 1757 TACOMA, WA 98401.

**LATE CHARGE.** If a payment is 10 days or more late, Borrower will be charged 5.000% of the regularly scheduled payment.

**INTEREST AFTER DEFAULT.** Upon default, including failure to pay upon final maturity, the total sum due under this Note will continue to accrue interest at the interest rate under this Note. If judgment is entered in connection with this Note, interest will continue to accrue after the date of judgment at the rate in effect at the time judgment is entered.

**DEFAULT.** Each of the following shall constitute an event of default ("Event of Default") under this Note:

**Payment Default.** Borrower fails to make any payment when due under this Note.

**Other Defaults.** Borrower fails to comply with or to perform any other term, obligation, covenant or condition contained in this Note or in any of the related documents or to comply with or to perform any term, obligation, covenant or condition contained in any other agreement between Lender and Borrower.

**False Statements.** Any warranty, representation or statement made or furnished to Lender by Borrower or on Borrower's behalf under this Note or the related documents is false or misleading in any material respect, either now or at the time made or furnished or becomes false or misleading at any time thereafter.

**Insolvency.** The dissolution or termination of Borrower's existence as a going business, the insolvency of Borrower, the appointment of a receiver for any part of Borrower's property, any assignment for the benefit of creditors, any type of creditor workout, or the commencement of any proceeding under any bankruptcy or insolvency laws by or against Borrower.

**Creditor or Forfeiture Proceedings.** Commencement of foreclosure or forfeiture proceedings, whether by judicial proceeding, self-help, repossession or any other method, by any creditor of Borrower or by any governmental agency against any collateral securing the loan. This includes a garnishment of any of Borrower's accounts, including deposit accounts, with Lender. However, this Event of Default shall not apply if there is a good faith dispute by Borrower as to the validity or reasonableness of the claim which is the basis of the creditor or forfeiture proceeding and if Borrower gives Lender written notice of the creditor or forfeiture proceeding and deposits with Lender monies or a surety bond for the creditor or forfeiture proceeding, in an amount determined by Lender, in its sole discretion, as being an adequate reserve or bond for the dispute.

**PROMISSORY NOTE  
(Continued)**

Loan No: 2057516

Page 2

**Events Affecting Guarantor.** Any of the preceding events occurs with respect to any guarantor, endorser, surety, or accommodation party of any of the indebtedness or any guarantor, endorser, surety, or accommodation party dies or becomes incompetent, or revokes or disputes the validity of, or liability under, any guaranty of the indebtedness evidenced by this Note.

**Change In Ownership.** Any change in ownership of twenty-five percent (25%) or more of the common stock of Borrower.

**Adverse Change.** A material adverse change occurs in Borrower's financial condition, or Lender believes the prospect of payment or performance of this Note is impaired.

**Insecurity.** Lender in good faith believes itself insecure.

**LENDER'S RIGHTS.** Upon default, Lender may declare the entire unpaid principal balance under this Note and all accrued unpaid interest immediately due, and then Borrower will pay that amount.

**ATTORNEYS' FEES; EXPENSES.** Lender may hire or pay someone else to help collect this Note if Borrower does not pay. Borrower will pay Lender that amount. This includes, subject to any limits under applicable law, Lender's attorneys' fees and Lender's legal expenses, whether or not there is a lawsuit, including attorneys' fees, expenses for bankruptcy proceedings (including efforts to modify or vacate any automatic stay or injunction), and appeals. If not prohibited by applicable law, Borrower also will pay any court costs, in addition to all other sums provided by law.

**JURY WAIVER.** Lender and Borrower hereby waive the right to any jury trial in any action, proceeding, or counterclaim brought by either Lender or Borrower against the other.

**WHEN FEDERAL LAW APPLIES.** When SBA is the holder, this Note will be interpreted and enforced under federal law, including SBA regulations. Lender or SBA may use state or local procedures for filing papers, recording documents, giving notice, foreclosing liens, and other purposes. By using such procedures, SBA does not waive any federal immunity from state or local control, penalty, tax, or liability. As to this Note, Borrower may not claim or assert against SBA any local or state law to deny any obligation, defeat any claim of SBA, or preempt federal law.

**CHOICE OF VENUE.** If there is a lawsuit, Borrower agrees upon Lender's request to submit to the jurisdiction of the courts of Thurston County, State of Washington.

**DISHONORED ITEM FEE.** Borrower will pay a fee to Lender of \$20.00 if Borrower makes a payment on Borrower's loan and the check or preauthorized charge with which Borrower pays is later dishonored.

**RIGHT OF SETOFF.** To the extent permitted by applicable law, Lender reserves a right of setoff in all Borrower's accounts with Lender (whether checking, savings, or some other account). This includes all accounts Borrower holds jointly with someone else and all accounts Borrower may open in the future. However, this does not include any IRA or Keogh accounts, or any trust accounts for which setoff would be prohibited by law. Borrower authorizes Lender, to the extent permitted by applicable law, to charge or setoff all sums owing on the debt against any and all such accounts.

**COLLATERAL.** This loan is unsecured.

**FURTHER ASSURANCES.** In the event that the SBA or the U.S. Department of Treasury modify the guidelines, rules or other terms of the PPP after the Loan Date, Lender may require that Borrower execute additional documentation to conform to such modification. Borrower shall execute and deliver to Lender any such additional documentation within ten (10) calendar days of Lender's request to Borrower.

**CONSENT TO ASSIGNMENT OR SALE.** Borrower agrees and consents to Lender's sale, transfer or assignment, whether now or later, of one or more of its interests in this Note and the Loan evidenced hereby to one or more purchasers or assignees, whether related or unrelated to Lender. Lender may provide, without any limitation whatsoever, to any one or more purchasers, or potential purchasers, any information or knowledge Lender may have about Borrower or about any other matter relating to this Note and the Loan evidenced hereby, and Borrower hereby waives any rights to privacy Borrower may have with respect to such matters. Borrower additionally waives any and all notices of sale or assignment of its interests, as well as all notices of any repurchase or reassignment of such interests. Borrower further waives all rights of offset or counterclaim that it may have now or later against Lender against any purchaser or assignee and unconditionally agrees that either Lender or such purchaser or assignee may enforce Borrower's obligation under this Note and the Loan evidenced hereby irrespective of the failure or insolvency of any holder of any interest in this Note and the Loan evidenced hereby. Borrower further agrees that the purchaser or assignee of any such interests may enforce its interests irrespective of any personal claims or defense that Borrower may have against Lender.

**SUCCESSOR INTERESTS.** The terms of this Note shall be binding upon Borrower, and upon Borrower's heirs, personal representatives, successors and assigns, and shall inure to the benefit of Lender and its successors and assigns.

**WASHINGTON NOTICE. ORAL AGREEMENTS OR ORAL COMMITMENTS TO LOAN MONEY, EXTEND CREDIT, OR TO FORBEAR FROM ENFORCING REPAYMENT OF A DEBT ARE NOT ENFORCEABLE UNDER WASHINGTON LAW.**

**AUTHORITY TO EXECUTE.** The undersigned individual(s) hereby represent and warrant that this Note has been duly authorized, executed, and delivered by and on behalf of the Borrower and constitutes the Borrower's valid and binding agreement.

**GENERAL PROVISIONS.** If any part of this Note cannot be enforced, this fact will not affect the rest of the Note. Lender may delay or forgo enforcing any of its rights or remedies under this Note without losing them. Borrower and any other person who signs, guarantees or endorses this Note, to the extent allowed by law, waive presentment, demand for payment, and notice of dishonor. Upon any change in the terms of this Note, and unless otherwise expressly stated in writing, no party who signs this Note, whether as maker, guarantor, accommodation maker or endorser, shall be released from liability. All such parties agree that Lender may renew or extend (repeatedly and for any length of time) this loan or release any party or guarantor or collateral; or impair, fail to realize upon or perfect Lender's security interest in the collateral; and take any other action deemed necessary by Lender without the consent of or notice to anyone. All such parties also agree that Lender may modify this loan without the consent of or notice to anyone other than the party with whom the modification is made. The obligations under this Note are joint and several.

**PROMISSORY NOTE  
(Continued)**

Loan No: 2057516

Page 3

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PRIOR TO SIGNING THIS NOTE, BORROWER READ AND UNDERSTOOD ALL THE PROVISIONS OF THIS NOTE. BORROWER AGREES TO THE TERMS OF THE NOTE.

BORROWER ACKNOWLEDGES RECEIPT OF A COMPLETED COPY OF THIS PROMISSORY NOTE.

BORROWER:

THE VILLAGE CHARTER SCHOOL, INC.

By: 

\_\_\_\_\_  
Rachael Smith, Vice-Chairwoman of The Village  
Charter School, Inc.



\*HLP0586\*

## DISBURSEMENT REQUEST AND AUTHORIZATION

Principal	Loan Date	Maturity	Loan No	Call / Coll	Account	Officer	Initials
\$345,467.94	04-29-2020	04-29-2022	2057516	9b2		TRA	

References in the boxes above are for Lender's use only and do not limit the applicability of this document to any particular loan or item.  
Any item above containing "\*\*\*\*\*" has been omitted due to text length limitations.

**Borrower:** The Village Charter School, Inc.  
1747 N Fairmeadow Dr  
Boise, ID 83704-7007

**Lender:** Columbia State Bank  
Community Financial Resources  
2820 Harrison Avenue NW  
Olympia, WA 98502

**LOAN TYPE.** This is a Fixed Rate (1.000%) Nondisclosable SBAExpress Loan to a Corporation for \$345,467.94 due on April 29, 2022.

**PRIMARY PURPOSE OF LOAN.** The primary purpose of this loan is for:

Personal, Family, or Household Purposes or Personal Investment.

Business (Including Real Estate Investment).

**SPECIFIC PURPOSE.** The specific purpose of this loan is: Fund applicable expenses as outlined in the SBA Paycheck Protection Program rules.

**DISBURSEMENT INSTRUCTIONS.** Borrower understands that no loan proceeds will be disbursed until all of Lender's conditions for making the loan have been satisfied. Please disburse the loan proceeds of \$345,467.94 as follows:

<b>Other Disbursements:</b>	\$345,467.94
\$345,467.94 Loan Proceeds	\$345,467.94

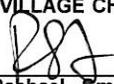
<b>Note Principal:</b>	\$345,467.94
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**USE OF PROCEEDS.** Borrower covenants and agrees that Borrower shall use the Loan Proceeds described above in compliance with the requirements of the PPP, as such term is defined in the Note.

**FINANCIAL CONDITION.** BY SIGNING THIS AUTHORIZATION, BORROWER REPRESENTS AND WARRANTS TO LENDER THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND CORRECT AND THAT THERE HAS BEEN NO MATERIAL ADVERSE CHANGE IN BORROWER'S FINANCIAL CONDITION AS DISCLOSED IN BORROWER'S MOST RECENT FINANCIAL STATEMENT TO LENDER. THIS AUTHORIZATION IS DATED APRIL 29, 2020.

**BORROWER:**

THE VILLAGE CHARTER SCHOOL, INC.

By:   
Raphael Smith, Vice-Chairwoman of The Village  
Charter School, Inc.



\*HLP0582\*

### BOARDING DATA SHEET

<b>Principal</b> <b>\$345,467.94</b>	<b>Loan Date</b> <b>04-29-2020</b>	<b>Maturity</b> <b>04-29-2022</b>	<b>Loan No</b> <b>2057516</b>	<b>Call / Coll</b> <b>9b2</b>	<b>Account</b>	<b>Officer</b> <b>TRA</b>	<b>Initials</b>
References in the boxes above are for Lender's use only and do not limit the applicability of this document to any particular loan or item. Any item above containing "*****" has been omitted due to text length limitations.							

**Borrower:** The Village Charter School, Inc.  
1747 N Fairmeadow Dr  
Boise, ID 83704-7007

**Lender:** Columbia State Bank  
Community Financial Resources  
2820 Harrison Avenue NW  
Olympia, WA 98502

#### CUSTOMER DATA SUMMARY

**The Village Charter School, Inc.**  
Street Address: 1747 N Fairmeadow Dr  
Mailing Address:  
Primary Phone:  
Work Phone: (000) 000-0000

**27-0716284** Corporation  
**Boise** ID **83704-7007**  
Ext:  
Ext:

**Borrower**  
County:  
County:  
Cust #:  
Phone:  
NAICS: **611110**

Resolution: **New Resolution**

**Officer of The Village Charter School, Inc.:**

Title: **Vice-Chairwoman**

**Rachael Smith**  
Street Address: 6122 N Booth Ave  
Mailing Address:  
Primary Phone:  
Work Phone: (000) 000-0000

**528-45-9025** Individual  
**Meridian** ID **83646**  
Ext:  
Ext:

**Officer**  
County:  
County:  
Cust #: **Smith Rachael**  
Phone:  
Birthday: **07-02-1982**

Instructions:  
Instructions:

#### BENEFICIAL OWNER(S)

Borrower: **The Village Charter School, Inc.**

Natural Person Opening Account:

<u>Owner Name</u>	<u>Ownership %</u>	<u>DOB</u>	<u>Address</u>	<u>US Person</u>	<u>SSN</u>	<u>ID</u>
<u>Controller Name/Title</u>		<u>DOB</u>	<u>Address</u>	<u>US Person</u>	<u>SSN</u>	<u>ID</u>

LEI:

#### TRANSACTION SUMMARY

Transaction No.: **10107051**  
Product Category: **Commercial - Closed End**  
Loan Policy: **Commercial**

Product Description: **SBA - Express Term Loan**  
Purpose: **Loan is not for Personal, Family, Household Purposes or Personal Investment Purposes.**  
Specific Loan Purpose: **Fund applicable expenses as outlined in the SBA Paycheck Protection Program rules**

#### CLASSIFICATION DATA

Universal Loan Identifier:  
Application No:  
Application Date:  
Loan No: **2057516**  
Loan Date: **04-29-2020**  
Officer: **TRA Randall, Thomas**  
Processor No: **Mann, Faith**  
Collateral Code:  
Charge Code:  
Call Code: **9b2**  
Brand Code:  
DSC Ratio:

Branch: **6236 Community Financial Resources**  
Dept:  
Division:  
Region:  
Loan Type: **26 - SBA Payment Protection Program**  
Loan Class: **New Loan**  
Purpose Code:  
Class Code:  
Category Code:  
Coll Prop Type:  
Loan to Value:

Employee Loan: **No**  
Restricted Access: **No**  
Reg O Loan: **No**  
Comments:  
Portfolio Code:  
Host System:  
Real Estate Cd:  
Dec. Officer: **JBR - Paulson, Jennifer**  
Risk Rating:

#### CRA DATA

Loan Type: **01-Small business**  
Loan Number: **2057516**  
Loan Amount:  
Action Taken: **1-Loan originated**  
Action Taken Date:

Business/Farm Gross Annual Revenue: **2-Greater than \$1 million**  
Affiliate: **1-Loan origination / purchase by the institution**  
Loan Address: **1747 N Fairmeadow Dr**  
Loan City: **Boise**  
Loan State: **ID**

MSA No:  
 State Code:  
 County Code:  
 Census Tract:  
 geography/distressed/underserved geography/disaster area.

Loan Zip: **83704-7007**  
 Loan County:  
 Income in Thousands:  
 CRA Account Type: **04 - Revitalization & Stabilization of LMI**

**PAYMENT DATA**

INSTALLMENT LOAN  
(Fixed Rate)

	Financed	In Cash
AMOUNT REQUESTED:	<b>\$345,467.94</b>	
PREPAID FINANCE CHARGES:	<b>0.00</b>	
SECURITY INTEREST CHARGES:	<b>0.00</b>	
NOTE AMOUNT:	<b>\$345,467.94</b>	<b>\$0.00</b>
DISBURSEMENTS:		
Other:	Loan Proceeds	<b>\$345,467.94</b>

PAYMENT CALCULATION:  
 No. of Pmts      Amount      Due  
                   18      \$19,441.83      Monthly beginning 11-29-2020

Disbursement Date:      **04-29-2020**  
 Due Date:                    **04-29-2022**

INTEREST RATE SELECTION:  
 Interest Method:                    365/365

Interest Rate:                        1.000

<b>APR 1.000%</b>	<b>FINANCE CHARGE \$4,485.00</b>	<b>AMOUNT FINANCED \$345,467.94</b>	<b>TOTAL OF PAYMENTS \$349,952.94</b>
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**ADDITIONAL PROVISIONS**

**BOARDING COMMENTS.**

Custom Lender Deal Number: 38031  
 Auto Pay Overdraw (Y/N): N  
 Costing Fee Code: 27  
 Costing Fee Amount: \$2,921.16  
 Loan Fee Code: 57  
 Loan Fee Amount: \$17,273.40  
 Risk Rating: 4  
 Collateral File Location: 7 = Eugene  
 Secondary Ind. Code: N  
 SBA Loan #: 32200173-08  
 Call Code: 9b2.



Blackfoot Charter Community Learning Center Middle School  
1350 Parkway Dr. STE #30  
Blackfoot, ID 83221  
Blackfoot Charter Middle School - (208)785-0381 Fax: (208)782-1330  
Blackfoot Charter Elementary – (208)782-0744 Fax: (208)782-1330

May 28, 2020

Idaho Public Charter School Commission  
304 North 8<sup>th</sup> St., Suite 242  
Boise, ID 83702

Dear Idaho PCSC Commissioners,

We are writing to address the fiscal concerns that the Idaho PCSC Commissioners have regarding Blackfoot Charter Community Learning Center. Many difficult decisions were made during the current fiscal year to ensure that BCCLC would end this fiscal year on solid ground in preparation for the upcoming 2020-2021 fiscal year. We appreciate your time and attention to this matter.

Enrollment projections were made prior to the 2019-2020 school year in order to prepare our operating budget. Unfortunately, our enrollment was less than projected which necessitated the Board and Administration of BCCLC to make some difficult, but needed, decisions to remain fiscally sound. Our Board and Administration immediately froze spending and lowered the dollar amounts for purchases requiring Board Chair and Board approval. Additionally, our Administration began the difficult process of completing a Reduction in Force (RIF). This process aided BCCLC in locating areas where excess could be reduced, in addition BCCLC worked to consolidate processes, some classes, and identified any other areas where cuts were necessary or beneficial to our budgetary stability. BCCLC's RIF was completed in December of 2019. The RIF process saw BCCLC reduce certificated and certified staff by 10 positions. While this was a very difficult and stressful process, our Board and Administration felt that it was critical to ensure that our expenditures did not outpace our funding and budgetary models. The subsequent months saw BCCLC's budget fall in line with our current enrollment and allowed us to finish our current fiscal year in positive territory.

Many difficult decisions were made during the current school/fiscal year to ensure that BCCLC would end the year in a strong financial position. BCCLC kept the PCSC updated along the way. While the BCCLC Board of Directors and Administration understand that the Idaho PCSC Commissioners' role is to ensure that the charters that they oversee are governed in a fair and responsible manner, BCCLC felt it important to address the concerns of the Commission. We thank you for your time and understanding as we continue our path forward into a new era of fiscal and academic accountability and transparency for our constituents.

Sincerely,

Candra Risa, Board Chair  
Craig Gerard, Interim Chief Administrator





**SUBJECT**

Pathways In Education – Idaho Falls New Charter School Petition  
Notice of Withdrawn Petition

**APPLICABLE STATUTE, RULE, OR POLICY**

Idaho Code § 33-5205  
IDAPA 08.02.04

**BACKGROUND**

Pathways In Education – Idaho Falls (PIE-IF) is a proposed new public charter school to be located in Idaho Falls, Idaho. The proposed school would offer an education program to at-risk students through a blended learning model and serve up to 300 students in grades 9-12.

**DISCUSSION**

Pathways in Education – Idaho Falls submitted a petition for a new public charter school in March. Pursuant to I.C. § 33-5205(4) PCSC staff provided commissioners and petitioners with a written recommendation regarding the potential approval of the petition on 6/4/2020. Subsequently, the petitioners withdrew their petition from consideration.

The meeting agenda and meeting materials were amended on 6/5/2020 to reflect that this is no longer an action item.

**IMPACT**

Information Item Only.

**STAFF COMMENTS AND RECOMMENDATIONS**

No comments or recommendations.

**COMMISSION ACTION**

N/A

**SUBJECT**

Renewal Committee Recommendations Regarding Revisions to the Academic Section of the Performance Framework

**APPLICABLE STATUTE, RULE, OR POLICY**

Idaho Code § 33-5209(A)

**BACKGROUND**

In October 2019, the PCSC tasked the Renewal Committee with the exploration of opportunities for increasing performance framework flexibility. The committee was directed to form recommendations to the PCSC regarding a model for ensuring that all schools have the opportunity to be evaluated using fair and meaningful performance framework standards.

After conducting significant research and gathering feedback from stakeholders throughout the process, the Renewal Committee is prepared to make a final recommendation of revisions to the Academic Section of the Performance Framework.

**DISCUSSION**

Director Thompson will present the Renewal Committee's recommendations for revisions to the academic section of the performance framework as a first read. The recommendations will then remain open for public comment until the regularly scheduled August meeting. In August, the PCSC will consider these revisions for adoption.

**IMPACT**

Information item only.

