DRAFT AGENDA Performance and Accountability Committee MISSISSIPPI CHARTER SCHOOL AUTHORIZER BOARD August 10, 2017

- I. Call to order
- II. Adoption of the Agenda
- III. Approval of the Last Meeting's Minutes

IV. 2016-2017 Annual Reporta. Initial Draft – September Board Meetingb. Data Analysis

- V. Contract Amendment Policy
- VI. Charter School Closure Protocol
- VII. Next Meeting
- VIII. Adjourn

MINUTES OF THE Performance and Accountability Committee MISSISSIPPI CHARTER SCHOOL AUTHORIZER BOARD Thursday, June 1, 2017

The Performance and Accountability meeting was held at 10:00 a.m. on Thursday, June 1st, 2017, at the MCSAB offices located at 239 N. Lamar Street, Suite 207, Jackson, MS.

Participating by teleconference were: Mr. Tommie Cardin Mr. Chris Wilson

Dr. Carey Wright was unable to attend. Executive Director Marian Schutte was also in attendance.

ITEM I. ADOPTION OF THE AGENDA

A. Adoption of Agenda

The agenda was previously circulated to all members for their review.

The Committee approved the agenda as presented.

ITEM II. 2016-2017 Site Visits

Executive Director Marian Schutte presented information from Midtown Public Charter School, Reimagine Prep, and Smilow Prep's site visits. All schools received a full site visit according to the ongoing monitoring protocol. The site visit for each school consisted of classroom visits, policy and procedures audit, facility walkthrough, and school leader and board member conversation. Discussion followed on the progress of each school. At each site visit, there were no issues that warranted a Notice of Concern on the Mississippi Charter School Performance Framework. All schools also participated fully in the state assessment process and the Authorizer Board should have proficiency results from this process in late summer.

The next step is to collect all final data from the school year and compile it into the Annual Report. Based on performance and the ongoing monitoring protocol, Midtown Public Charter School and Reimagine Prep may be eligible for less intense oversight.

The Committee received the report on the 2016-2017 site visits.

ITEM III. Charter School Contract Revision

Ms. Schutte presented a request from Midtown Public Charter School to modify its total enrollment for years three through five of its contract. The school wishes to add 12 students in grades 6, 7, and 8 in order to have four sections of sixteen students in its higher grades. The

school wishes to do this in order to serve its middle school grades in smaller groups as well as meet parent demand for enrollment in the higher grades.

Ms. Schutte shared that while the Authorizer Board has the authority to allow a charter school to increase its enrollment at any time the MAEP funding is based on the total enrollment number in the charter school contract at the time MDE calculates the MAEP formula in December of each year. This calculation is then sent to the Legislature and is what the final MAEP appropriation is based on. If a school increases its enrollment after this process, there is currently not a way to adjust this. However, the school would still be eligible to receive additional local funding since that amount is based on the first month's enrollment of the current school year.

After some discussion, the Committee deferred action on Midtown Public Charter School's request to the June regular meeting of MCSAB.

ITEM IV. Contract Amendment Policy

Ms. Schutte presented the first draft of a form and policy for charter schools to follow when requesting to change components of their charter school contract. The policy features steps for both material and non-material changes to charter school contract. Material changes requires MCSAB approval and for schools to submit the request for modification in advance along with board meeting minutes that indicate the approved change to the charter school contract. Non-material amendment requests are required to be submitted and take effect after 5 days unless MCSAB staff contacts the school about an issue with the amendment. The Committee discussed that this policy and form standardize a process that is already occurring related to charter school contract amendments rather than create or establish a new practice.

After some discussion, the Committee received the policy draft of the contract amendment policy.

ITEM V. Charter School Closure Protocol

Ms. Schutte presented the first draft of a charter school closure protocol. The protocol was developed in partnership with Mississippi First. Mississippi First researched closure protocols nationwide as well as national best practices related to closure protocols. The Committee discussed the scope of the role of MCSAB in potential charter school closure activities and the significant roles of boards in ensuring the success of this process. Ms. Schutte noted that some authorizers require charter schools to pay an additional amount of funds upfront in the form of a closure bond or fund in order to account for these services that may be needed at a later date. At the request of the committee, Ms. Schutte stated that she will present additional information on this topic at the next committee meeting.

The Committee received the draft of the charter school closure protocol.

ITEM VI. Adjournment

The meeting adjourned at 11:15am.

ADOPTED, this the _____ day of ______, 2017.

Mr. Chris Wilson, Chairman



Charter School Contract Amendment Request Form and Policy

Non-Profit Organization:			
Board President/Chairperson:			
School(s) Affect by Amendment Request:			
Section A. Please indicate the type(s) of amendment re	equested by che	eckin	g the appropriate box(es) below:
Material Amendments			Non-Material Amendments
* A material amendment makes substantive changes charter schools governance, operational, or academ structure. Material amendments require Mississippi School Authorizer Board approval.	hools governance, operational, or academic changes to a charter school's charter. Non-material amendments require Mississippi Charter amendments will be effective five business days		ges to a charter school's charter. Non-material ndments will be effective five business days wing written notification, unless the Mississippi ter School Authorizer Board notifies the operator
Changes in the legal status or management, including th of the governing board, or changes in education service			Changes to the mailing address, telephone, and/or facsimile number of the charter school
Changes in the school's mission		(Changes in signing authority for the charter school
Changes in grade levels served		(Changes in admission procedures or criteria, if applicable
Changes in student enrollment which result in enrollmen of 120% of the total number of students set forth in the s charter contract	t in excess chool's	(Changes to the school's transportation plan
Changes in school location (change of site and/or adding sites)	g or deleting		
Other (please explain in Section B below)			

Section B. Please provide a rationale for each of the proposed amendments indicated above, not to exceed one page per amendment. Include any supporting documentation as an attachment; this is required for both material and non-material amendments.