**STAFF COMMENTS AND RECOMMENDATIONS**

Staff has no comments or recommendations.

**COMMISSION ACTION**

Any action is at the discretion of the Commission.

## Renewal Committee Recommendations Regarding the Framework Flexibilities Project – Academic Section

### Recommendations that Apply to all Measures in the Academic Section

#### 1. Rating System

The Renewal Committee recommends that the Commission adopt a single rating system to apply to all measures in the academic section of the Performance Framework. The proposed rating system includes four ratings: exceeds standard, meets standard, approaches standard, and does not meet standard.

#### 2. Scorecard Focus

The Renewal Committee recommends that the Commission revise its annual report scorecard to reflect the proposed rating system (recommendation 1) and cease both assigning point values to individual measures and aggregating those point values into a single score. This proposed revision would result in a scorecard that shows each academic outcome and the associated rating, rather than a scorecard that shows the name of the measure and the point value.

### Recommendations For Revising Existing Rubrics

#### 3. Proficiency Rubric

The Renewal Committee recommends the Commission adopt the revised proficiency rubric as presented on slide 12 of the included slide deck. This revision maintains the average proficiency rate of the comparison group as the minimum score of the “meets standard” rating, allows for customization of the comparison group, and establishes both a ceiling and a floor. It also uses a standard deviation to determine an equitable break-point between meets standard and exceeds standard and between approaches standard and does not meet standard.

#### 4. Growth Rubric

The Renewal Committee recommends the Commission adopt the revised growth rubric as presented on slide 15 of the included slide deck. This revision removes the previous double-weighting of proficient students in the PCSC’s growth measure and provides for two paths to “meets standard”. The revision applies the average proficiency rate of the comparison group as the minimum score of the “meets standard” rating and uses standard deviation to determine an equitable break-point between meets standard and exceeds standard and between approaches standard and does not meet standard.

#### 5. College and Career Readiness Rubric

The Renewal Committee recommends the Commission adopt the revised college and career readiness rubric as presented on slide 18 of the included slide deck. This revision applies the average of the comparison group as the minimum score of the “meets standard” rating and uses standard deviation to determine an equitable break-point between meets standard and exceeds standard and between approaches standard and does not meet standard.

## Recommendations to Adopt New Measures

### 6. Literacy Rubric

The Renewal Committee recommends the Commission adopt the new literacy proficiency measure for all schools serving students in grades K-3 as presented on slide 22 of the included slide deck. This measure applies the average proficiency rate of the comparison group as the minimum score of the “meets standard” rating. It also includes a second path to “meets standard” based on exceptionally high changes in proficiency from fall to spring administration of the assessment.

### 7. Alternative Schools Proficiency Rubric

The Renewal Committee recommends the Commission adopt an additional proficiency measure to apply only to alternative schools. This measure, presented on slide 24 of the included slide deck, is intended to be used in addition to the standard proficiency measure. The inclusion of this measure acknowledges that students who were enrolled in an alternative school for the whole year may still not perform well on a single assessment; therefore, looking beyond the standard measure is necessary. This measure considers whether students who were enrolled for the whole year demonstrated mastery in a year’s worth of standards in both English Language Arts and Mathematics.

### 8. Alternative Schools Growth Rubric

The Renewal Committee recommends the Commission adopt an additional growth measure to apply only to alternative schools. This measure, presented on slide 25 of the included slide deck, is intended to be used in addition to the standard growth measure. The inclusion of this measure acknowledges that the traditional growth measure will only reflect a small number of students in grades 6-8. This measure focuses on students in grades 9-12 who were not enrolled for the whole school year. It considers whether the alternative school is effectively able to help students close the gap between the number of credits a student has when he/she enrolls at the school and the number of credits he/she needs to graduate. For example, if a student is enrolled for half of a school year, he/she should be able to complete at least one-eighth of the credits required for graduation.

### 9. Alternative Schools College and Career Readiness Rubric

The Renewal Committee recommends the Commission adopt an additional college and career readiness measure to apply only to alternative schools. This measure is presented on slide 26 of the included slide deck and is intended to be used in addition to the standard college and career readiness measure. This measure acknowledges that alternative schools have high rates of student mobility, and that the traditional adjusted cohort graduation rate (ACGR) does not account for students who enroll at a school only at the end of their high school journey. The standard measure also does not capture students who were enrolled for only a part of the year. This measure considers whether the alternative school is effectively moving students through graduation if the student is enrolled for less than a whole year, but has the potential to achieve graduation during the time they are enrolled at the school. For example, a student who enrolls in January and achieves graduation while enrolled at the school would not be counted as a graduate in the standard measure, but would be counted as a graduate in this measure.

# PCSC Performance Framework

## Recommended Revisions

IDAHO PUBLIC CHARTER SCHOOL COMMISSION

# Recommendations

- ▶ Recommendations that apply to all measures in the academic section
  1. Rating system
  2. Scorecard focus
  
- ▶ Recommendations that apply to individual rubrics that already exist
  3. Proficiency
  4. Growth
  5. College and Career Readiness
  
- ▶ Recommendations to adopt new measures
  6. Literacy (all schools serving K-3)
  7. Alternative schools measure to augment proficiency
  8. Alternative school measure to augment growth
  9. Alternative school measure to augment and graduation rate

# Early Identified Problems

- ▶ 1) Alignment: PCSC Framework and Idaho Accountability Framework.
- ▶ 2) Growth: PCSC growth measure double weights a school's proficiency score.
- ▶ 3) Source Data: the PCSC chosen methodology does not provide schools the ability to recreate the calculations.
- ▶ 4) Mission-Specific Goals: Using mission specific goals is not currently desirable because of reporting burden, trust levels, or perceived need.

# Section-Wide Recommendations

Rating System and Scorecard Focus

# 1 - Use a single rating scale for all rubrics and the scorecard

**ISSUE**  
multiple rating systems send an unclear message.



Is this a failure or does yellow mean “caution”? Will there be a remediation strategy?



What is the *actionable* difference between “does not meet” and “falls far below”?



Currently in Use	
Rubric Ratings	Scorecard Designation
Exceeds Standard	Honor
Meets Standard	Good Standing
Does Not Meet Standard	Remediation
Falls Far Below Standard	Critical

Proposed
Rubric Ratings
Exceeds Standard
Meets Standard
Approaches Standard
Does Not Meet Standard

**SOLUTION**  
A single rating scale directly connected to potential actions.

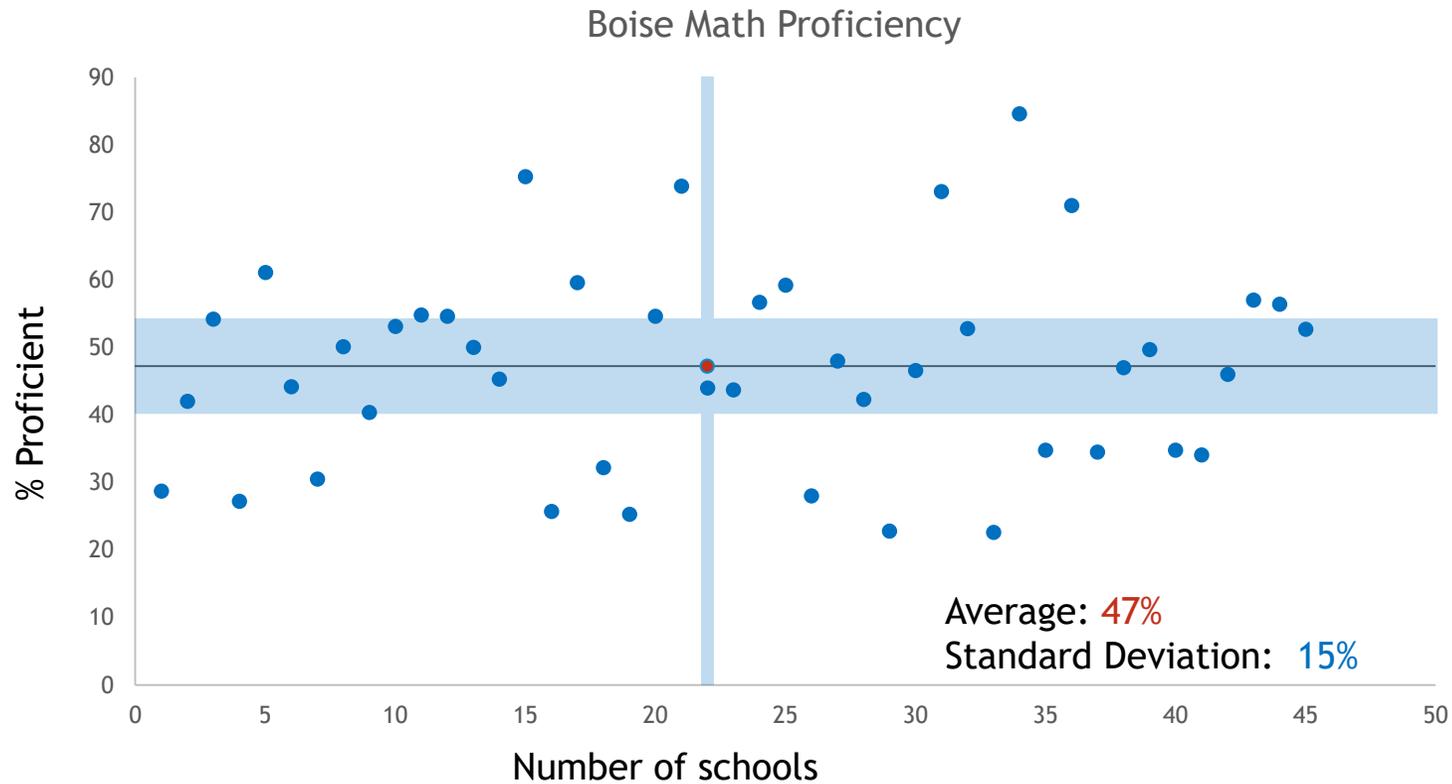
← Renewal, w/o app.

← Renewal, w/ app.

← Conditional renewal

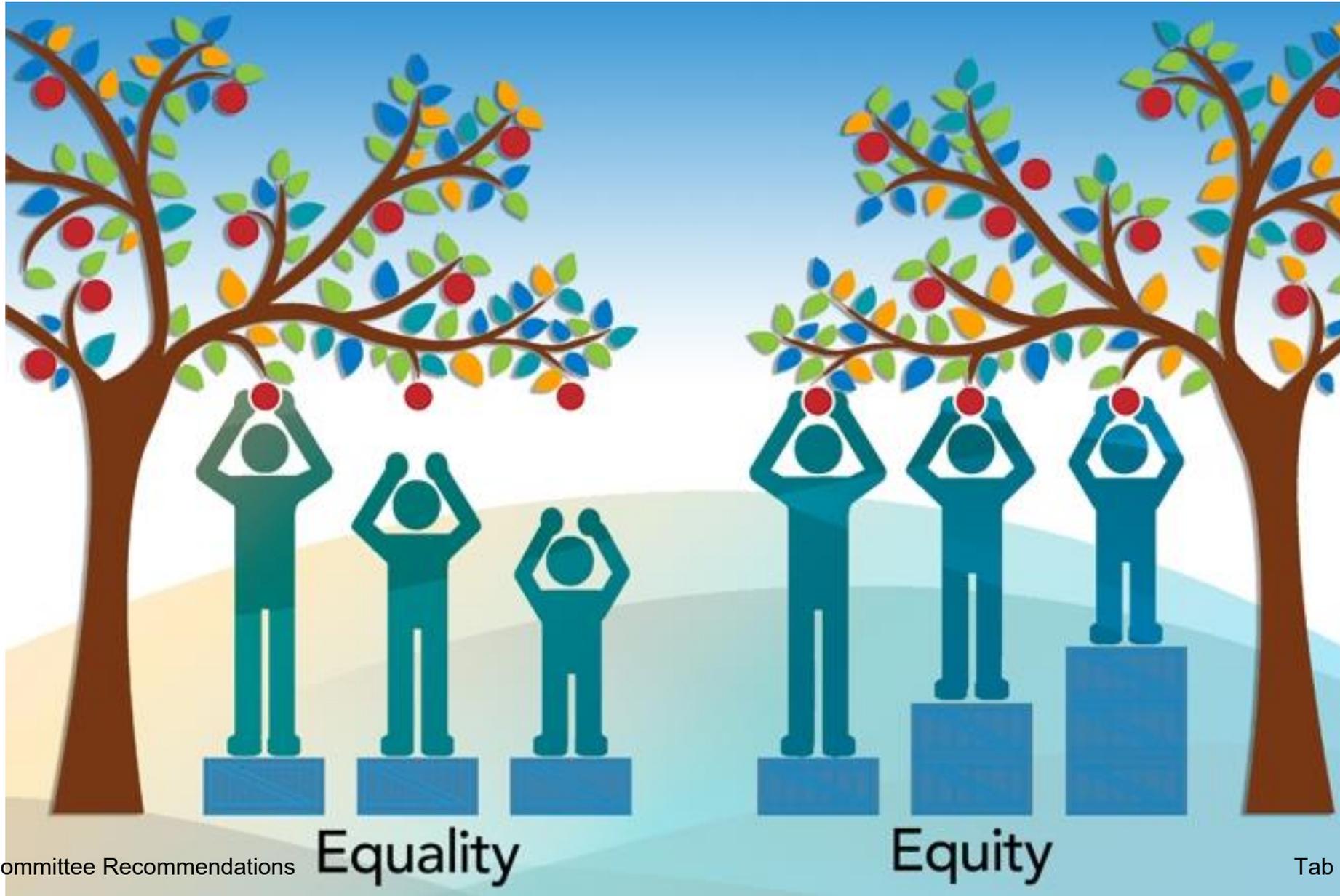
← Possible non-renewal

# Single Rating Scale at the Rubric Level



Rating	Standard Deviation
Exceeds	63%-100%
Meets	47%-62%
Approaches	32%-46%
Does Not Meet	0%-31%

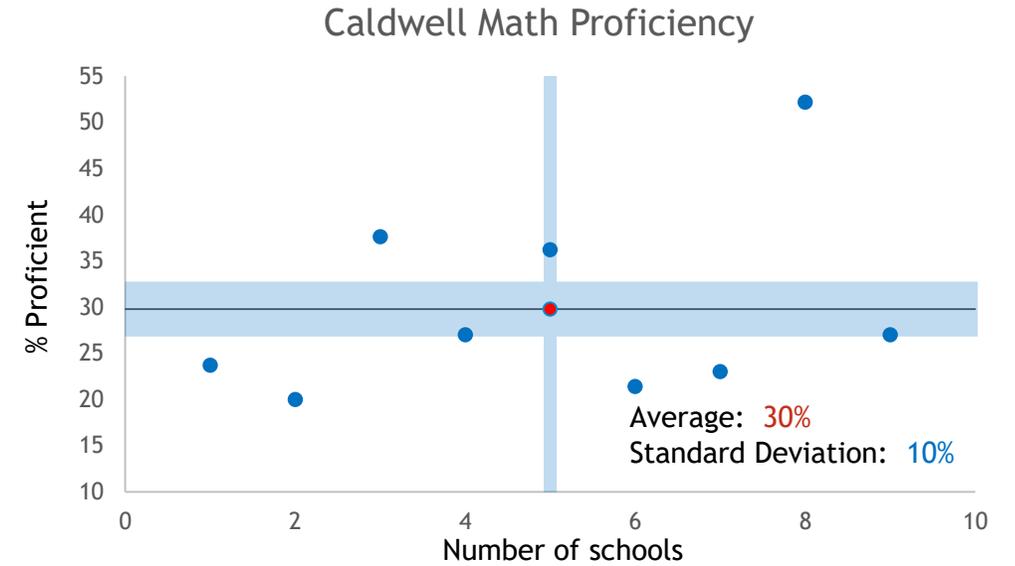
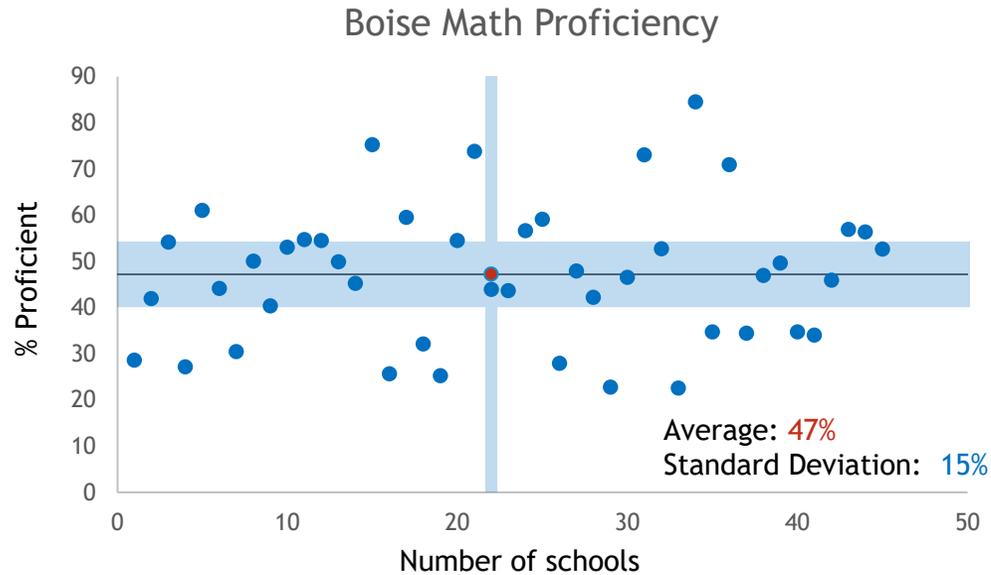
# Why Use a Standard Deviation?



Equality

Equity

# Why Use a Standard Deviation?



Rating	Standard Deviation	Current
Exceeds	63%-100%	63%-100%
Meets	47%-62%	47%-62%
Approaches	32%-46%	32%-46%
Does Not Meet	0%-31%	0%-31%

Rating	Standard Deviation	Current
Exceeds	40%-100%	46%-100%
Meets	30%-39%	30%-45%
Approaches	20%-29%	15%-29%
Does Not Meet	0%-19%	0%-14%

# 2 - Rather than focusing on # of points earned . . .

ACADEMIC	Measure	Points Possible	Points Earned						
		K-8	K-8	9-12	9-12	K-12	K-12	Alternative	Alternative
State Proficiency Comparison	1a	50	0	50	0	50	50		
	1b	50	0	50	0	50	50		
District Proficiency Comparison	2a	50	0	50	0	50	50	50	
	2b	50	0	50	0	50	45	50	
Criterion-Referenced Growth	3a	100	0			50	35		
	3b	100	0			50	41		
Norm-Referenced Growth	4a			100	0	50	Masked	50	
	4b								
Post-Secondary Readiness	5a								
Total Academic Points		400	0						
% of Academic Points			0%						

ACCOUNTABILITY DESIGNATION	Range (% of Points Possible)	Academic Gen Ed Outcome
Honor	75% - 100%	90%
Good Standing	55% - 74%	
Remediation	31% - 54%	
Critical	0% - 30%	

School outcomes will be evaluated in light of contextual information.

# . . . Focus on academic data by removing the summary layer.

<u>Academic Achievement</u>			
Math Proficiency	25%	Approaches	Yellow
ELA Proficiency	78%	Exceeds	Blue
Literacy Proficiency	80%	Exceeds	Blue
ELA Growth	72%	Meets Standard	Green
Math Growth	55%	Meets Standard	Green
4-Year Graduation Rate	83%	Exceeds	Blue

Renewal decisions would be made based on performance outcomes, not on the number of points earned.

# Existing Rubric Revisions

Academic Framework Measures

# 3 - PCSC Math and ELA Proficiency Standard

Math and ELA Proficiency Rubric	
Exceeds Standard	The school's proficiency rate is greater than one standard deviation above the mean of the <b>identified comparison group</b> , or the school's proficiency average is in 90 <sup>th</sup> percentile of all Idaho schools.
Meets Standard	The school's proficiency rate is equal to the mean or falls between the mean and one standard deviation above the mean of the <b>identified comparison group</b> .
Approaches Standard	The school's proficiency rate falls between the mean and one standard deviation below the mean of the <b>identified comparison group</b> .
Does Not Meet Standard	The school's proficiency rate is less than one standard deviation below the mean of the <b>identified comparison group</b> , OR the school has been identified for comprehensive or targeted support for three consecutive years as per the Idaho Consolidated Plan.

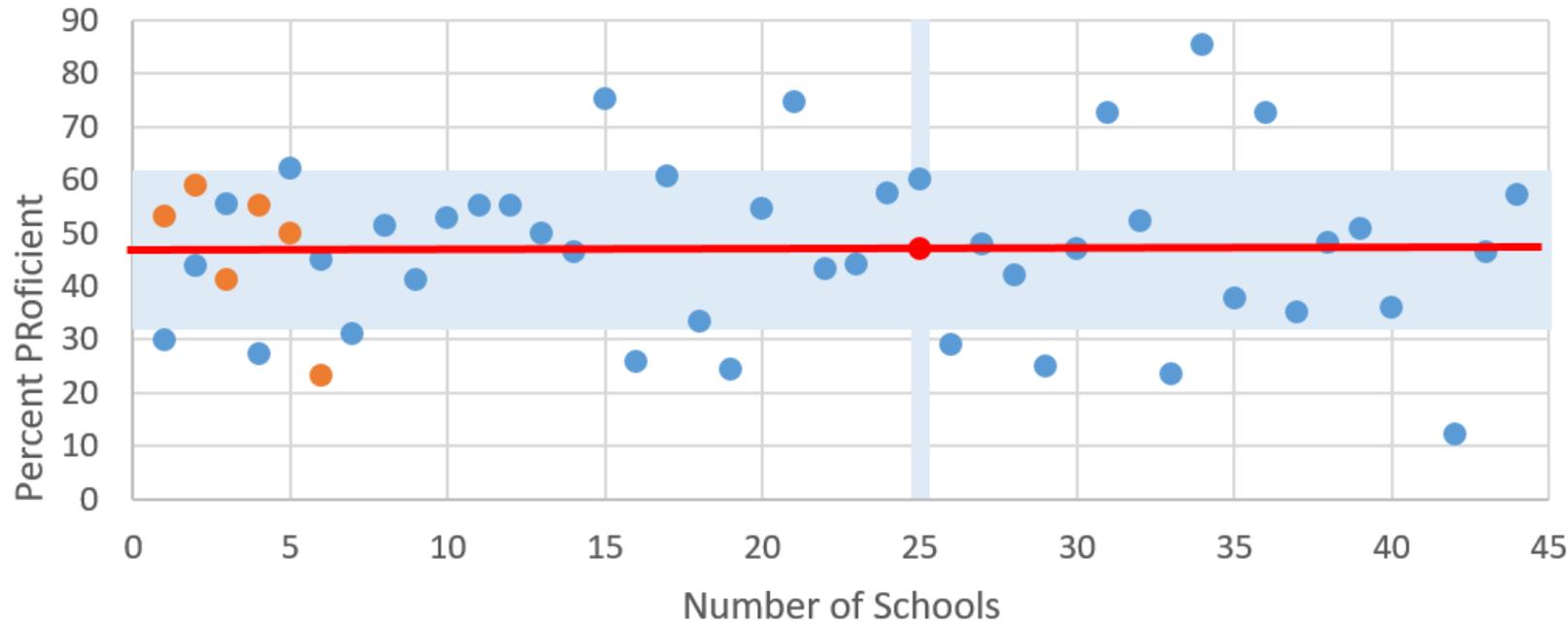
## Identified Comparison Group Options:

- All schools in the traditional district in which the school is located as reported on the Idaho Report Card.
- A custom group of individual schools from across Idaho that have similar demographic attributes to the charter school.
- All alternative schools.

**Proficiency Rate:** the PCSC will use the proficiency rates as reported via the [Idaho Accountability Framework](#).

- Boise District Schools
- PCSC Charter Schools
- Comparison Group Average

## Boise District Math Proficiency



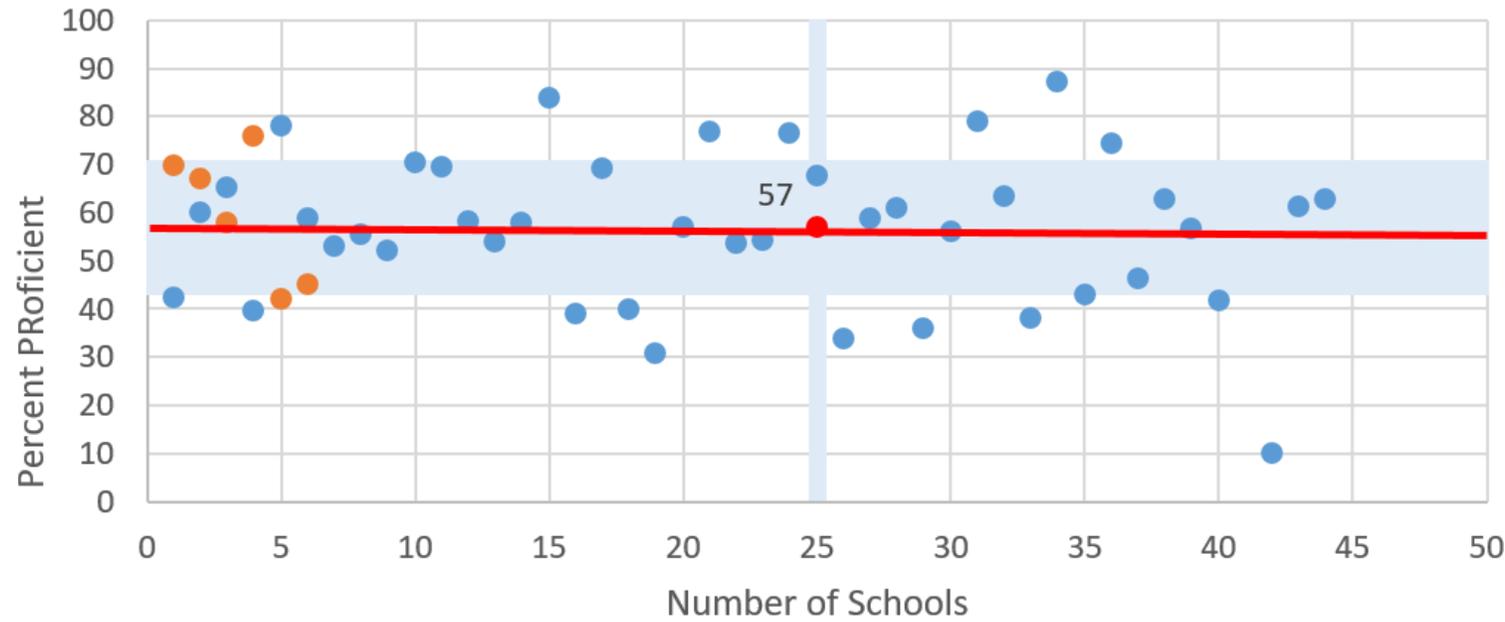
Average: 47%

Standard Deviation: 15

78% - 100%	Exceeds Standard
63% - 77%	Meets Standard
47% - 62%	Approaches Standard
0% - 46%	Does Not Meet Standard

- Boise District Schools
- PCSC Charter Schools
- Comparison Group Average

### Boise District ELA Proficiency



Average: 56%

Standard Deviation: 13

70% - 100%	Exceeds Standard
56% - 69%	Meets Standard
43% - 55%	Approaches Standard
0% - 42%	Does Not Meet Standard

# 4 - PCSC ELA and Math Growth Rubric

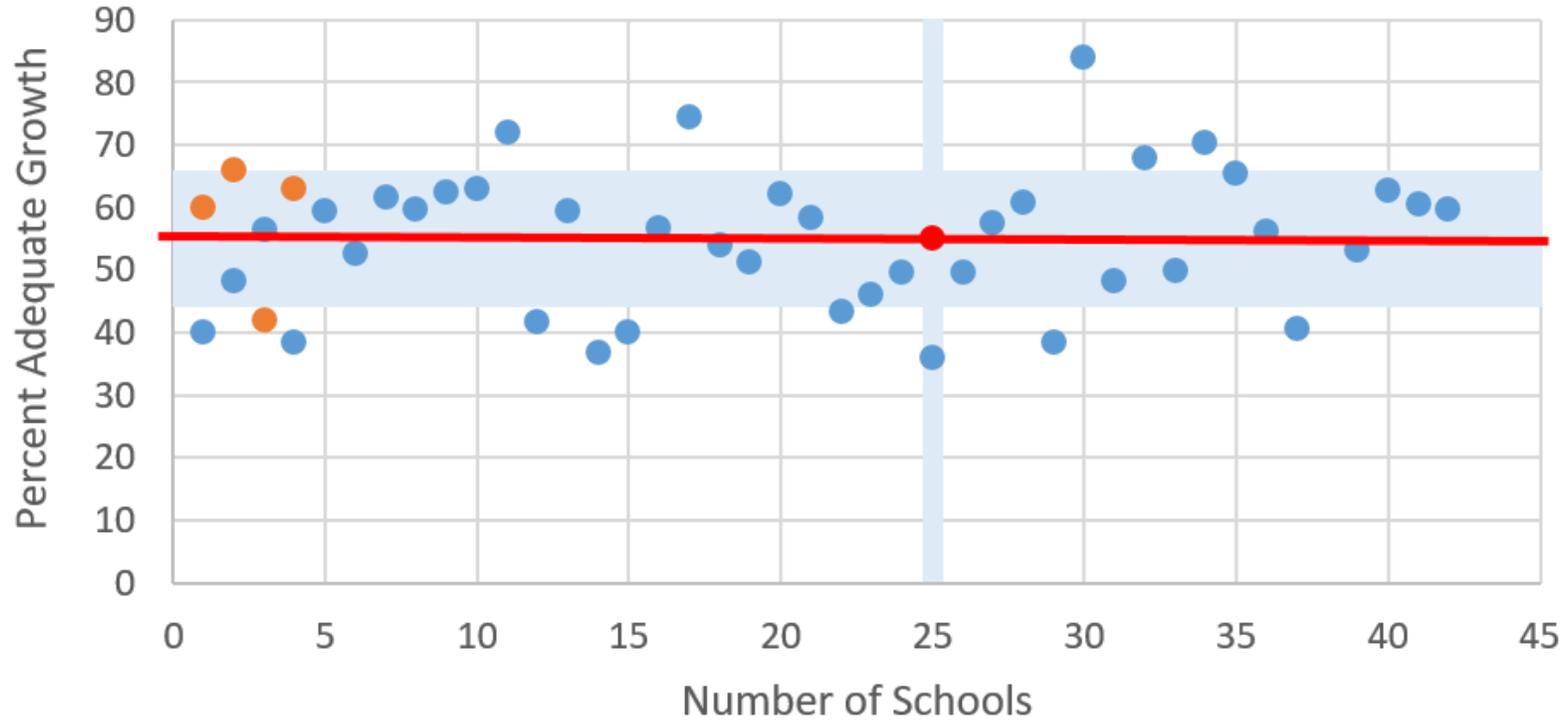
## Growth Rubric ELA

Exceeds Standard	The percentage of students in grades 3-8 who did not achieve proficiency on the current year's assessment but who did make adequate growth toward proficiency is greater than one standard deviation above the mean of the <a href="#">identified comparison group</a> , OR the school's growth rate is in the 90 <sup>th</sup> percentile of all Idaho public schools.
Meets Standard	The percentage of students in grades 3-8 who did not achieve proficiency on the current year's assessment made adequate growth toward proficiency is equal to the mean or falls between the mean and one standard deviation above the mean of the <a href="#">identified comparison group</a> , OR the growth rate increased by at least 10% over the previous year.
Approaches Standard	50%-69% of the students in grades 3-8 who did not achieve proficiency on the current year's assessment made adequate growth toward proficiency falls between the mean and one standard deviation below the mean of the <a href="#">identified comparison group</a> .
Does Not Meet Standard	The percentage of students in grades 3-8 who did not achieve proficiency on the current year's assessment made adequate growth toward proficiency is more than one standard deviation below the mean of the <a href="#">identified comparison group</a> .

**Growth Rate:** the PCSC will use the growth rate as reported via the [Idaho Accountability Framework](#).

- Boise District Schools
- PCSC Charter Schools
- Comparison Group Average

## Boise District Math Growth



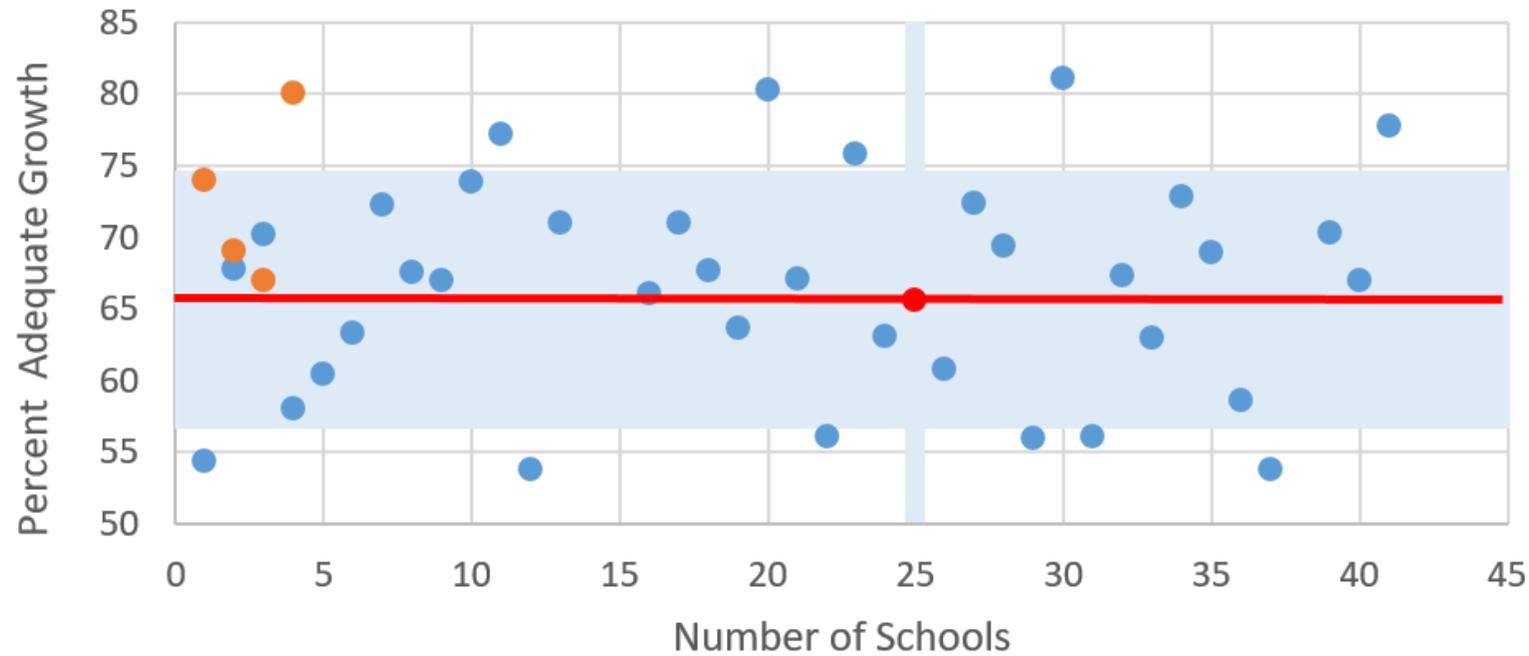
Average: 55%

Standard Deviation: 13

69% - 100%	Exceeds Standard
55% - 68%	Meets Standard
42% - 54%	Approaches Standard
0% - 41%	Does Not Meet Standard

- Boise District Schools
- PCSC Charter Schools
- Comparison Group Average

### Boise District ELA Growth



Average: 66%

Standard Deviation: 9

76% - 100%	Exceeds Standard
66% - 75%	Meets Standard
56% - 65%	Approaches Standard
0% - 55%	Does Not Meet Standard

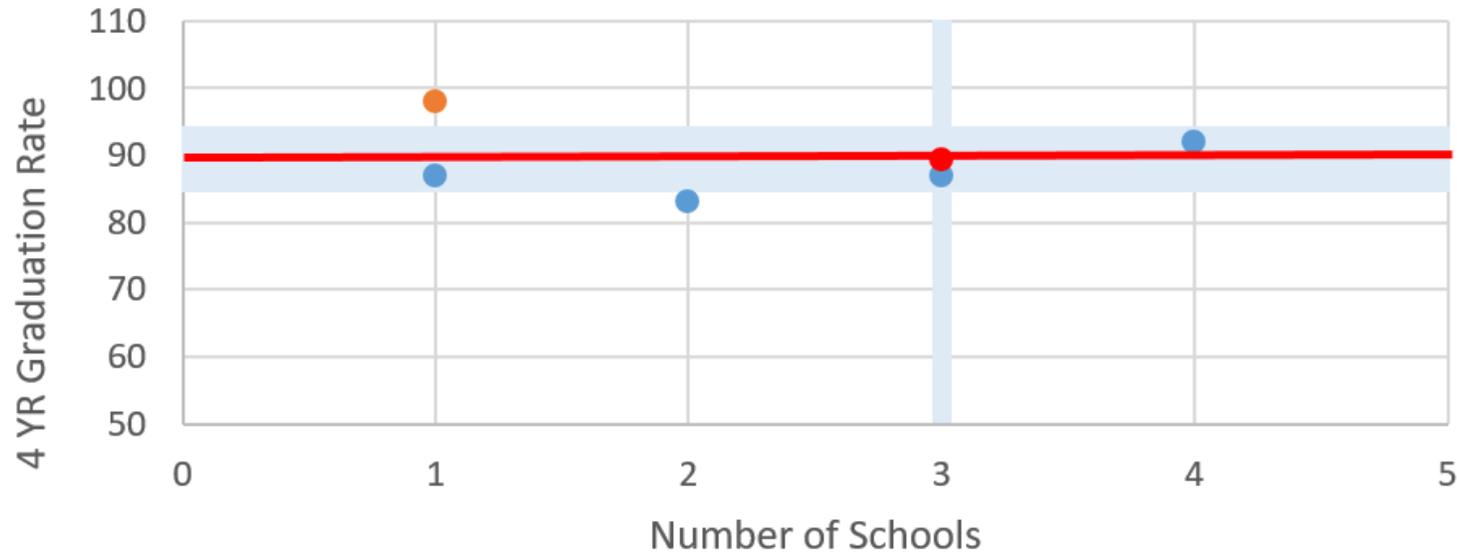
# 5 - PCSC C&C Readiness Standard

C&C Readiness Rubric	
Exceeds Standard	The school's 4-Year or 5-Year ACGR is greater than one standard deviation above the identified comparison group.
Meets Standard	The school's 4-Year or 5-Year ACGR is equal to the mean or falls between the mean and one standard deviation above the mean of the identified comparison group.
Approaches Standard	The school's 4-Year or 5-Year ACGR falls between the mean and one standard deviation below the mean of the identified comparison group.
Does Not Meet Standard	The school's 4-Year or 5-Year ACGR is less than one standard deviation below the identified comparison group.

**Graduation Rate:** the PCSC will use the 4-Yr ACGR & 5-Yr ACGR as reported via the [Idaho Accountability Framework](#).

- Boise District Schools
- PCSC Charter Schools
- Comparison Group Average

### Boise District Graduation Rate

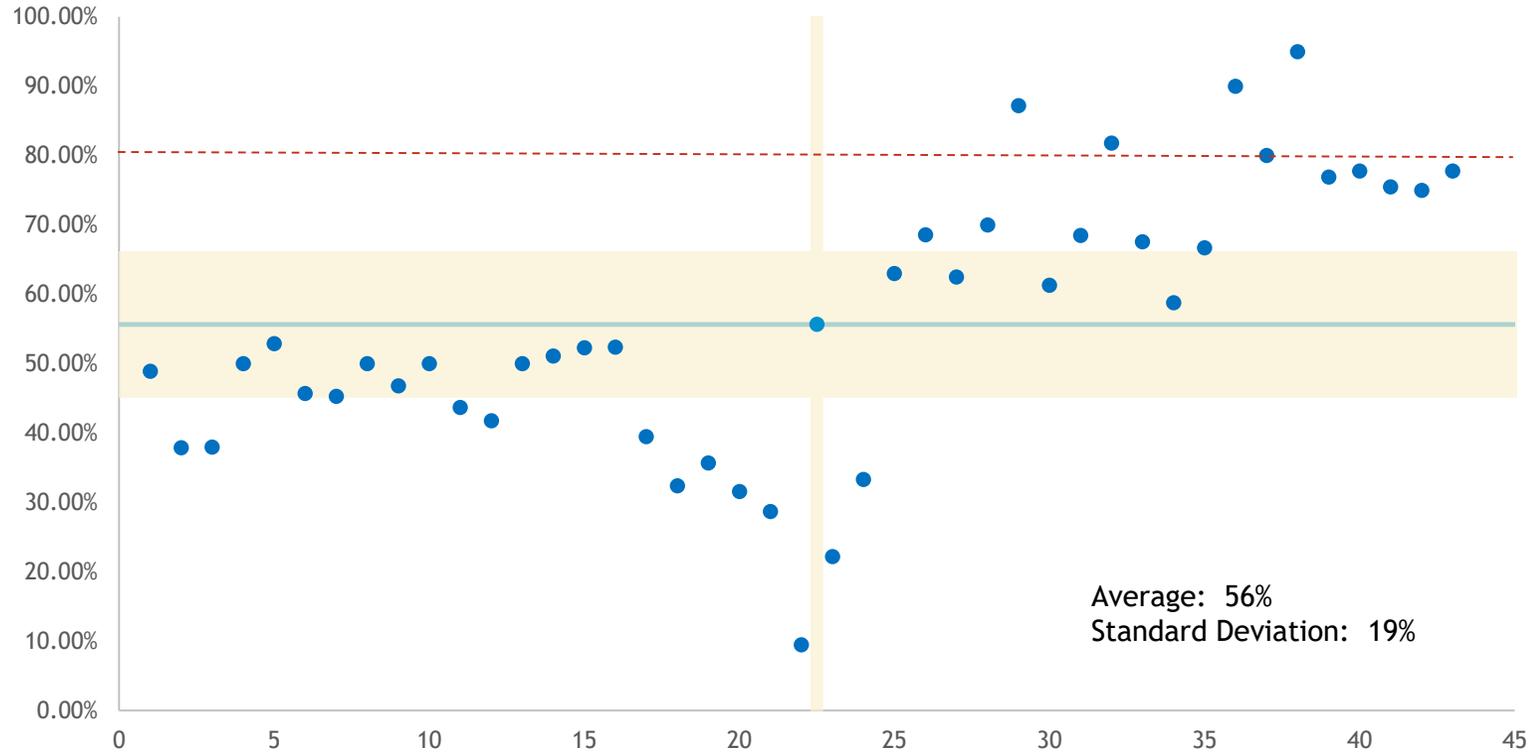


Average: 89%

Standard Deviation: 5

85% - 100%	Exceeds Standard
89% - 94%	Meets Standard
84% - 88%	Approaches Standard
0% - 83%	Does Not Meet Standard

### 5-Year ACGR All Alternative Schools



<b>Exceeds</b>	<b>76%-100%</b>
<b>Meets</b>	<b>56%-75%</b>
<b>Approaches</b>	<b>37%-55%</b>
<b>Does Not Meet</b>	<b>0%-36%</b>

# New Rubrics

Academic Framework Measures

# 6 - PCSC Literacy Proficiency Standard - All Schools

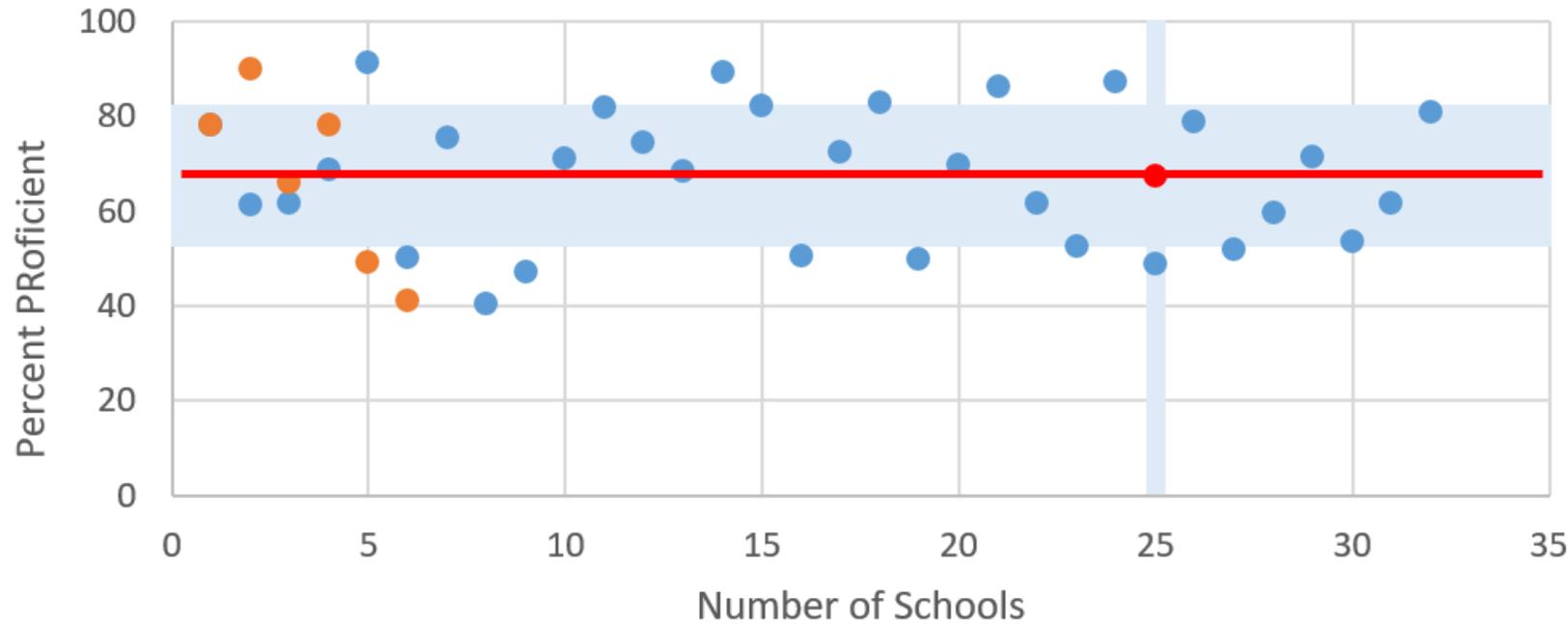
## Literacy Proficiency Rubric

Exceeds Standard	The school's proficiency rate on the spring administration of the statewide literacy assessment is greater than one standard deviation above the mean of <a href="#">the identified comparison group</a> ; OR The fall to spring change in proficiency rate is 20% or greater.
Meets Standard	The school's proficiency on the spring administration of the statewide literacy assessment is equal to the mean or within one standard deviation above the mean of <a href="#">the identified comparison group</a> ; OR the school's fall to spring change in proficiency rate is between 10%-19%.
Approaches Standard	The school's proficiency on the spring administration of the statewide literacy assessment falls within one standard deviation below the mean of <a href="#">the identified comparison group</a> .
Does Not Meet Standard	The school's proficiency rate on the spring administration of the statewide literacy assessment is more than one standard deviation below the mean of <a href="#">the identified comparison group</a> .

**Literacy Proficiency Rate:** the PCSC will use the proficiency rates as reported via the [Idaho Accountability Framework](#).

- Boise District Schools
- PCSC Charter Schools
- Comparison Group Average

## Boise District Spring Literacy Proficiency



Average: 67%

Standard Deviation: 13

81% - 100%	Exceeds Standard
67% - 80%	Meets Standard
54% - 66%	Approaches Standard
0% - 53%	Does Not Meet Standard

# 7 - Proficiency, ALT - 6-12 ELA and Math - Content Mastery

Alt Proficiency Rubric	
Exceeds Standard	More than 80% of continuously enrolled students either have already completed all ELA/Math graduation requirements or successfully earned credit for the equivalent of 1 year of instruction in the discipline (ELA or Math).
Meets Standard	Between 75%-80% of continuously enrolled students either have already completed all ELA/Math graduation requirements or successfully earned credit for the equivalent of 1 year of instruction in the discipline (ELA or Math).
Does Not Meet Standard	50-74% of continuously enrolled students either have already completed all ELA/Math graduation requirements or successfully earned credit for the equivalent of 1 year of instruction in the discipline (ELA or Math).
Falls Far Below Standard	Less than 50% of continuously enrolled students either have already completed all ELA/Math graduation requirements or successfully earned credit for the equivalent of 1 year of instruction in the discipline (ELA or Math), OR the school has been identified for comprehensive or targeted support for three consecutive years as per the Idaho Consolidated Plan.

**Data Validation:** the PCSC will use EDUID, District Entry Date, Grade Level, Credit Earned, and Course Code data fields to validate this measure. This will require that schools ensure accurate ISEE uploads.

# 8 - Growth - ALT, 9-12 Progress Toward Graduation

Alt Growth Rubric	
Exceeds Standard	More than 80% of students either: completed 3 credits for every 45 days enrolled (if enrolled for at least 45 days, but not continuously enrolled), or completed 12 credits (if continuously enrolled).
Meets Standard	75%-80% of students either: completed 3 credits for every 45 days enrolled (if enrolled for at least 45 days, but not continuously enrolled), or completed 12 credits (if continuously enrolled).
Does Not Meet Standard	50-74% of students either: completed 3 credits for every 45 days enrolled (if enrolled for at least 45 days, but not continuously enrolled), or completed 12 credits (if continuously enrolled).
Falls Far Below Standard	Less than 50% of students either: completed 3 credits for every 45 days enrolled (if enrolled for at least 45 days, but not continuously enrolled), or completed 12 credits (if continuously enrolled)

**Data Validation:** The PCSC will use EDUID, grade level, district entry date, course numbers, and credit earned to validate this measure. This will require that schools ensure accurate ISEE uploads.

# 9 - ALT, Graduation Rate - Not Continuously Enrolled

C&C Readiness Rubric	
Exceeds Standard	More than 75% of the not continuously enrolled students who were enrolled for at least 45 days and were eligible to graduate in the same academic year (plus summer) graduated
Meets Standard	Between 65%-75% of the not continuously enrolled students who were enrolled for at least 45 days and were eligible to graduate in the same academic year (plus summer) graduated
Does Not Meet Standard	Less than 65% of the not continuously enrolled students who were enrolled for at least 45 days and were eligible to graduate in the same academic year (plus summer) graduated, but the eligible graduation rate increased by at least 5% over the previous year.
Falls Far Below Standard	Less than 65% of the not continuously enrolled students who were enrolled for at least 45 days and were eligible to graduate in the same academic year (plus summer) graduated, and the eligible graduation rate increased by less than 5% over the previous year.

**Eligible:** Alt schools will need to provide documentation of how many credits can be earned in a full course load by term (and how the school is defining “term”) and a list of students eligible to graduate by EDUID. The PCSC may randomly audit ISEE data (course code, credit earned, and EDUID).

**Course Quality:** Accreditation reports will verify whether the school’s curriculum is aligned to standards and sufficiently rigorous.

**Data Validation:** The PCSC will use EDUID, district entry date, district exit reason (graduated) to validate this measure.

# Mission Specific Goal Options

Academic Framework Measures

# Mission Specific Goals

- ▶ The response to discussions about Mission-Specific Goals has been decidedly uninterested.
- ▶ Allowable by statute.
- ▶ Not required.
- ▶ Must be agreed upon by both the authorizer and the school.
- ▶ Must be incorporated into the Performance Certificate.

# . . . Focus on academic data by removing the summary layer.

<u>Academic Achievement</u>		
Math Proficiency	Approaches	Yellow
ELA Proficiency	Exceeds	Blue
Literacy Proficiency	Exceeds	Blue
ELA Growth	Does Not Meet	Red
Math Growth	Meets Standard	Green
4-Year Graduation Rate	Approaches	Yellow

Renewal decisions would be made based on performance outcomes, not on the number of points earned.

**SUBJECT**

First Read of Proposed Revisions to PCSC Policy

**APPLICABLE STATUTE, RULE, OR POLICY**

Idaho Code §33-5213(2)

**BACKGROUND**

On February 13<sup>th</sup>, 2020, the PCSC announced its intent to review and revise its policies.

PCSC staff reviewed various sections of Idaho Code, IDAPA 08.02.04, existing PCSC policy, legislation that will be effective 7/1/2020, and related operational documents to inform the proposed revisions. The proposed revisions have been reviewed by the PCSC’s legal counsel.

**DISCUSSION**

Director Thompson will present the proposed revisions as a first read. The proposed revisions will then be posted on the PCSC’s website for public review, and will be included on the August 13<sup>th</sup> agenda as an action item for adoption.

Meeting materials include a clean copy of the proposed revisions, for ease of reading. A clean copy of the existing policies is included for comparison. A copy of the existing PCSC policy showing all changes in legislative formatting is also included.

In addition to the revisions to PCSC policy, meeting materials include the PCSC’s guidance document regarding the charter renewal process. This document includes the performance certificate renewal application as revised to align with the corresponding revisions to PCSC policy. As the guidance document and PCSC policy are interconnected, the guidance is included for reference.

**IMPACT**

Information item only.

**STAFF COMMENTS AND RECOMMENDATIONS**

Staff has no comments or recommendations.

**COMMISSION ACTION**

N/A

## Section I: PCSC Meeting Protocol

### A. Submission of Meeting Materials

1. Materials to be considered at a regular meeting must be received by the PCSC office no later than 5:00 p.m. Mountain Time fifteen (15) calendar days prior to the meeting date.
2. Materials to be considered at a special meeting of the PCSC must be received by the PCSC office no less than twelve (12) hours prior to the scheduled start time of the meeting.
3. Additional or revised materials may be accepted after the deadline at the discretion of the PCSC Director.
4. Additional materials and handouts may be accepted at the meeting at the discretion of the PCSC Chair.
5. All materials shall be submitted electronically via electronic mail, web-based file-sharing services, or portable data storage devices. Materials submitted as a shared document or via a shared drive not provided by the PCSC will not be accepted.

### B. Public Participation

1. Members of the public may address the PCSC during regular or special PCSC meetings.
2. Members of the public must indicate the topic they wish to address on the sign-in sheet prior to the start of the meeting.
3. Members of the public shall be invited to speak by the Chairman during the agenda item to which the public comment pertains.
4. Public comment unrelated to an agenda item shall be allowed only if a separate public comment section is included on the agenda. In such a case, the speaker shall be invited to address the PCSC during that section.
5. Public comments shall be limited to three (3) minutes.

### C. Written Testimony

1. Written testimony may be submitted to the PCSC staff at any time.
2. Written testimony must be identified as such and must include the name and contact information of the author.

3. Written testimony submitted at least seven (7) days in advance of a PCSC meeting will be included in the meeting materials.
4. Written testimony submitted fewer than seven (7) days in advance of a PCSC meeting will be distributed to commissioners, but may not be included in the meeting materials.

D. Agenda Items Regarding PCSC Schools

1. A public charter school shall be informed no less than thirty (30) days prior to any meeting at which that school is the subject of an agenda item.
2. A public charter school's governing board or its designee shall be allotted up to fifteen (15) minutes to address the PCSC during the agenda item(s) specifically related to that school.

DRAFT

## Section II: New Charter School Petitions

### A. New Charter School Petition Eligibility

1. New charter school petitions shall be considered only at regularly scheduled PCSC meetings and in compliance with I.C. § 33-5205.
2. A petition for a new charter school shall be eligible for consideration by the PCSC if all of the following are satisfied:
  - a. The new charter school petition includes all required narrative sections and all required appendices, pursuant to IDAPA 80.02.04.202; and
  - b. The new charter school petition is submitted by a governing board whose bylaws are compliant with the Idaho nonprofit corporation act (I.C. § 30-30) and fully executed, and whose articles of incorporation are filed in the state of Idaho; and
  - c. The new charter school petition includes evidence that both the petition and the letter stating the petitioners' intent to pursue authorization with the PCSC were submitted to all impacted traditional school districts at least four (4) weeks prior to submission to the PCSC.
3. A petition for a new charter school shall not be eligible for consideration by the PCSC if either of the following are true:
  - a. The petition has been denied by the PCSC within the previous twelve (12) months; or
  - b. A Petition Evaluation Report for the proposed new public charter school has been issued by the PCSC staff, *and* the petition was subsequently withdrawn from consideration prior to the scheduled hearing within the previous twelve (12) months.

### B. New Charter School Petition Submission Requirements

1. A petition for a new charter school may be submitted to the PCSC at any time.
2. Petitions received between January 1<sup>st</sup> and September 1<sup>st</sup>, if approved, may open the following fall.
3. Petitions received between September 2<sup>nd</sup> and December 31<sup>st</sup> will be subject to a full review cycle based on the petition's submission date. However, if approved, the public charter school may not begin operations until July 1 of the following year, at least eighteen (18) months after the date on which the petition was

submitted.

4. New Charter School Petitions must include the following:
  - a. One Adobe PDF document comprising the petition narrative and all appendices, including the completed budget template; and
  - b. One Excel document (including formulas) comprising the completed budget template.
  - c. Materials provided by the petitioners, but not incorporated into the final PDF by the petitioners, shall not be forwarded to the PCSC for consideration.

C. New Charter School Petition Content Requirements

1. PCSC staff will maintain a New Petition Guidance document and a full description of the Standards of Quality against which a new charter school petition shall be evaluated.
2. Pursuant to IDAPA 08.02.04.202, the petition narrative shall include descriptions of the following:
  - a. Educational program; and
  - b. Financial and facilities plan; and
  - c. Board capacity and governance structure; and
  - d. Student demand and primary attendance area; and
  - e. School leadership and management; and
  - f. Virtual or blended learning model, if applicable.
3. Pursuant to IDAPA 08.02.04.202.07, New Charter School Petitions shall include *all* of the following appendices:
  - a. Appendix A - Budgets, including the PCSC budget template and facility option template; and
  - b. Appendix B - Articles of Incorporation and Bylaws; and
  - c. Appendix C - Board of Directors; and
  - d. Appendix D - School Administration; and
  - e. Appendix E - Education Services Provider, if applicable.

4. New charter school petitions may include any additional supporting documents incorporated into the PDF as Appendix F.

#### D. New Charter School Petition Evaluation Timeline

1. Within thirty (30) days of receiving an eligible new charter school petition, PCSC staff will issue a Petition Evaluation Report to the petitioners for use as a revision tool.
2. PCSC staff will conduct an interview with the public charter school's governing board for the purpose of evaluating the board's governance capacity. A summary of the interview shall be included in the final Petition Evaluation Report.
3. Petition revisions may be submitted up until the materials due date for the hearing, fifteen (15) days prior to the meeting. Revisions submitted fewer than fifteen (15) days prior to the hearing may be accepted at the discretion of the Director.
4. PCSC staff will issue a recommendation for approval, denial, or conditional approval to the school within twelve (12) weeks of the original submission date.
5. The PCSC will hold a hearing at the next regularly scheduled meeting following the issuance of the PCSC staff's recommendation.
6. Materials for the hearing will consist of:
  - a. The final new charter school petition in PDF format, as submitted by the petitioners; and
  - b. The final Petition Evaluation Report, as prepared by PCSC staff; and
  - c. A cover sheet noting the PCSC staff's recommendation.
7. At the hearing, the PCSC will issue a decision of approval, denial, or conditional approval.
8. If approved, a Performance Certificate for an initial operational term of five (5) years will be drafted by the PCSC staff, and must be executed by both parties within seventy-five (75) days from the date of approval.
9. New public charter schools must attend a pre-opening orientation meeting with PCSC staff within two (2) weeks of approval for the purpose of reviewing pre-opening requirements and timelines.
10. Denials may be appealed to the State Superintendent of Public Instruction, pursuant to I.C. § 33-5207.

### Section III. Petition for Transfer of Authorization

#### A. Petition to Transfer Authorization Eligibility

1. Petitions to transfer authorization of a public charter school's current Performance Certificate to the PCSC shall be considered only at regularly scheduled PCSC meetings and in compliance with I.C. § 33-5205A.
2. Petitions to transfer authorization may be submitted to the PCSC at any time.
3. The term dates of a public charter school's Performance Certificate are fixed, and shall not change due to a transfer of authorization.
4. A petition to transfer authorization shall be eligible for consideration by the PCSC if *both* of the following are true:
  - a. The public charter school's governing board has passed a resolution stating its intent to apply for a transfer of authorization; and
  - b. The public charter school's existing authorizer has provided written support of the public charter school's intent to apply for a transfer of authorization.
5. A petition to transfer authorization shall *not* be eligible for submission if:
  - a. The petition to transfer authorization has been denied by the PCSC within the previous 12 months; or
  - b. Either the public charter school's governing board or the public charter school's current authorizer do not wish to pursue the transfer.

#### B. Petition to Transfer Authorization Submission Requirements

1. Initial petitions to transfer authorization must include the following:
  - a. A petition narrative as described in Section II.C.2 of these policies; and
  - b. The school's current-year board-approved annual budget; and

- c. The school's most recent financial audit; and
  - d. Written notification from the existing authorizer indicating that it agrees to the pursuit of a transfer of authorization; and
  - e. The school's existing Performance Certificate, including the Performance Framework, and any other applicable appendices or conditions.
2. Final petition to transfer authorization must also include the following:
- a. The proposed PCSC Performance Certificate, including the Performance Framework, as applicable to the public charter school under PCSC authorization; and
  - b. Written confirmation from the school's existing authorizer that it has reviewed the materials included in the final submission, particularly the proposed Performance Certificate, and agrees to the transfer of authorization.

C. Petition to Transfer Authorization Evaluation Timeline

1. Within thirty (30) days of submission, PCSC staff will provide to the petitioner:
  - a. A Petition Evaluation Report outlining any concerns with regard to the PCSC's Standards of Quality; and
  - b. A draft Performance Certificate, as applicable to the public charter school under PCSC authorization.
2. A hearing shall be scheduled within twelve (12) weeks of the original submission date.
3. The PCSC will issue a decision to approve or deny the petition to transfer authorization at the scheduled hearing.
4. If approved, the transfer of authorization shall be effective on the following July 1<sup>st</sup>.
5. Denials may be appealed to the State Board of Education, pursuant to I.C. § 33-5209A.

## Section IV: Charter and Performance Certificate Amendments

### A. Eligibility for Amendment

1. Pursuant to I.C. § 33-5206(8), a public charter school or its authorizer may enter into negotiations to revise a Charter or Performance Certificate at any time.
2. The PCSC shall *not* approve requests for amendments if *any* of the following are true:
  - a. The amendment proposes to increase enrollment or to change the grade levels served *and* the school did not meet standard on all measures of the Performance Framework, as reported on the most recent Annual Performance Report; or
  - b. The amendment proposes to increase enrollment or to change the grade levels served, or to increase the rate of growth toward capacity *and* the school is operating on an initial Performance Certificate term; or
  - c. The amendment proposes to adjust sections of the Charter or Performance Certificate that are relevant to the reasons for possible non-renewal or revocation *and* the PCSC has issued notification of potential non-renewal or either revocation proceedings or closure protocol have begun.
3. Proposed Charter or Performance Certificate amendments shall include the following:
  - a. A cover letter explaining the nature of and rationale for the proposed amendments; and
  - 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 and/or notifications to the traditional district, if applicable.

### B. Consideration of Minor Amendments

1. In accordance with IDAPA 08.02.04.302.02, the PCSC delegates to the PCSC Director the authority to approve minor amendments to a school's Charter or Performance Certificate.
2. Minor amendments include, but are not limited to:
  - a. Changes in enrollment numbers by grade if the amendment does not impact the school's approved enrollment capacity or grades served;

- b. Changes in enrollment capacity if the amendment does not increase the school's approved enrollment capacity by more than 10% over the course of the Performance Certificate term and the amendment does not change the approved grade levels served;
  - c. Changes to the school's mission, vision, or key design elements to reflect strategic planning if the amendment does not significantly change the instructional model;
  - d. Changes to the school's primary attendance area for the purposes of clarifying the intent of the existing area; or
  - e. Changes to the school's Charter to include statutorily allowable enrollment preference categories.
2. Notification of approval or denial by PCSC staff of any minor amendment will be issued to the public charter school within thirty (30) days of submission.
  3. Amended Charters or Performance Certificates shall be fully executed by both parties within thirty (30) days of receiving notification of approval.
  4. If the amended Performance Certificate or Charter is not executed by both parties within thirty (30) days of notification of approval, the amendment shall be considered failed and the Performance Certificate or Charter will revert to its state prior to the failed amendment.

#### C. Consideration of Major Amendments

1. Major amendments will be considered by the PCSC only at regularly scheduled meetings.
2. Major amendments include, but are not limited to:
  - a. changes to the public charter school's enrollment capacity of more than 10% over the course of the Performance Certificate term;
  - b. changes to the grade levels served by the public charter school;
  - c. changes to the school's instructional model of such significance as to require the section of the charter to be rewritten; or
  - d. any amendment that does not otherwise qualify as minor according to Section IV.B.2.

3. A written review by PCSC staff of any major amendment shall be issued to the charter holder within thirty (30) days of submission.
4. Revision of the proposed Charter or Performance Certificate amendment(s) will be accepted by PCSC staff, provided the revision is submitted no less than fifteen (15) days prior to the scheduled hearing.
5. The PCSC shall approve or deny proposed Charter or Performance Certificate amendments at the hearing at which they are considered.
6. Amended Charters or Performance Certificates must be fully executed by both parties within thirty (30) days of approval.
7. If the Amended Performance Certificate or Charter is not executed by both parties within thirty (30) days of approval, the amendment shall be considered failed and the Performance Certificate or Charter will revert to its state prior to the failed amendment.

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## Section V: Reporting

### A. Governing Documents

1. Pursuant to I.C. § 33-5205B, no charter school shall operate without a Performance Certificate executed within 75 days of charter approval.
2. A Performance Certificate will outline the terms and conditions under which a charter school is authorized to operate.
3. All Performance Certificates will include Performance Framework that outlines the specific standards and outcomes the school must achieve in order to earn subsequent operational terms.
4. Pursuant to I.C. § 33-5209A(1) and I.C. § 33-5209B(5), the Performance Framework shall include indicators, measures, and metrics in the following categories:
  - a. Academic achievement,
  - b. Operational effectiveness,
  - c. Financial health, and
  - d. Board stewardship

### B. Annual Performance Reports

1. Annual Performance Reports will be prepared by PCSC staff and shall include the following:
  - a. the school's status with regard to the terms of its Performance Certificate;
  - b. the school's performance outcomes as evaluated against its Performance Framework;
  - c. the school's status with regard to any renewal conditions included in its existing Performance Certificate, if applicable;
  - d. longitudinal data reflecting the school's performance over the course of the previous three (3) operational years; and
  - e. the school's status with regard to any mission-specific goals, if such are included in its Performance Framework.

2. Public charter schools may submit corrections and/or clarifications to the Annual Performance Report within thirty (30) days of issuance of the report.
3. Corrections and/or clarifications must be submitted to the PCSC office in writing, and must include a cover sheet clearly identifying each correction or clarification and the supporting documentation.
4. Annual Performance Reports will be published on the PCSC's website no later than January 31<sup>st</sup>.
5. PCSC staff will prepare and publish an annual report addressing the performance of all schools authorized by the PCSC. This report will be published on the PCSC's website no later than January 31<sup>st</sup>.

#### C. Required Reports

1. Public charter schools authorized by the PCSC must submit the following reports annually by the following dates, or as requested:
  - a. July 30<sup>th</sup>
    - i. The school's leadership update, noting any changes to board directors, administrative staff, or key operational staff. This report also requires confirmation of contact information and assurance that all compliance issues that occurred during the previous fiscal year were reported to the PCSC as required;
    - ii. The school's board-approved annual budget for the current fiscal year (any subsequent amendments must be submitted within five (5) days of the change);
    - iii. The school's projected enrollment by grade level on which the submitted annual budget is based;
    - iv. A projected cash flow report for the current fiscal year; and
    - v. If applicable, any data necessary to evaluate the school's performance against mission-specific goals that are included in the school's Performance Framework.
  - b. November 1<sup>st</sup>
    - i. A board-approved independent fiscal audit report for the previous fiscal year.

c. February 1<sup>st</sup>

- i. A balance sheet and a budget-to-actuals report as of the end of the second quarter of the fiscal year.

d. A public charter school that did not meet standard on any financial measures of the most recently issued Annual Performance Report must also submit the following financial documentation:

- i. A balance sheet, due November 1<sup>st</sup> and May 1<sup>st</sup> to reflect the first and third quarters of the fiscal year, respectively;
- ii. A budget to actuals report, due November 1<sup>st</sup> and May 1<sup>st</sup> to reflect the first and third quarters of the fiscal year, respectively; and
- iii. An updated cash flow report for the current fiscal year, due quarterly on November 1<sup>st</sup>, February 1<sup>st</sup>, and May 1<sup>st</sup>.

D. Reporting Standards

1. Pursuant to I.C. § 33-5204(2), a public charter school shall be considered a governmental entity. As such, public charter schools shall be accountable to the standards established by the Government Accounting Standards Board (GASB).
2. 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.
3. 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.

E. Required Documentation

1. Pursuant to IDAPA 08.03.01.301, public charter schools must submit copies of the following documents prior to operating and must and must notify the PCSC of any changes within five (5) days.
  - a. Facility lease agreement, if instructional facilities are leased;
  - b. Certificate of occupancy for all instructional facilities;
  - c. Accreditation reports;

- d. Board bylaws; and
  - e. Contact information for each board member (including full name, phone number, address, email address, and resume).
2. Pursuant to IDAPA 08.03.01.301, public charter schools must notify the PCSC within five (5) days if the administration or the governing board becomes aware of any of the following circumstances:
- a. The school may have violated the terms of its Performance Certificate or operated out of compliance with any applicable laws, rules, or regulations;
  - b. A lawsuit has been filed against the school;
  - c. A complaint against an employee of the school has been filed with the Professional Standards Commission; or
  - d. The school's board passes a motion to relinquish its charter.
3. Pursuant to IDAPA 08.03.01.300, a public charter school must provide copies of the following insurance binders to the PCSC prior to operating:
- a. Liability;
  - b. Property loss;
  - c. Worker's compensation;
  - d. Unemployment; and
  - e. Health.
4. Pursuant to IDAPA 08.03.01.300, a public charter school must provide the following documents to the PCSC prior to beginning operations in an initial or any subsequently acquired facility:
- a. Building inspection report from the Idaho Division of Building safety;
  - b. Fire marshal report for the site; and
  - c. Health district inspection certificate issued by the appropriate health district for the site.
5. The PCSC or its staff may request additional reports on an as-needed basis for the purpose of fulfilling its duty to oversee the public charter school's compliance with applicable laws, rules, and regulations, including the school's Performance

Certificate and Performance Framework.

F. Authorizer Fee

1. Authorizer fees shall be calculated pursuant to I.C. § 33-5208(8).
2. PCSC staff will issue authorizer fee invoices no later than February 15<sup>th</sup> each year.
3. Authorizer fees shall be due to the PCSC no later than March 15<sup>th</sup> each year.
4. A public charter school may redirect up to 10% of the assessed fee to pay membership fees to an organization that provides technical assistance, training, and advocacy for Idaho public charter schools. Receipts must be remitted with payment as proof of purchase.
5. A public charter school will be notified within thirty (30) days of the due date if payment is delinquent. In such a case, the amount due will be withheld from the next scheduled payment distribution until such time as the school remits payment in full, pursuant to IDAPA 08.02.04.102.

## Section VI: Public Charter School Oversight

### A. General Oversight

1. All public charter schools authorized by the PCSC shall be continuously monitored for compliance with all applicable laws, rules, regulations, and the terms of the Performance Certificate.
2. All public charter schools authorized by the PCSC shall be annually evaluated against the Performance Framework to determine performance outcomes.
3. The PCSC will consider the reporting burden of public charter schools when requesting reports, and will utilize data and reports prepared by the State Board of Education, the State Department of Education, and/or PCSC staff whenever possible.
4. If a public charter school is accredited by a State Board of Education approved accrediting agency, the PCSC shall accept accreditation reports in lieu of conducting a site visit for the purpose of establishing whether the school is effectively implementing its Key Design Elements as stated in its Performance Certificate.
5. If a public charter school is not accredited by a State Board of Education approved accrediting agency, the PCSC will conduct a site visit once during the public charter school's Performance Certificate term for the purpose of evaluating whether the school is effectively implementing its Key Design Elements as stated in its Performance Certificate.
  - a. The public charter school will receive written notice of a site visit for this purpose at least thirty (30) days prior to the visit, and whenever possible, the site visit will be scheduled at a time convenient for the public charter school.
6. The PCSC will make additional site visits for the following purposes:
  - a. Conducting a pre-opening site visit with advanced notice for the purpose of determining the school's readiness to begin operations.
  - b. Observing the enrollment lottery once per Performance Certificate term with advanced notice and for the purpose of evaluating operational compliance;
  - c. Observing a governing board meeting once per Performance Certificate term with advanced notice and for the purpose of evaluating operational compliance;
  - d. Investigating concerns regarding compliance with any applicable laws, rules, regulations, or the performance certificate with or without notice; and/or

- e. Attending celebrations by invitation.

## B. Complaints

1. PCSC staff shall log all complaints against public charter school it authorizes within one (1) business day of receiving the complaint.
2. PCSC staff shall notify the public charter school's governing board and primary administrator of the complaint within five (5) business days of receiving the complaint.
3. PCSC staff shall inform complainants of the appropriate grievance procedures including:
  - a. The public charter school's grievance policy; and
  - b. The grievance policy of the entity responsible for enforcing the law, rule, or regulation for which the complaint alleges violation.

## C. Investigations

1. PCSC staff shall investigate the validity of complaints alleging that a public charter school may be in violation of an applicable law, rule, regulation, or term of its Performance Certificate.
2. If the PCSC staff's investigation concludes that a violation occurred or that more specific expertise is required to determine whether a violation has occurred, the PCSC staff shall provide notice of its concerns to the entity responsible for enforcing the law, rule, or regulation in question. Such notice shall be made in writing, and a copy will be provided to the public charter school.
3. Enforcement of the law, rule, or regulation that has been violated, and ensuring compliance on behalf of the school, will be the responsibility of the entity responsible for enforcing that law, rule, or regulation. However, the PCSC will engage in progress-monitoring for the purpose of reporting on the public charter school's state of compliance at the time of the next Annual Performance Report.
4. If the public charter school is in violation of the terms of its Performance Certificate, the PCSC shall issue a Courtesy Letter defining the violation and the date by which the violation must be resolved. PCSC shall engage in progress-monitoring for the purpose of enforcing compliance.
5. Progress-monitoring plans will be documented, and may include additional site visits, desk audits, and/or meetings.

6. A public charter school's Annual Performance Report shall include record of any PCSC staff investigation concluding that a violation occurred, and record of any findings or violation identified by an entity responsible for enforcing an applicable law, rule, or regulation.

#### D. Courtesy Letters

1. Courtesy letters may be issued to a public charter school for any reason at the discretion of the PCSC Director.
2. Courtesy letters will be issued to a public charter school if any of the following circumstances arise:
  - a. The PCSC has reason to believe the school may be in violation of a law, rule, regulation, or the terms of its Performance Certificate;
  - b. The PCSC has reason to believe that the public charter school may not be able to remain fiscally viable for the remainder of its Performance Certificate term;
  - c. To request any reports in addition to those described in Section V.C of these policies;
  - d. To request any documentation necessary to conduct the PCSC's oversight duties;
  - e. To inform the school of a progress-monitoring plan; and/or
  - f. To inform the school of potential or executed actions of the PCSC that impact the operations of the public charter school, including, but not limited to, non-renewal or revocation of the school's Performance Certificate or changes to PCSC policy.
3. Courtesy letters shall be for the purpose of ensuring that the public charter school is formally made aware of a concern, request, or required action.
4. The issuance of a courtesy letter and the receipt of documented resolution of a concern identified in a courtesy letter will be noted in the public charter school's Annual Performance Report.

#### E. Written Notification of Fiscal Concern

1. Pursuant to I.C. § 33-5209C(3), 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 written notification of concern.

2. A notification of fiscal concern shall be issued by the PCSC for the purpose of protecting taxpayer dollars and shall cause the public charter school's funding to be distributed in equal percentages across the regularly scheduled distribution dates for the fiscal year following issuance.
3. A public charter school shall be considered financially stable if the school met all financial standards on the most recently issued Annual Performance Report.
4. A public charter school shall also be considered financially stable if the public charter school did not meet all of the financial standards on the most recently issued Annual Performance Report, but *all* of the following are true:
  - a. The public charter school's fiscal audit indicates a positive year-end fund balance for the previous fiscal year; and
  - b. The public charter school maintained a positive cash flow during the current fiscal year; and
  - c. The public charter school is able to service all current-year financial obligations without relying on revenue intended for use in future fiscal years; and
  - d. The public charter school did not engage in any new long or short term debt during the current fiscal year.
5. Written notifications of fiscal concern shall be considered for issuance, continuation, or removal only at the PCSC's regularly scheduled June meeting.
6. Written notifications of fiscal concern shall be in effect for the entire fiscal year.
7. Public charter schools wishing to have written notifications of fiscal concern considered for removal must provide a cover letter and documentation evidencing fiscal stability at least fifteen (15) days in advance of the scheduled meeting.

## Section VII: Renewal, Non-Renewal, and Revocation

### A. Renewal Standards

1. The PCSC shall make renewal, non-renewal, or conditional renewal decisions in compliance with I.C. § 33-5209B.
2. The PCSC shall consider a school's demographic profile and other circumstances that may affect the school's ability to adhere to the terms and conditions of its Performance Certificate when making renewal or non-renewal decisions.
3. The PCSC shall base its renewal decisions on:
  - a. The school's performance outcomes as evaluated against the school's Performance Framework; and
  - b. The school's fiscal audits; and
  - c. The terms of the school's Performance Certificate.
4. The PCSC shall renew a charter, thereby granting a subsequent Performance Certificate term, to any public charter school that met all of the terms of its Performance Certificate (including the Performance Framework) on the Performance Report issued on the November 15<sup>th</sup> preceding the renewal decision, in accordance with I.C. § 33-5209B(9). Schools in this category are exempt from submitting a renewal application.
5. The PCSC may renew, non-renew, or renew with conditions any Charter in which the public charter school failed to meet one (1) or more of the terms of its Performance Certificate (including the Performance Framework), in accordance with I.C. § 33-5209B(9).
6. All renewals, including conditional renewals, will be for a term of five (5) years.
7. Conditional renewals shall include specific, written conditions for necessary improvement, including the mid-term date by which the condition(s) must be met, in the Performance Certificate. If a school fails to meet any written condition for necessary improvement by the mid-term date specified in the school's Performance Certificate, the PCSC shall consider whether to begin revocation proceedings at the next regularly scheduled meeting, in accordance with Section VII.3 of these policies.

### B. Renewal Process

1. The PCSC shall conduct its renewal process in accordance with I.C. § 33-5209B.
2. A performance report shall be issued by the PCSC to all schools by November 15<sup>th</sup> preceding the school's renewal year. The performance report shall include a summary of the school's performance record to date and, if applicable, notice of any weaknesses or concerns that may jeopardize renewal.
3. A school may submit a response to the performance report for the purpose of providing relevant clarification or corrections within thirty (30) days of issuance.
4. Renewal guidance and application requirements shall be provided to each schools by November 15<sup>th</sup> of its renewal year.
5. No later than December 15<sup>th</sup>, public charter school must submit a renewal application in accordance with the Renewal Guidance Document.
6. No later than January 15<sup>th</sup>, PCSC staff will notify the school of its proposed recommendation, including any recommended conditions and/or the prospect of non-renewal when applicable.
7. No later than March 15<sup>th</sup>, the PCSC will hold a meeting for the purpose of making final renewal or non-renewal determinations regarding all renewal-year schools. In preparation for the meeting, the PCSC will be presented with a dossier for each school. The dossier will include at least the following:
  - a. A cover sheet including the PCSC staff's recommendation;
  - b. The school's performance report;
  - c. The school's response to the performance report, if submitted; and
  - d. The school's renewal application, including any additional evidence supporting its case for renewal and any improvements it has planned or has undertaken, as submitted by the school.
8. All public charter schools for which the PCSC is making a renewal decision may present relevant information during the renewal-determination meeting.
9. Any public charter school facing non-renewal may request a separate hearing. In such a case, the PCSC may delegate the hearing of evidence to a hearing officer, or may hear evidence itself.
10. Final renewal or non-renewal determinations will be conveyed in writing to the public charter school and the State Board of Education within fourteen (14) days of the decision.

11. A decision to non-renew may be appealed directly to the State Board of Education pursuant to I.C. § 33-5209C(8).

### C. Revocation Process

1. A public charter school that has failed to meet a specific, written condition by the date specified in the school's current Performance Certificate may have its Charter revoked.
  - a. The PCSC will annually communicate to each school in writing the public charter school's progress toward meeting any conditions for necessary improvement included in its Performance Certificate.
  - b. If a school fails to meet an established condition by the date specified in its Performance Certificate, the PCSC will consider whether to begin revocation proceedings at the next regularly scheduled commission meeting.
  - c. A decision to begin revocation proceedings will be issued to the public charter school in writing.
  - d. If closure proceedings must begin, the school will be notified in writing, and the school must cease to operate by June 30<sup>th</sup> of the current school year.
  - e. A decision to revoke may be appealed directly to the State Board of Education pursuant to I.C. § 33-5209C(8).
2. A public charter school with insufficient access to unrestricted cash may have its Charter revoked pursuant to I.C. § 33-5209C.
  - a. If a school's independently-audited financial report reflects fewer than fifteen (15) days of unrestricted cash on hand, the PCSC will notify the school of the prospect of closure no later than November 30<sup>th</sup>.
  - b. If the school's next consecutive independently-audited financial report (e.g., the following year) again reflects fewer than fifteen (15) days of unrestricted cash on hand, the PCSC must begin closure protocol by November 30<sup>th</sup>.
  - c. If closure proceedings must begin, the school will be notified in writing, and the school must cease to operate by June 30<sup>th</sup> of the current school year.
  - d. Initiation of revocation due to insufficient access to unrestricted cash may be appealed directly to the State Board of Education pursuant to I.C. § 33-5209C.

#### D. Closure Protocols

1. The implementation of closure protocol shall begin immediately following the issuance of:
  - a. Written notification of the PCSC's non-renewal decision; or
  - b. Written notification of the PCSC's decision to revoke; or
  - c. Written notification of the public charter school's decision to relinquish its Charter.
2. Within three (3) business days of the implementation of closure protocol, representatives of the public charter school's board and administration shall meet with staff representatives of the PCSC and the SDE to review and begin the PCSC's closure protocol.
3. The closure protocol must begin regardless of whether or not a school has chosen to appeal the decision.
4. The school shall cooperate with the PCSC and the State Department of Education through the closure process, and shall perform the following actions according to PCSC closure protocol:
  - a. Notify stakeholders (e.g., parents, local districts, etc.) of closure; and
  - b. Develop and monitor implementation of the closure plan; and
  - c. Provide educational services in accordance with the Charter and Performance Certificate until the end of the school year, or the agreed upon date when instruction will stop; and
  - d. Assist students in transferring to, or applying for, enrollment at schools that meet their educational needs; and
  - e. Address the school's financial, legal and reporting obligations.

IDAHO PUBLIC CHARTER SCHOOL COMMISSION

# GUIDANCE: PERFORMANCE CERTIFICATE RENEWAL PROCESS



Idaho Public Charter School Commission  
304 North 8<sup>th</sup> Street, Room 242  
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Alan Reed, Chairman  
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UPDATED 5/27/2020

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## Introduction

Idaho statute requires that all public charter schools in the state be periodically reviewed by their authorizer for the purpose of determining whether or not the charter should continue operations. Public charter schools are considered for renewal every five years.

The PCSC makes renewal decisions in accordance with Idaho statute, basing its decision on each school's outcomes with regard to the requirements and standards established in the performance certificate and framework. The PCSC also considers the school's demographic profile and other circumstances that might affect the school's ability to adhere to the terms and conditions.

## Purpose

This document serves as a guide to frequently asked questions related to the renewal process, and provides instructions for filling out the renewal application.

## Renewal Timeline

Pre-Renewal Year	PCSC staff meets with school leadership to introduce the renewal process and discuss any concerns regarding school outcomes.  PCSC issues renewal application and guidance.
November 15	PCSC issues performance reports to all renewal-year schools.  A charter school that meets all of the terms of its Performance Certificate and Performance Framework will be automatically renewed and is exempt from submitting a renewal application. If this applies to your school, it will be so noted in the performance report.
<b>December 15 (schools must meet this deadline)</b>	Renewal-year schools must submit a renewal application to PCSC no later than December 15.
January 15	PCSC staff issues renewal recommendations to all renewal-year schools.
February 15	If a school chooses to contest the recommendation, they may request, in writing, a separate public hearing to take place prior to March 15 <sup>th</sup> .  Schools choosing to accept the renewal recommendation are invited to attend the regular renewal hearing, to be held before March 15,
<b>Thirty days prior to renewal hearing</b>	If there is a need to submit any additional evidence not included in the performance report, response to the performance report, or the renewal application, schools may work with the PCSC staff to coordinate that submission. However, all materials must be received by the PCSC office no fewer than 30 days prior to the scheduled hearing.

	This deadline is intended to ensure that commissioners have all meeting materials with sufficient time to review.
By March 15	The PCSC holds a meeting for the purpose of making final renewal or non-renewal determinations.

Schools are encouraged to review this timeline frequently and contact PCSC staff with any questions.

## Frequently Asked Questions

The following are frequently asked questions schools have about the renewal process:

### What are the criteria for the PCSC’s renewal decision?

According to [§33-5209B\(7\)](#), Idaho Code, the authorizer must do the following when making renewal decisions:

- Ground its decisions in evidence of the school’s performance over the term of the performance certificate in accordance with the performance framework set forth in the performance certificate;
- Ensure that data and evidence used in making renewal decisions are available to the school and the public; and
- Provide a public report summarizing the evidence basis for each decision.

Additionally, the PCSC may also take into account the school’s demographic profile and other circumstances that might affect the school’s ability to adhere to the terms and conditions of the performance framework.

### What is included in the performance framework?

According to [§33-5209A\(1\)](#), Idaho Code, the performance framework observes academic and operational performance indicators. These include, at a minimum, the following indicators, measures and metrics:

- Student academic proficiency;
- Student academic growth;
- College and career readiness (for high schools); and

Board performance and stewardship, including compliance with all applicable laws, regulations and terms of the performance certificate.

### What are the possible outcomes of the renewal process?

There are several possible outcomes of the renewal process. These include:

- The PCSC may renew a charter for a 5-year term.
- The PCSC may conditionally renew a charter for a 5-year term. This means that the school may operation for the next five years as long as certain conditions for necessary improvement are met. The specific, written conditions and the date by which they must

be met will be included in the new performance certificate. If the conditions are not met by the date specified for each condition, the PCSC will consider whether to revoke the school's charter at the next regularly scheduled commission meeting.

- The PCSC may non-renew a charter. This means that a school must permanently close at the end of the school year in which the non-renewal decision was made. If a non-renewal decision is made, the PCSC closure protocol will begin immediately. A school may appeal a non-renewal decision to the State Board of Education.

## Completing the Application

Schools must submit a renewal application to the PCSC as part of the renewal process. The renewal application consists of three sections:

1. Narrative - Describe any achievements you've accomplished that are not captured by the data or documentation in your Performance Report. Also, describe any goals you have for the next performance certificate term.

If there are aspects of your school's success that you want the PCSC to be aware of, this is the place to celebrate and share. In addition, please provide documentation for any planned improvements to your school. If there are outstanding concerns in any of the areas considered in the performance report this is an appropriate place to explain your action plan and timeline for resolving those concerns.

2. Data Outline - Describe any additional evidence you wish to submit.

Please provide an outline of any additional evidence you are submitting for consideration. Each item noted in the outline should contain a brief description of what you are providing and why it is important to consider for your renewal.

3. Data - Attach additional evidence.

Please include attachments for any additional evidence you want the PCSC to consider when determining your renewal application. All data (e.g., financial, academic, etc.) must be sent in a spreadsheet. All formulas used to construct and analyze data must be included in the spreadsheet in order to verify your calculations.

Once completed, submit the completed application to the PCSC via the secure server ShareFile. Please contact the PCSC staff with any questions you have.

IDAHO PUBLIC CHARTER SCHOOL COMMISSION

# GUIDANCE: CLOSURE PROTOCOL



Idaho Public Charter School Commission  
304 North 8<sup>th</sup> Street, Room 242  
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Alan Reed, Chairman  
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UPDATED 7/11/2020

## Purpose

Idaho Code §33-5212 requires charter school authorizers to maintain a school closure protocol. In the unfortunate case that a school must close, the closure protocol is intended to support as smooth a transition as possible for the students and help ensure that taxpayer dollars and assets are appropriately managed.

Should your school be notified in writing of the PCSC's decision to non-renew or revoke your charter, or should your school choose to voluntarily relinquish its charter, closure protocol must begin immediately.

Within 3 days of notification, representatives from your school's board and administration, the PCSC, and the SDE will meet to review the protocol, assign responsibilities, and identify progress monitoring dates.

Your school may choose to appeal a decision to non-renew or revoke. If so, closure protocol begins regardless of whether the school has chosen to appeal the decision and continues unless the decision is overturned by the Idaho State Board of Education.

Whenever possible, school closures should take place at the end of a school year. This provides students opportunity to participate in other school's lotteries, it allows teachers to seek employment during the regular hiring season, and it allows sufficient time for districts to prepare for student intake. It also allows the closing school time to complete the many steps in an orderly way.

If you have been notified of closure or you are concerned that closure might happen to your school, please review this protocol. Feel free to reach out to the PCSC office with any questions or concerns.

## Notification and Initial Steps

DESCRIPTION OF REQUIRED ACTIONS	ENTITIES INVOLVED	INDIVIDUALS RESPONSIBLE	DEADLINE	STATUS
<p><b>Meet with PCSC and SDE staff</b>            Within 3 business days of the authorizer’s or school’s initial / intended closure decision, the charter school administrator and a representative of the school’s board will meet (in-person or via telephone or web conference) with staff representatives of the PCSC and SDE to:</p> <ol style="list-style-type: none"> <li>1. Review the remaining process for finalizing the closure decision as applicable</li> <li>2. Review the Closure Protocol and tasks, clarify critical deadlines, and review procedures for maintaining communication with the PCSC and the SDE throughout the process.</li> <li>3. Identify points of contact for media or community questions</li> </ol>	School, PCSC, SDE			
<p><b>Notify Parents / Guardians of Potential Closure</b></p> <ol style="list-style-type: none"> <li>1. Within one week of the authorizer’s or school’s initial / intended closure decision, the charter school will send letters to enrolled families. Notification should include:               <ul style="list-style-type: none"> <li>• The reasons for closure.</li> <li>• If applicable, an explanation of the appeals process and likely timeline for a final decision.</li> <li>• Assurance that instruction will continue through the end of the school year or an estimation of when instruction will cease.</li> <li>• Assurance that after a final decision is reached, parents/students will be notified and assisted in the reassignment process.</li> <li>• Contact information for parents/guardians with questions.</li> </ul> </li> </ol>	School, PCSC			
<p><b>Notify Impacted School Districts</b></p> <ol style="list-style-type: none"> <li>1. Within one week of the authorizer’s or school’s initial / intended closure decision, the charter school will send letters to districts materially impacted by the closure decision. Notification should include:               <ul style="list-style-type: none"> <li>• The reasons for closure.</li> <li>• If applicable, an explanation of the appeals process and likely timeline for a final decision.</li> <li>• Copy of the letter sent to parents.</li> </ul> </li> </ol> <p>Contact information for questions.</p>	School, PCSC			
<p><b>Meet with Charter School Faculty and Staff</b>            Administrator and charter board chair meet with the faculty and staff to:</p> <ol style="list-style-type: none"> <li>1. Discuss reasons for closure, status of appeals process (if applicable), and likely timeline for a final decision.</li> <li>2. Emphasize importance of maintaining continuity of instruction through the end of the school year.</li> <li>3. Emphasize need to limit expenditures to necessities.</li> <li>4. Discuss plans for helping students find new schools and need for teachers and staff to have organized student files prepared for transfer.</li> <li>5. Identify date when last salary checks will be issued, when benefits terminate, and anticipated last day of work.</li> </ol> <p>Describe assistance, if any, that will be provided to faculty and staff to find new positions.</p>	School			

<p><b>Review and Report on Finances</b></p> <ol style="list-style-type: none"> <li>1. Review budget to ensure that funds are sufficient to operate the school through the end of the school year, if applicable.</li> <li>2. Limit expenditures to only those in the approved budget and delay approving expenditures that might no longer be necessary, regardless of whether an appeal was filed. Communicate with the SDE regarding whether there are any anticipated changes to remaining disbursements from the state.</li> </ol>	<p><b>School, PCSC, SDE</b></p>			
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## Develop/Monitor Implementation of the Closure Plan

DESCRIPTION OF REQUIRED ACTIONS	ENTITIES INVOLVED	INDIVIDUALS RESPONSIBLE	DEADLINE	STATUS
<p><b>Establish Transition Team, Develop Closure Plan, and Assign Roles</b></p> <ol style="list-style-type: none"> <li>1. Contact appropriate entities to establish a transition team, including:               <ul style="list-style-type: none"> <li>• A member of the PCSC staff</li> <li>• A member of the SDE staff</li> <li>• Charter school board chair</li> <li>• Lead administrator from the charter school</li> <li>• Lead finance person from the charter school</li> <li>• Additional members as deemed appropriate</li> </ul> </li> </ol> <p>Develop plan, review roles of primary entities, identify individuals responsible for closure tasks, and exchange contact information.</p>	School, PCSC, SDE			
<p><b>Establish a Schedule for Meetings and Interim Status Reports</b></p> <p>Agree on a meeting schedule to review progress and interim, written status reports to include:</p> <ol style="list-style-type: none"> <li>1. Assist students with finding a next school and transfer student records.</li> <li>2. Identification of long-term storage location of student and personnel records; plan for access and communication to parents regarding access.</li> <li>3. Notification to entities doing business with the school.</li> <li>4. The status of the school’s finances, including outstanding expenses and payment of creditors and contractors.</li> <li>5. Sale, dissolution, or return of assets.</li> </ol> <p>Submission of all required reports and data to the authorizer and/or state.</p>	School			
<p><b>Submit Final Closure Report</b></p> <p>Submit the completed closure Protocol document and appropriate final closure documents to the PCSC (see the Reporting section for more details).</p>	School			

## Finalize School Affairs: Governance and Operations

DESCRIPTION OF REQUIRED ACTIONS	ENTITIES INVOLVED	INDIVIDUALS RESPONSIBLE	DEADLINE	STATUS
<p><b>Maintain Identifiable Location</b>            Maintain the school’s current location through the winding up of its affairs or relocate its business records and remaining assets to a location with operational telephone service that has voice message capability.</p>	School			
<p><b>Protect School Assets</b>            Protect the school’s assets and any assets in the school that belong to others against theft, misappropriation and deterioration.</p> <ol style="list-style-type: none"> <li>1. Maintain existing insurance coverage on assets, including facility, until the disposal of such assets in accordance with the closure plan.</li> <li>2. Negotiate school facility insurance with entities that may take possession of school facility - lenders, mortgagors, bond holders, etc.</li> </ol> <p>Obtain or maintain appropriate security services. Action may include moving assets to secure storage after closure or loss of facility.</p>	School			
<p><b>Notify Commercial Lenders / Bond Holders (if applicable)</b>            If the school has existing loans - Within 10 days after the final decision to close the charter school (after appeals process is complete), notify banks, bond holders, etc., of the school’s closure and projected dates for the school’s last payment towards its debt and if/when default will occur.</p>	School			
<p><b>Terminate EMO /CMO Agreement (if applicable)</b>            Review the management agreement and take steps needed to terminate the agreement at the end of the school year or prior to the intended closure date.</p> <ol style="list-style-type: none"> <li>1. The management company should be asked for a final invoice and accounting, including an accounting of any retained school funds and the status of grant funds.</li> <li>2. The school and the management company should agree upon how the company will continue to provide educational services until the last day of instruction.</li> </ol> <p>The school and the management company agree when other services including business services will end.</p>	School			
<p><b>Maintain and Organize Records</b></p> <ol style="list-style-type: none"> <li>1. Maintain all corporate records related to:               <ul style="list-style-type: none"> <li>• Loans, bonds, mortgages and other financing.</li> <li>• Contracts.</li> <li>• Leases.</li> <li>• Assets and their sale, redistribution, etc.</li> <li>• Grants -- records relating to federal grants must be kept in accordance with 34 CFR 80.42.</li> <li>• Governance (minutes, bylaws, policies).</li> <li>• Accounting/audit, taxes and tax status, etc.</li> <li>• Employees (background checks, personnel files).</li> <li>• Employee benefit programs and benefits.</li> <li>• Any other items listed in the closure plan.</li> </ul> </li> </ol> <p>Determine where records will be stored after dissolution.</p>	School			

<p><b>Transfer Student Records and Testing Material</b></p> <ol style="list-style-type: none"> <li>1. Ensure that all student records are organized and complete</li> <li>2. Within 10 days of receiving a records request, send student records, including final grades and evaluations, to the receiving school. Records must include: <ul style="list-style-type: none"> <li>• Individual Education Programs (IEPs) and all records regarding special education and supplemental services.</li> <li>• Student health / immunization records.</li> <li>• Attendance record.</li> <li>• Any testing materials required to be maintained by the school.</li> <li>• Student transcripts and report cards.</li> <li>• All other student records.</li> </ul> </li> <li>3. Document the transfer of records to include: <ul style="list-style-type: none"> <li>• Date of transfer (for each individual student file transferred).</li> <li>• Signature and printed name of the charter school representative releasing the records.</li> <li>• Name and contact information of the receiver’s representative.</li> </ul> <p>The total number and percentage of general and special education records transferred.</p> </li> </ol>	<p>School</p>			
<p><b>Inventory Assets and Prepare Federal Items for Pick-up</b></p> <ol style="list-style-type: none"> <li>1. Inventory school assets, and identify items: <ul style="list-style-type: none"> <li>• Loaned from other entities.</li> <li>• Encumbered by the terms of a contingent gift, grant or donation, or a security interest.</li> <li>• Belonging to the EMO/CMO, if applicable, or other contractors.</li> <li>• Purchased with federal grants or funds (i.e. Charter Start grant) <ul style="list-style-type: none"> <li>➢ Items purchased with federal funds should be listed on the Federal Items Inventory spreadsheet provided by the PCSC. The list should be very detailed and complete, and items should not be sold or re-distributed.</li> </ul> </li> </ul> </li> <li>2. Return assets not belonging to school where appropriate documentation exists. Keep records of assets returned.</li> <li>3. Organize and pack items purchased with federal funds and arrange for PCSC walk-through and pick-up. <ul style="list-style-type: none"> <li>➢ Boxes should be packed, closed, taped, and <i>clearly</i> labeled with name(s) and/or number(s) corresponding to the inventory.</li> <li>➢ PCSC walk-through must be scheduled in advance and must be at least 2 days prior to the scheduled move day.</li> </ul> <p>At the time of the walk-through, all federal items must be prepared and distinctly separate from other school assets. If the school’s items are not adequately prepared for moving, the PCSC will delay the date for pick-up of federal items.</p> </li> </ol>	<p>School, PCSC</p>			

## Finalize School Affairs: Finance

DESCRIPTION OF REQUIRED ACTIONS	ENTITIES INVOLVED	INDIVIDUALS RESPONSIBLE	DEADLINE	STATUS
<p><b>Maintain IRS 501(c)(3) Status</b>            Maintain IRS 501(c)(3) status until final dissolution. Notify IRS regarding any address change(s) and file required tax returns and reports.</p>	School			
<p><b>Notify Funding Sources / Charitable Partners</b>            Notify all funding sources, including charitable partners of school closure. Notify state and federal agencies overseeing grants / programs of school closure.</p>	School			
<p><b>Review and Revise School Budget</b></p> <ol style="list-style-type: none"> <li>1. Review the school’s budget and overall financial condition.</li> <li>2. Make revisions, taking closure expenses into account closure while prioritizing continuity of instruction. Submit budget to PCSC and SDE.</li> </ol> <p>Identify acceptable use of reserve funds.</p>	School, PCSC, SDE			
<p><b>List all Creditors and Debtors</b>            Formulate a list of creditors and debtors and any amounts accrued and unpaid with respect to such creditor or debtor. Note that the creditor list is not the same as the contractor list (above), but should include any contractors with whom the school owes money (based on a contract or invoice).</p> <ol style="list-style-type: none"> <li>1. Creditors include lenders, mortgage holders, bond holders, equipment suppliers, service providers and secured and unsecured creditors.</li> </ol> <p>Debtors include persons who owe the school fees or credits, any lessees or sub-lessees of the school, and any person holding property of the school.</p>	School			
<p><b>Notify Debtors and Process Payments</b>            Contact debtors to request payment. Process and document received payments.</p>	School			

## Finalize School Affairs: Reporting

DESCRIPTION OF REQUIRED ACTIONS	ENTITIES INVOLVED	INDIVIDUALS RESPONSIBLE	DEADLINE	STATUS
<p><b>Prepare and Submit End-of-Year Reports</b></p> <p>1. Communicate with the PCSC regarding necessary end-year or annual data or reporting that needs to be submitted and identify deadlines.</p> <p>Prepare and submit annual reports to the authorizer.</p>	School, PCSC			
<p><b>Prepare Final Report Cards and Student Records Notice</b></p> <p>Provide parents / guardians with copies of final report cards and notice of where student records will be sent along with contact information.</p>	School			
<p><b>Prepare and Submit Final ISEE Report</b></p> <p>Within 10 days of final closure, submit a final ISEE report to the SDE.</p>	School, SDE			
<p><b>Prepare and Submit Final Budget and Financial Reporting</b></p> <p>Within 120 days of final closure, submit a final budget and financial reporting, including final financial audit, to the SDE and the PCSC.</p>	School, SDE			
<p><b>Prepare and Submit All Other Required State and Federal Reports</b></p> <p>1. Communicate with the SDE and the federal government to identify any outstanding or final reports required for federal, state, or special programs (special education, Title I, etc.) and confirm deadlines.</p> <p>Prepare and submit reports to the SDE and/or federal government.</p>	School, SDE			
<p><b>Prepare and Submit Final Closure Report to the PCSC</b></p> <p>Submit the completed closure Protocol document and a narrative and/or attachments that outline the following:</p> <ol style="list-style-type: none"> <li>The name and contact information of the individual(s) with whom the PCSC can follow-up after closure if there are questions or issues to be addressed</li> <li>The school's final financial status, including the final independent audit</li> <li>The status of the transfer and storage of student records, including: <ul style="list-style-type: none"> <li>The school's total enrollment at the start of the final semester</li> <li>The number and percentage of student records that have been transferred prior to closure</li> <li>The plan for storage and access to student records after closure, including the signature of the person / entity that has agreed to be responsible for transferring records after closure</li> <li>A copy of public communication to parents regarding how to access student records after closure</li> </ul> </li> <li>The status of the transfer and storage of personnel records, including: <ul style="list-style-type: none"> <li>The school's total number of staff at the beginning of the final semester</li> <li>The number and percentage of personnel records that have been distributed to staff and/or new employers</li> <li>If necessary, the plan for storage and access to personnel records after closure, including the</li> </ul> </li> </ol>	School, PCSC			

<p>signature of the person / entity that has agreed to be responsible for transferring records after closure</p> <ul style="list-style-type: none"> <li>• A copy of communication to staff regarding how to access personnel records after closure</li> </ul> <p>Additional documentation (inventories, operational info, etc.) may be included with the report</p>				
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## Dissolution

DESCRIPTION OF REQUIRED ACTIONS	ENTITIES INVOLVED	INDIVIDUALS RESPONSIBLE	DEADLINE	STATUS
<p><b>Dissolve the Charter School (I.C. § 30-3-110)</b></p> <ol style="list-style-type: none"> <li>1. Give appropriate notice of the meeting per Open Meeting law and statute, including the intention to vote on the dissolution of the corporation.</li> <li>2. The charter school board adopts a plan of dissolution indicating to whom the assets of the non-profit corporation will be distributed after all creditors have been paid. (I.C. § 33-5206(9))</li> </ol> <p>Unless otherwise provided in the bylaws, the board of directors votes on the resolution to dissolve. A non-profit corporation is dissolved upon the effective date of its articles of dissolution. (I.C. § 30-3-112)</p>	School, PCSC			
<p><b>Notify the Secretary of State (I.C. § 30-3-112)</b></p> <ol style="list-style-type: none"> <li>1. After the resolution to dissolve is authorized, dissolve the corporation by delivering to the Secretary of State for filing articles of dissolution setting forth: <ul style="list-style-type: none"> <li>• The name of the non-profit corporation.</li> <li>• The date dissolution was authorized.</li> <li>• A statement that dissolution was approved by sufficient vote of the board.</li> <li>• If approval of members was not required (commonly true for public charter schools), a statement to that effect and a statement that dissolution was approved by a sufficient vote of the board of directors or incorporators</li> </ul> </li> </ol> <p>Such additional information as the Secretary of State determines is necessary or appropriate.</p>	School			
<p><b>Notify Known Claimants (I.C. § 30-3-114)</b></p> <p>Give written notice of the dissolution to known claimants after the effective date of the dissolution. Claimants have 120 days from the effective date of the written notice to submit a claim.</p>	School, SDE			
<p><b>End Corporate Existence (I.C. § 30-3-113)</b></p> <p>A dissolved non-profit corporation continues its corporate existence, but may not carry on any activities except as is appropriate to wind up and liquidate its affairs, including:</p> <ol style="list-style-type: none"> <li>1. Preserving and protecting its assets and minimizing its liabilities.</li> <li>2. Discharging or making provision for discharging its liabilities.</li> <li>3. Disposing of its properties that will not be distributed in kind.</li> <li>4. Returning, transferring or conveying assets held by the corporation upon a condition requiring return, transfer or conveyance, which condition occurs by reason of dissolution, in accordance with such condition.</li> <li>5. Transferring, subject to any contractual or legal requirements, its assets as provided in or authorized by its articles of incorporation or bylaws.</li> </ol> <p>Doing every other act necessary to wind up and liquidate its assets and affairs.</p>	School, SDE			
<p><b>Notify IRS</b></p> <p>Notify the IRS of dissolution of the education corporation and its 501(c)(3) status and furnish a copy to the authorizer.</p>	School, SDE			



IDAHO PUBLIC CHARTER SCHOOL COMMISSION

# POLICIES & PROCEDURES

As Amended June 14, 2018



Idaho Public Charter School  
Commission  
304 North 8<sup>th</sup> Street, Room 242  
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Phone: (208) 332-1561  
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Alan Reed, Chairman  
Tamara Baysinger, Director

UPDATED 6/14/18

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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 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 may be received after this deadline 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, 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 as specifically directed, in advance, by PCSC staff.
- v. **Additional Materials and Handouts:** Additional materials or handouts may be accepted at PCSC meetings at the discretion of the chair.

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

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.
- 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 by PCSC staff. A written review shall be provided to the petitioning group within thirty (30) days.
- v. One (1) revised petition shall 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.
- vi. Revised petitions shall show in legislative format all changes from the most recent version reviewed by PCSC staff (see The Idaho Rule Writer's Manual, Section II.4), with the exception of changes to 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. Revised petitions shall be submitted in accordance with Section II.A.ii of this policy. The entire petition, including appendices, must be submitted with the revision in the format required by Section II.A.iii of this policy.
- ix. Revised petitions that are not submitted in compliance with this section may be returned to the petitioners without further review.
- x. 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 meeting materials submission deadlines described in Section I.A.ii of this policy.

- xi. The most recent, complete version of the petition 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.
- xii. The version of the petition provided to the PCSC shall be accompanied by a written review reflecting the merits of that version. The petitioning group shall also be provided with the written review.
- xiii. Additional revisions or supplementary documents submitted separately from the petition and/or after the 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.

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 Process

- 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

- 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.
  - c. Enrollment expansion proposals for schools whose current academic accountability designation is remediation 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, 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 that PCSC staff is recommending 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 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, transfer, or renewed public charter schools shall include the current performance certificate and performance framework adopted by the PCSC.
- ii. In cases of transfer from another authorizer to the PCSC, the performance certificate, including the performance framework, must be executed by the PCSC and charter holder at the time of transfer approval.
- iii. Prior to PCSC consideration, PCSC staff and charter 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 charter holders shall reach agreement regarding the individualized contents of the performance certificate and appendices, including the performance framework, prior to its submission to the PCSC for consideration.
- v. If agreement regarding the individualized contents of the performance certificate and appendices, including the performance framework, cannot be reached in time to meet relevant timelines, a subcommittee of three commissioners may 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 performance 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 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 any conditions 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 annual performance reports will also provide information about schools' changing performance over time, which will be considered in the renewal year.
- vi. Schools may submit corrections and clarifications to their annual performance reports within thirty (30) days of issuance of the reports. Corrections and clarifications shall be submitted to the PCSC office in writing and shall include a completed Annual Report Response Form clearly identifying each correction/clarification and documentation supporting each correction/clarification.
- 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. School Leadership Updates: Each PCSC-authorized school shall submit a completed School Leadership Update Form to the PCSC office no later than July 30 of each year.
- ii. 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 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 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 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 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 holder a courtesy letter advising the 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 charter 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 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 or the charter holder responds, the charter holder remains responsible for the charter school’s operations and outcomes.

## E. Notice to Entities Responsible for Enforcement

- i. Pursuant to Section [33-5209C\(4\)](#), 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 charter 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 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 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 or the charter holder responds, the charter holder remains responsible for the charter school's operations and outcomes.

## F. Written Notification of Fiscal Concern

- i. Pursuant to Section [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 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. Written notifications of concern shall be reevaluated for continuation or removal only at the PCSC's June regular meeting. Schools wishing to have 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 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 section 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.

However, conditional renewal may be recommended if financial, 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, 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, operational, and/or mission-specific outcomes are poor.

- d. Financial, operational, or mission-specific outcomes shall be considered poor if the school's accountability designation in the corresponding section of the performance framework is remediation or critical.
- 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 schools' annual performance reports throughout the performance certificate term. Statistically significant, positive trends will make renewal more likely, while stagnant or negative trends will make renewal 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 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 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 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.
- 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 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, 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 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 or other formats may be accepted, on a case-by-case basis, with the prior approval of PCSC staff.
  - c. Schools achieving an honor accountability designation 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.
- vii. 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.

- b. 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.
  - e. Renewal proceedings may be recorded.
  - f. The PCSC may delegate the hearing of evidence to a hearing officer, or may hear evidence itself.
- viii. No later than March 15, the PCSC will hold a 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.



IDAHO PUBLIC CHARTER SCHOOL COMMISSION

# POLICIES & PROCEDURES

As Amended June 14, 2018



Idaho Public Charter School  
Commission  
304 North 8<sup>th</sup> Street, Room 242  
Boise, Idaho 83702

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Alan Reed, Chairman  
Tamara Baysinger, Director

UPDATED 6/14/18

## Section I: General Pursuant to [Idaho Statute §33-5213\(2\)](#) PCSC Meeting Protocol

### 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. 1. Materials to be considered at a regular meeting must be received by the PCSC office no later than 5:00 p.m. Mountain Time thirty (30) fifteen (15) 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. 2. Special Meeting Materials Deadline: Materials to be considered at a special meeting of the PCSC must be received by the PCSC office no less than twelve (12) hours later than 8:00 a.m. Mountain Time three (3) days prior to the scheduled start time of the meeting date. Additional or revised materials may be received after this deadline upon the specific direction of PCSC staff.~~
- ~~iv. 3. Additional or revised materials may be accepted after the deadline at the discretion of the PCSC Director.~~
- ~~v. 4. Meeting Materials Format: Meeting Additional materials must be submitted electronically via electronic mail, web-based file-sharing services, 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 as specifically directed, in advance, by PCSC staff. and handouts may be accepted at the meeting at the discretion of the PCSC Chair.~~
- ~~vi. 5. Additional Materials and Handouts: Additional materials or handouts may be accepted at PCSC meetings at the discretion of the chair. All materials shall be submitted electronically via electronic mail, web-based file-sharing services, or portable data storage devices. Materials submitted as a shared document or via a shared drive not provided by the PCSC will not be accepted.~~

## B. Public Participation

1. Members of the public may address the PCSC during regular or special PCSC meetings.
2. Members of the public must indicate the topic they wish to address on the sign-in sheet prior to the start of the meeting.
3. Members of the public shall be invited to speak by the Chairman during the agenda item to which the public comment pertains.
4. Public comment unrelated to an agenda item shall be allowed only if a separate public comment is included on the agenda. In such a case, the speaker shall be invited to address the PCSC during that section.
5. Public comments shall be limited to three (3) minutes.

## C. Written Testimony

1. Written testimony may be submitted to the PCSC staff at any time.
2. Written testimony must be identified as such and must include the name and contact information of the author.
3. Written testimony submitted at least seven (7) days in advance of a PCSC meeting will be included in the meeting materials.
4. Written testimony submitted fewer than seven (7) days in advance of a PCSC meeting will be distributed to commissioners, but will not be included in the meeting materials.

## D. Agenda Items Regarding PCSC Schools

1. A public charter school shall be informed no less than thirty (30) days prior to any meeting at which that school is the subject of an agenda item.
2. A public charter school's governing board or its designee shall be allotted up to fifteen (15) minutes to address the PCSC during the agenda item(s) specifically related to that school.

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

A. New Charter School Petition Evaluation Process Eligibility

- i. 1. New and transfer charter school petitions shall be considered only at regularly scheduled PCSC meetings and in compliance with I.C. § 33-5205.
- ii. 2. A petitions for a new charter school shall be submitted electronically via electronic mail, web-based file-sharing services, or portable data storage device. eligible for consideration by the PCSC if all of the following are satisfied:
  - a. The new charter school petition includes all required narrative sections and all required appendices, pursuant to IDAPA 80.02.04.202; and
  - b. The new charter school petition is submitted by a governing board whose bylaws are compliant with the Idaho nonprofit corporation act (I.C. § 30-30) and fully executed, and whose articles of incorporation are filed in the state of Idaho; and
  - c. The new charter school petition includes evidence that both the petition and the letter stating the petitioners' intent to pursue authorization with the PCSC were submitted to all impacted traditional school districts at least four (4) weeks prior to submission to the PCSC.
- iii. 3. A petitions for a new charter school shall not be submitted in the following format eligible for consideration by the PCSC if either of the following are true:
  - a. The petition has been denied by the PCSC within the previous twelve (12) months; or
  - b. A Petition Evaluation Report for the proposed new public charter school has been issued. by the PCSC staff, *and* the petition was subsequently withdrawn from consideration prior to the scheduled hearing within the previous twelve (12) months.

B. New Charter School Petition Submission Requirements

- 1. A petition for a new charter school may be submitted to the PCSC at any time.
- 2. Petitions received between January 1<sup>st</sup> and September 1<sup>st</sup>, if approved, may open the following fall.

3. Petitions received between September 2<sup>nd</sup> and December 31<sup>st</sup> will be subject to a full review cycle based on the petition's submission date. However, if approved, the public charter school may not begin operations until July 1 of the following year, at least eighteen (18) months after the date on which the petition was submitted.
4. New charter school petitions must include the following:
  - a. One Adobe PDF document comprising the petition narrative and all appendices, including the completed budget template; and
  - b. One Excel document (including formulas) comprising the completed budget template.
  - c. Materials provided by petitioners, but not incorporated into the final PDF by the petitioners, shall not be forwarded to the PCSC for consideration.
- ~~vii. Upon initial submission to the PCSC office, petitions shall be evaluated by PCSC staff. A written review shall be provided to the petitioning group within thirty (30) days.~~
- ~~viii. One (1) revised petition shall 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.~~
- ~~ix. Revised petitions shall show in legislative format all changes from the most recent version reviewed by PCSC staff (see The Idaho Rule Writer's Manual, Section II.4), with the exception of changes to PCSC templates. The "track changes" or "show markup" feature in Microsoft Word shall not be considered an acceptable substitute for legislative format.~~
- ~~x. Revised petitions shall clearly show the submission date of the most recent revision on the title page.~~
- ~~xi. Revised petitions shall be submitted in accordance with Section II.A.ii of this policy. The entire petition, including appendices, must be submitted with the revision in the format required by Section II.A.iii of this policy.~~
- ~~xii. Revised petitions that are not submitted in compliance with this section may be returned to the petitioners without further review.~~
- ~~xiii. 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 meeting materials submission deadlines described in Section I.A.ii of this policy.~~

- xiv. ~~The most recent, complete version of the petition 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.~~
- xv. ~~The version of the petition provided to the PCSC shall be accompanied by a written review reflecting the merits of that version. The petitioning group shall also be provided with the written review.~~
- xvi. ~~Additional revisions or supplementary documents submitted separately from the petition and/or after the 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.~~

### C. New Charter School Petition Content Requirements

1. PCSC staff will maintain a New Petition Guidance document and a full description of the Standards of Quality against which a new charter school petition shall be evaluated.
2. Pursuant to IDAPA 08.02.04.202, the petition narrative shall include descriptions the following:
  - a. Educational program; and
  - b. Financial and facilities plan; and
  - c. Board capacity and governance structure; and
  - d. Student demand and primary attendance area; and
  - e. School leadership and management; and
  - f. Virtual or blended learning model, if applicable.
3. Pursuant to IDAPA 08.02.04.202.07, new charter school petitions shall include all of the following appendices:
  - a. Appendix A - Budgets, including the PCSC budget template and facility option template; and
  - b. Appendix B - Articles of Incorporation and bylaws; and
  - c. Appendix C - Board of Directors; and
  - d. Appendix D - School Administration; and

- e. Appendix E - Education Services Provider, if applicable.
- 4. New charter school petitions may include any additional supporting documents incorporated into the PDF as Appendix F.

#### D. New Charter School Petition Evaluation Timeline

1. Within thirty (30) days of receiving an eligible new charter school petition, PCSC staff will issue a Petition Evaluation Report for the petitioners for use as a revision tool.
2. PCSC staff will conduct an interview with the public charter school's governing board for the purpose of evaluating the board's governance capacity. A summary of the interview shall be included in the final Petition Evaluation Report.
3. Petition revisions may be submitted up until the materials due date for the hearing, fifteen (15) days prior to the meeting. Revisions submitted fewer than fifteen (15) days prior to the hearing may be accepted at the discretion of the Director.
4. PCSC staff will issue a recommendation for approval, denial, or conditional approval to the school within twelve (12) weeks of the original submission date.
5. The PCSC will hold a hearing at the next regularly scheduled meeting following the issuance of the PCSC staff's recommendation.
6. Materials for the hearing will consist of:
  - a. The final new charter school petition in PDF format, as submitted by the petitioners; and
  - b. The final Petition Evaluation Report, as prepared by PCSC staff; and
  - c. A cover sheet noting the PCSC staff's recommendation.
7. At the hearing, the PCSC will issue a decision of approval, denial, or conditional approval.
8. If approved, a Performance Certificate for an initial operational term of five (5) years will be drafted by the PCSC staff, and must be executed by both parties within seventy-five (75) days from the date of approval.
9. New public charter schools must attend a pre-opening orientation meeting with PCSC staff within two (2) weeks of approval for the purpose of reviewing pre-opening requirements and timelines.

10. Denials may be appealed to the State Superintendent of Public Instruction pursuant to I.C. § 33-5207.

Section III: ~~Charter and Performance Certificate Amendments Pursuant to [Idaho Statute §33-5206\(8\)](#) and [IDAPA 08.02.04.302](#)~~ Petition for Transfer of Authorization

~~A. Proposed Charter or Performance Certificate Amendment Consideration Process~~  
A. Petition to Transfer Authorization Eligibility.

1. Petitions to transfer authorization of a public charter school's current Performance Certificate to the PCSC shall be considered only at regularly scheduled PCSC meetings and in compliance with I.C. § 33-5205A.

2. Petitions to transfer authorization may be submitted to the PCSC at any time.

3. The term dates of a public charter school's Performance Certificate are fixed, and shall not change due to a transfer of authorization.

4. A petition to transfer authorization shall be eligible for consideration by the PCSC if *both* of the following are true:

a. The public charter school's governing board has passed a resolution stating its intent to apply for a transfer of authorization; and

b. The public charter school's existing authorizer has provided written support of the public charter school's intent to apply for a transfer of authorization.

5. A petition to transfer authorization shall *not* be eligible for submission if:

a. The petition to transfer authorization has been denied by the PCSC within the pervious twelve (12) months; or

b. Either the public charter school's governing board or the public charter school's current authorizer do not wish to pursue the transfer.

B. Petition to Transfer Authorization Submission Requirements

1. Initial petitions to transfer authorization must include the following:

a. A petition narrative as described in Section II.C.2 of these policies; and

b. The school's current-year board-approved annual budget; and

- c. The school's most recent financial audit; and
  - d. Written notification from the existing authorizer indicating that it agrees to the pursuit of a transfer of authorization; and
  - e. The school's existing Performance Certificate, including the Performance Framework, and any other applicable appendices or conditions.
2. Final petition to transfer authorization must also include the following:
- a. The proposed PCSC Performance Certificate, including the Performance Framework, as applicable to the public charter school under PCSC authorization; and
  - b. Written confirmation from the school's existing authorizer that it has reviewed the materials included in the final submission, particularly the proposed Performance Certificate, and agrees to the transfer of authorization.

### **C. Petition to Transfer Authorization Evaluation Timeline**

1. Within thirty (30) days of submission, PCSC staff will provide to the petitioner:
  - a. A Petition Evaluation Report outlining any concerns with regard to the PCSC's Standards of Quality; and
  - b. A draft Performance Certificate, as applicable to the public charter school under the PCSC authorization.
2. A hearing shall be scheduled with twelve (12) weeks of the original submission date.
3. The PCSC will issue a decision to approve or deny the petition to transfer authorization at the scheduled hearing.
4. If approved, the transfer of authorization shall be effective on the following July 1<sup>st</sup>.
5. Denials may be appealed to the State Board of Education, pursuant to I.C. § 33-5209A.

## Section IV: Charter and Performance Certificate Amendments

- i. ~~1. 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:~~
  - g. ~~A cover letter explaining the nature of and rationale for the proposed amendments;~~
  - h. ~~One Adobe PDF document comprising the section(s) of the charter or performance certificate to be amended; and~~
  - i. ~~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.~~

#### A. Eligibility for Amendment

1. Pursuant to I.C. § 33-5206(8), a public charter school or its authorizer may enter into negotiations to revise a Charter or Performance Certificate at any time.

2. The PCSC shall *not* approve requests for amendments if *any* of the following are true:

- a. The amendment proposes to increase enrollment or to change the grade levels served *and* the school did not meet standard on all measures of the Performance Framework, as reported on the most recent Annual Performance Report; or
- b. The amendment proposes to increase enrollment or to change the grade levels served, or to increase the rate of growth toward capacity *and* the school is operating on an initial Performance Certificate term; or
- c. The amendment proposes to adjust sections of the Charter or Performance Certificate that are relevant to the reasons for possible non-renewal or revocation *and* the PCSC has issued notification of potential non-renewal or either revocation proceedings or closure protocol have begun.

xiii. Proposed Charter or Performance Certificate amendments shall include the following:

- a. A cover letter explaining the nature of and rationale for the proposed amendments; and
- 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 and/or notifications to the traditional district, if applicable.

B. Consideration of Minor Amendments

1. In accordance with IDAPA 08.02.04.302.02, the PCSC delegates to the PCSC Director the authority to approve minor amendments to a school's Charter or Performance Certificate.

2. Minor amendments include, but are not limited to:

- a. Changes in enrollment numbers by grade if the amendment does not impact the school's approved enrollment capacity or grades served;
  - b. Changes in enrollment capacity if the amendment does not increase the school's approved enrollment capacity by more than 10% over the course of the Performance Certificate term and the amendment does not change the approved grade levels served;
  - c. Changes to the school's mission, vision, or key design elements to reflect strategic planning if the amendment does not significantly change the instructional model;
  - d. Changes to the school's primary attendance area for the purposes of clarifying the intent of the existing area; or
  - e. Changes to the school's Charter to include statutorily allowable enrollment preference categories.
2. Notification of approval or denial by PCSC staff of any minor amendment will be issued to the public charter school within thirty (30) days of submission.
3. Amended Charters or Performance Certificates shall be fully executed by both parties within thirty (30) days of receiving notification of approval.
4. If the amended Performance Certificate or Charter is not executed by both parties within thirty (30) days of notification of approval, the amendment shall be

considered failed and the Performance Certificate or Charter will revert to its state prior to the failed amendment.

C. Consideration of Major Amendments

1. Major amendments will be considered by the PCSC only at regularly scheduled meetings.
2. Major amendments include, but are not limited to:
  - a. changes to the public charter school's enrollment capacity of more than 10% over the course of the Performance Certificate term;
  - b. changes to the grade levels served by the public charter school;
  - c. changes to the school's instructional model of such significance as to require the section of the charter to be rewritten; or
  - d. any amendment that does not otherwise qualify as minor according to Section IV.B.2.
3. A written review by PCSC staff of any major amendment shall be issued to the charter holder within thirty (30) days of submission.
4. Revision of the proposed Charter or Performance Certificate amendment(s) will be accepted by PCSC staff, provided the revision is submitted no less than fifteen (15) days prior to the scheduled hearing.
5. The PCSC shall approve or deny proposed Charter or Performance Certificate amendments at the hearing at which they are considered.
6. Amended Charters or Performance Certificates must be fully executed by both parties within thirty (30) days of approval.
7. If the Amended Performance Certificate or Charter is not executed by both parties within thirty (30) days of approval, the amendment shall be considered failed and the Performance Certificate or Charter will revert to its state prior to the failed amendment.

## Section IV: Charter School Reporting and Oversight

### A. Performance Certificates Pursuant to Idaho Statute 533-5205B, 533-5209A, and 533-5205A

- i. ~~for new, transfer, or renewed public charter schools shall include the current performance certificate and performance \_\_\_\_\_ framework adopted by the PCSC.~~
- ii. ~~2. In cases of transfer from another authorizer to the PCSC, the performance certificate, including the performance framework, must be executed by the PCSC and charter holder at the time of transfer approval.~~
- iii. ~~Prior to PCSC consideration, PCSC staff and charter 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 charter holders shall reach agreement regarding the individualized contents of the performance certificate and appendices, including the performance framework, prior to its submission to the PCSC for consideration.~~
- v. ~~If agreement regarding the individualized contents of the performance certificate and appendices, including the performance framework, cannot be reached in time to meet relevant timelines, a subcommittee of three commissioners may advise or mediate the collaborative drafting process.~~

### A. Governing Documents

1. Pursuant to I.C. § 33-5205B, no charter school shall operate without a Performance Certificate executed within 75 days of charter approval.
2. A Performance Certificate will outline the terms and conditions under which a charter school is authorized to operate.
3. All Performance Certificates will include Performance Framework that outlines the specific standards and outcomes the school must achieve in order to earn subsequent operational terms.
4. Pursuant to I.C. § 33 - 5209A(1) and I.C. § 33-5209B(5), the Performance Framework shall include indicators, measures, and metrics in the

following categories:

- a. Academic achievement,
- b. Operational effectiveness,
- c. Financial health, and
- d. Board stewardship

B. ~~Annual Public Charter School Performance Reports Pursuant to Idaho Statute [533-5209C\(2\)](#), and [33-5209B\(3\)](#)~~

1. Annual Performance Reports will be prepared by PCSC staff and shall include the following:

- a. the school's status with regard to the terms of its Performance Certificate
  - ~~i. An annual performance 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 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.~~
- b. the school's performance outcomes as evaluated against its Performance Framework;
- c. ~~Annual performance reports shall provide information about~~ The school's status with regard to any renewal conditions of petition approval or charter renewal ~~incorporated into the~~ included in its performance certificate, if applicable;
- d. longitudinal data reflecting the school's performance over the course of the previous three (3) operational years; and
- e. the school's status with regard to any mission-specific goals, if such are included in its Performance Framework.
- f. ~~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 annual performance reports will also provide information about schools' changing performance over time, which will be considered in the renewal year.~~

- ~~g.~~ 2. Public charter schools may submit corrections and/or clarifications to their Annual Performance Reports within thirty (30) days of issuance of the report.

~~3. Corrections and clarifications shall must be submitted to the PCSC office in writing and shall must include a cover sheet clearly identifying each correction or clarification and the supporting documentation. completed Annual Report Response Form clearly identifying each correction/clarification and documentation supporting each correction/clarification.~~

4. Annual performance reports ~~shall~~ will be published on the PCSC's website no later than January 31.

5. PCSC staff will prepare and publish an annual report addressing the performance of all schools authorized by the PCSC. This report will be published on the PCSC's website no later than January 31<sup>st</sup>.

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. Public charter schools authorized by the PCSC must submit the following reports annually by the following dates, or as requested:

- a. July 30<sup>th</sup>

~~School Leadership Updates: Each PCSC-authorized school shall submit a completed School Leadership Update Form to the PCSC office no later than July 30 of each year.~~

i. The school's leadership update, noting any changes to board directors, administrative staff, or key operational staff. This report also requires confirmation of contact information and assurance that all compliance issues that occurred during the previous fiscal year were reported to the PCSC as required;

ii. The school's board-approved annual budget for the current fiscal year (any subsequent amendments must be submitted within five (5) days of the change);

iii. The school's projected enrollment by grade level on which the submitted annual budget is based;

iv. A projected cash flow report for the current fiscal year; and

v. If applicable, any data necessary to evaluate the school's performance against mission-specific goals that are included in the school's Performance Framework.

b. November 1<sup>st</sup>

i. A board-approved independent fiscal audit report for the previous fiscal year.

c. February 1<sup>st</sup>

i. A balance sheet and a budget-to-actuals report as of the end of the second quarter of the fiscal year.

d. A public charter school that did not meet standard on any financial measures of the most recently issued Annual Performance Report must also submit the following financial documentation:

i. A balance sheet, due November 1<sup>st</sup> and May 1<sup>st</sup> to reflect the first and third quarters of the fiscal year, respectively;

i. A budget to actuals report, due November 1<sup>st</sup> and May 1<sup>st</sup> to reflect the first and third quarters of the fiscal year, respectively; and

ii. An updated cash flow report for the current fiscal year, due quarterly on November 1<sup>st</sup>, February 1<sup>st</sup>, and May 1<sup>st</sup>.

iii. ~~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 current annual performance reports shall be exempt from first and third quarter reporting.~~

- ~~iv. 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 November 1 of each year.~~
- ~~v. 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 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 may receive a score of zero (0) on the affected measure(s).~~
- ~~vi. 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. Reporting Standards

1. Pursuant to I.C. § 33.5204(2), a public charter school shall be considered a governmental entity. As such, public charter schools shall be accountable to the standards established by the Government Accounting Standards Board (GASB).
2. 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.
3. Cash flow projections shall be completed on a cash basis, showing actual cash amounts and projections with funds moving out at appropriate, anticipated time.

#### E. Required Documentation

1. Pursuant to IDAPA 08.03.01.301, public charter schools must submit copies of the following documents prior to operating and must notify the PCSC of any changes within five (5) days.
  - a. Facility lease agreement, if instructional facilities are leased;
  - b. Certificate of Occupancy for all instructional facilities;
  - c. Accreditation reports;

- d. Board bylaws; and
- e. Contact information for each board member (including full name, phone number, address, email address, and resume).

2. Pursuant to IDAPA 08.03.01.301, public charter schools must notify the PCSC within five (5) days if the administration or the governing board becomes aware of any of the following circumstances:

- a. The school may have violated the terms of its Performance Certificate or operated out of compliance with any applicable laws, rules, or regulations;
- b. A lawsuit has been filed against the school;
- c. A complaint against an employee of the school has been filed with the Professional Standards Commission; or
- d. The school's board passes a motion to relinquish its charter.

3. Pursuant to IDAPA 08.03.01.300, a public charter school must provide copies of the following insurance binders to the PCSC prior to operating:

- a. Liability;
- b. Property loss;
- c. Worker's compensation
- d. Unemployment; and
- e. Health.

4. Pursuant to IDAPA 08.03.01.300, a public charter school must provide the following documents to the PCSC prior to beginning operations in an initial or any subsequently acquired facility:

- a. Building inspection report from the Idaho Division of Building Safety;
- b. Fire Marshall report for the site; and

- c. Health District inspection certificate issued by the appropriate health district for the site.
  
5. The PCSC or its staff may request additional reports on an as-needed basis for the purpose of fulfilling its duty to oversee the public charter school's compliance with applicable laws, rules, and regulations, including the school's Performance Certificate and Performance Framework.

#### F. Authorizer Fee

1. Authorizer fees shall be calculated pursuant to I.C. § 33-5208(8).
2. PCSC staff will issue authorizer fee invoices no later than February 15<sup>th</sup> each year.
3. Authorizer fees shall be due to the PCSC no later than March 15<sup>th</sup> of each year.
4. A public charter school may redirect up to 10% of the assessed fee to pay membership fees to an organization that provides technical assistance, training, and advocacy for Idaho public charter schools. Receipts must be remitted with payment as proof of purchase.
5. A public charter school will be notified within thirty (30) days of the due date if payment is delinquent. In such a case, the amount due will be withheld from the next scheduled payment distribution until such time as the school remits payment in full pursuant to IDAPA 08.02.04.102.

## Section VI: Public Charter School Oversight

### A. General Oversight

1. All public charter schools authorized by the PCSC shall be continuously monitored for compliance with all applicable laws, rules, regulations, and the terms of the Performance Certificate.
2. All public charter schools authorized by the PCSC shall be annually evaluated against the Performance Certificate to determine performance outcomes.
3. The PCSC will consider the reporting burden of public charter schools when requesting reports, and will utilize data and reports prepared by the State Board of Education, the State Department of Education, and/or PCSC staff whenever possible.
4. If a public charter school is accredited by a State Board of Education approved accrediting agency, the PCSC shall accept accreditation reports in lieu of conducting a site visit for the purpose of establishing whether the school is effectively implementing its Key Design Elements as stated in the Performance Certificate.
5. If a public charter schools is not accredited by a State Board of Education approved accrediting agency, the PCSC will conduct a site visit once during the public charter school's Performance Certificate term for the purpose of evaluating whether the schools is effectively implementing its Key Design Elements as stated in its Performance Certificate.
  - a. The public charter schools will receive written notice of a site visit for this purpose at least thirty (30) days prior to the visit, and whenever possible, the site visit will be scheduled at a time convenient for the public charter school.
6. The PCSC will make additional site visits for the following purposes:
  - a. Conducting a pre-opening site visit with advanced notice for the purpose of determining the school's readiness to begin operations.
  - b. Observing the enrollment lottery once per Performance Certificate term with advanced notice and for the purpose of evaluating operational compliance;
  - c. Observing a governing board meeting once per Performance Certificate term with advanced notice and for the purpose of evaluating operational compliance;
  - d. Investigating concerns regarding compliance with any applicable laws, rules, regulations, or the Performance Certificate with or without notice; and/or
  - e. Attending celebrations by invitation.

### B. Complaints

1. PCSC staff shall log all complaints against public charter schools it authorizes within one (1) business day of receiving the complaint.
2. PCSC staff shall notify the public charter school's governing board and primary administrator of the complaint within five (5) business days of receiving the complaint.
3. PCSC staff shall inform complainants of the appropriate grievance procedures including:
  - a. The public charter school's grievance policy; and
  - b. The grievance policy of the entity responsible for enforcing the law, rule, or regulation for which the complaint alleges violations.

## **C. Investigations**

### **D. Notice to Entities Responsible for Enforcement**

- ~~i. Pursuant to Section [33-5209C\(4\)](#), 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 charter 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 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 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 or the charter holder responds, the charter holder remains responsible for the charter school's operations and outcomes.~~

1. PCSC staff shall investigate the validity of complaints alleging that a public charter school may be in violation of an applicable law, rule, regulation, or term of the Performance Certificate.

2. If the PCSC staff's investigation concludes that a violation occurred or that more specific expertise is required to determine whether a violation has occurred, the PCSC staff shall provide notice of its concerns to the entity responsible for enforcing the law, rule, or regulation in question. Such notice shall be made in writing, and a copy will be provided to the public charter school.

3. Enforcement of the law, rule, or regulation that has been violated, and ensuring compliance on behalf of the school, will be the responsibility of the entity responsible for enforcing that law, rule, or regulation. However, the PCSC will engage in progress-monitoring for the purpose of reporting on the public charter school's state of compliance at the time of the next Annual Performance Report.

4. If the public charter school is in violation of the terms of its Performance Certificate, the PCSC shall issue a Courtesy Letter defining the violation and the date by which the violation must be resolved. PCSC shall engage in progress-monitoring for the purpose of enforcing compliance.

5. Progress-monitoring plans will be documented, and may include additional site visits, desk audits, and/or meetings.

6. A public charter school's Annual Performance Report shall include record of any PCSC staff investigation concluding that a violation occurred, and record of any findings or violation identified by an entity responsible for enforcing an applicable law, rule, or regulation.

#### 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 holder a courtesy letter advising the 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.~~

1. Courtesy letters may be issued to a public charter school for any reason at the discretion of the PCSC Director.

2. Courtesy letter will be issued to a public charter school if any of the following circumstances arise:

a. The PCSC has reason to believe the school may be in violation of a law, rule, or regulation, or the terms of its Performance Certificate;

b. The PCSC has reason to believe that the public charter school may not be able to remain fiscally viable for the remainder of its Performance Certificate term;

c. To request any reports in addition to those described in Section V.C of these policies;

d. To request any documentation necessary to conduct the PCSC's oversight duties;

e. To inform the school of a progress-monitoring plan; and/or

f. To inform the school of potential or executed actions of the PCSC that impact the operation of the public charter school, including, but not limited to, non-renewal or revocation of the school's Performance Certificate or changes to PCSC policy.

~~3. Courtesy letters shall be for the purpose of ensuring that the charter holder public charter school is formally made aware of the a concern, request or required action. 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.~~

~~ii. Charter 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.~~

~~iii. Regardless of whether or not a courtesy letter is issued or the charter holder responds, the charter holder remains responsible for the charter school's operations and outcomes.~~

4. The issuance of a courtesy letter and the receipt of documented resolution of a concern identified in a courtesy letter will be noted in the public charter schools Annual Performance Report.

## E. Written Notification of Fiscal Concern

1. Pursuant to I.C. § 33-5209C(3), 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 written notification of concern.

2. A notification of fiscal concern shall be issued by the PCSC for the purpose of protecting taxpayer dollars and shall cause the public charter school's funding to be distributed in equal percentages across the regularly scheduled distribution dates for the fiscal year following issuance.

- ~~i. 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.~~~~

3. A public charter school shall be considered financially stable if the school met all financial standards on the most recently issued Annual Performance Report.

4. A public charter school shall also be considered financially stable if the public charter school did not meet the financial standards on the most recently issued Annual Performance Report, but *all* of the following are true:

- a. The public charter school's fiscal audit indicates a positive year-end fund balance for the previous fiscal year; and
- b. the public charter school maintained a positive cash flow during the current fiscal year; and
- c. The public charter school is able to service all current-year financial obligations without relying on revenue intended for use in future fiscal years; and
- d. The public charter school did not engage in any new long or short term debt during the current fiscal year.

- ~~ii. 5. Written notifications of concern shall be reevaluated for continuation or removal considered for issuance, continuation, or removal only at the PCSC's June regular meeting. Schools wishing to have 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.~~

6. Written notifications of fiscal concern shall be in effect for the entire fiscal year.

7. Public charter schools wishing to have written notifications of fiscal concern considered for removal must provide a cover letter and documentation evidencing fiscal stability at least thirty (30) days in advance of the scheduled meeting.

## Section VII: Renewal, Non-Renewal, and Revocation

### A. ~~Renewal / Non-Renewal Process~~

#### A. Renewal Standards

1. The PCSC shall ~~make conduct its renewal, /non-renewal, or conditional renewal decisions~~ process in compliance ~~accordance with I.C. § 33-5209B.~~, Idaho Code.
2. The PCSC shall consider a school's demographic profile and other circumstances that may affect the school's ability to adhere to the terms and conditions of its Performance Certificate when making renewal or non-renewal decisions.
3. The PCSC shall base its renewal decisions on:
  - a. The school's performance outcomes as evaluated against the school's Performance Framework; and
  - b. The school's fiscal audits; and
  - c. The terms of the school's Performance Certificate.
4. The PCSC shall renew a charter, thereby granting a subsequent Performance Certificate term, to any public charter school that met all of the terms of its Performance Certificate (including the Performance Framework) on Performance Report issued on the November 15<sup>th</sup> preceding the renewal decision, in accordance with I.C. § 33-5209B(9). Schools in this category are exempt from submitting a renewal application.
5. The PCSC may renew, non-renew, or renew with conditions any Charter in which the public charter school failed to meet one (1) or more terms of its Performance Certificate (including the Performance Framework), in accordance with I.C. § 33-5209B(9).
6. All renewals, including conditional renewals, will be for a term of five (5) years.
7. Conditional renewals shall include specific, written conditions for necessary improvement, including the mid-term date by which the conditions must be met, in the Performance Certificate. If a school fails to meet any written condition(s) for necessary improvement by the mid-term date specified in the school's Performance Certificate, the PCSC shall consider whether to begin revocation proceedings at the next regularly scheduled meeting, in accordance with Section VII.3 of these policies.

## B. Renewal Process

1. The PCSC shall conduct its renewal process in accordance with I.C. § 33-5209B.

- ~~i. 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.~~
- ~~ii. 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.~~~~

2. A performance report shall be issued by the PCSC to all schools by No later than November 15<sup>th</sup> preceding the school's renewal year. , the PCSC shall issue to all renewal-year schools an annual performance report and renewal guidance and application that meets the requirements of Section [33-5209B](#), Idaho Code. The annual performance report shall include a summary of the school's performance record to date and, notification of the prospect of non-renewal, if applicable, notice of any weakness or concern that may jeopardize renewal.

3. A school may submit a response to the performance report for the purpose of providing relevant clarification or corrections within thirty (30) days of issuance.

4. Renewal guidance and application requirements shall be provided to each school by November 15<sup>th</sup> of its renewal year.

5. 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<sup>th</sup>, public charter schools must submit a renewal application Renewal applications shall be submitted in accordance with the renewal guidance document. and application 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.

~~c. Renewal applications shall be submitted to the PCSC office electronically via email, online file-sharing service, portable data storage device, or secure server provided by the PCSC office.~~

~~d. Renewal applications shall be comprised of no more than two (2) documents: the completed application 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 or other formats may be accepted, on a case-by-case basis, with the prior approval of PCSC staff.~~

~~e. Schools achieving an honor accountability designation 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.~~

~~6. No later than January 15<sup>th</sup>, PCSC staff will advise any renewal-year schools regarding whether they will be recommended for renewal or non-renewal. notify the school of its proposed recommendation, including any recommended conditions and/or the prospect of non-renewal when applicable.~~

~~iii. 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.~~

~~b. 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.~~

~~e. Renewal proceedings may be recorded.~~

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

7.No later than March 15<sup>th</sup>, the PCSC will hold a meeting for the purpose of making final renewal or non-renewal determinations regarding all renewal-year-schools. In preparation for the meeting the PCSC will be presented with a dossier for each school. The dossier will include at least the following:

- a. A cover sheet including the PCSC staff's recommendation;
- b. The school's performance report;
- c. The school's response to the performance report, if submitted; and
- d. The school's renewal application, including any additional evidence supporting its case for renewal and any improvements it has planned or has undertaken, as submitted by the school.

8.All public charter schools for which the PCSC is making a renewal decision may present relevant information during the renewal-determination meeting.

9.Any public charter school facing non-renewal may request a separate hearing. In such a case, the PCSC may delegate the hearing of evidence to a hearing officer, or may hear evidence itself.

10.Final renewal or non-renewal determinations will be conveyed in writing to the charter holders within seven (7) days. public charter school and the State Board of Education with fourteen (14) days of the decision.

11.A decision to non-renew may be appealed directly to the State Board of Education pursuant to I.C. § 33-5209C(8).

### C. Revocation Process

1. A Public charter school that has failed to meet a specific, written condition by the date specified in the school's current Performance Certificate may have its Charter revoked.

- a. The PCSC will annually communicate to each school in writing the public charter school's progress toward meeting any conditions for necessary improvement included in its Performance Certificate.
- b. If a school fails to meet an established condition by the date specified in its Performance Certificate, the PCSC will consider whether to begin revocation proceedings at the next regularly scheduled commission meeting.
- c. A decision to begin revocation proceedings will be issued to the public charter school in writing.

d. If closure proceedings must begin, the school will be notified in writing, and the school must cease to operate by June 30<sup>th</sup> of the current school year.

e. A decision to revoke may be appealed directly to the State Board of Education pursuant to I.C. § 33-5209C(8).

2. A public charter school with insufficient access to unrestricted cash may have its Charter revoked pursuant to I.C. § 33-5209C.

a. If a school's independently audited financial report reflects fewer than fifteen (15) days of unrestricted cash on hand, the PCSC will notify the school of the prospect of closure no later than November 30<sup>th</sup>.

b. If the school's next consecutive independently audited financial report (e.g., the following year) again reflects fewer than fifteen (15) days of unrestricted cash on hand, the PCSC must begin closure protocol by November 30<sup>th</sup>.

c. If closure proceedings must begin, the school will be notified in writing, and the school must cease to operate by June 30<sup>th</sup> of the current school year.

d. Initiation of revocation due to insufficient access to unrestricted cash may be appealed directly to the State Board of Education pursuant to I.C. § 33-5209C.

#### **D. Closure Protocols**

1. The implementation of closure protocol shall begin immediately following the issuance of:

a. Written notification of the PCSC's non-renewal decision; or

b. Written notification of the PCSC's decision to revoke; or

c. Written notification of the public charter school's decision to relinquish its Charter.

2. Within three (3) business days of the implementation of closure protocol, representatives of the public charter school's board and administration shall meet with staff representatives of the PCSC and the SDE to review and begin the PCSC's closure protocol.

3. The closure protocol must begin regardless of whether or not a school has chosen to appeal the decision.

4. The school shall cooperate with the PCSC and the State Department of Education through the closure process, and shall perform the following actions according to PCSC closure protocol:

- a. Notify stakeholders (e.g., parents, local districts, etc) of closure; and
- b. Develop and monitor implementation of the closure plan; and
- c. Provide educational services in accordance with the Charter and Performance Certificate until the end of the school year, or the agreed upon date when instruction will stop; and
- d. Assist students in transferring to, or applying for, enrollment at schools that meet their educational needs; and
- e. Address the school's financial, legal, and reporting obligations.