Section C. If requesting an amendment to the grade levels served or student enrollment in excess of 120%, please attach an updated version of the enrollment projection table. A template can be found below.

• Enrollment Projection Table

Section D. Please include a copy of the board minutes authorizing the amendment request for material and non-material amendments.

I certify that I have the authority to submit this Charter Contract Amendment Request Form and that all information contained herein is complete and accurate. I understand that material amendments are not considered approved until the Mississippi Charter School Authorizer Board officially approves this request, and that non-material amendments are considered approved only after the Mississippi Charter School Authorizer Board or its staff expresses no objection within five business days of receiving the request. I understand that if this request is not received within the timeframe for inclusion on the current month's board meeting agenda, it will be added to the agenda of MCSAB's next regularly scheduled meeting for consideration. I also understand that this document does not constitute an amendment and that a proposed material amendment approved by the MCSAB shall only be binding on the parties to the charter contract in accordance with the terms and conditions contained in an amendment signed by MCSAB and the charter operator.

Signature of Board President/Chairperson:

Date:

Submission Instructions: Please submit this form as a single PDF document to the Mississippi Charter School Authorizer Board by email at charterschools@mississippi.edu. We will confirm receipt and notify you of the date the MCSAB's Performance and Accountability Committee and then the MCSAB will consider this request. Please note that requests for material amendments are due at least one month before the next MCSAB regular board meeting. In order to receive funding from MAEP for enrollment expansion requests, please submit these material amendment requests no later than November first of the prior school year.



CHARTER SCHOOL CONTRACT- MATERIAL AMENDMENT: ENROLLMENT PROJECTION TABLE

Please Note: Enrollment projections should only cover the years for which the original contract designates. For instance, if your current contract is only for three years, only put enrollment numbers for the three years of that contract.

Grade Level	Year 1 2020	Year 2 2020	Year 3 2020	Year 4 2020	Year 5 2020
K					
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
TOTALS					



School Closure Plan - Action Steps		
Action Item	Responsible Party	Completion Date
Publish "Charter School Closure: Frequently Asked Questions" document to website. The FAQ is a general document from the authorizer outlining MCSAB's policies, commitment to quality authorizing through supporting the transition of students and staff to new settings, overview of transition steps, general timelines, checklist for parents transitioning to a new school in the next school year and authorizer contact information.	Authorizer Lead	Prior to the MCSAB's vote to close the charter school
 Establish transition team and assign roles. The team should include: lead person from MCSAB staff; charter school board chair; lead administrator from the charter school; and lead finance person from the charter school. The team will work together to ensure that all action steps in the closure protocol are completed. 	Authorizer Lead and Charter School Board Chair	Within 24 hours of MCSAB's vote to close the school
Assign transition team action item responsibilities. Distribute contact information, including email addresses and phone numbers, to all transition team members, set calendar for meetings, and assign dates for completion of each charter school closure item.	Authorizer Lead and Charter School Board Chair	Within 48 hours of MCSAB's vote to close the charter school
Reserve funds. Segregate by board resolution in a separate checking account up to \$45,000 in funds to be used for legal, accounting, and other expenses to execute this closure plan.	Charter School Board Chair	Within 72 hours of MCSAB's vote to close the school.
 Send closure notification letter to parents and school. Distribute letter to parents, faculty, and staff outlining: the justification for the closure decision; the timeline for transition; and contacts for questions and help. 	Authorizer Lead and Charter School Board Chair	Within 24 hours of MCSAB's vote to close the school



 Send closure notification letter to state and local agencies. Distribute letter to the Mississippi Department of Education as well as local school districts (to inform local district for purposes of potentially enrolling students from the closing school) to include: notification materials distributed to parents; notification materials distributed to faculty and staff; and authorizing board decision materials, resolution to close school, copy of any termination agreement (if applicable). 	Authorizer Lead and Charter School Board Chair	Within 24 hours of MCSAB's vote to close the school
Develop talking points.	Authorizer Lead and	Within 24 hours of MCSAB's
Create talking points for parent, faculty, community, and press audiences. Focus on communication plans for orderly transition of students and staff. Distribute to transition team.	Charter School Board Chair	vote to close the school
Create press release.	Authorizer Lead and	Within 24 hours of MCSAB's
Create and distribute a press release that includes the following:	Charter School Board Chair	vote to close the school
history of school;	Ondi	
 authorizing board closure policies; 		
 reason(s) for school closure; 		
 outline of support for students, parents, and staff; and 		
 a press point person for the authorizer and for the school 		
Continue current instruction.	Charter School	Until the end of classes as
Continue instruction under current education program per charter contract until last day of classes.	Administrator Lead	designated in closure resolution
Terminate summer instruction program.	Charter School Board	Within 48 hours of MCSAB's
Take appropriate action to terminate any summer instruction, such as canceling teaching contracts.	Chair and Administrator Lead	vote to close the school
Secure student records.	Charter School	Within 24 hours of MCSAB's
Ensure all student records are organized, up to date, and maintained in a secure location.	Administrator Lead	vote to close the school



Secure financial records.	Charter School Financial	Within 24 hours of MCSAB's
Ensure all financial records are organized, up to date, and maintained in a secure location.	Lead	vote to close the school
Collect parent contact information.	Charter School	Within 24 hours of MCSAB's
Create parent contact list to include:	Administrator Lead	vote to close the school
student name;		
address;		
telephone; and		
email, if possible.		
Provide a copy of the list to the authorizer lead.		
Convene parent closure meeting.	Authorizer Lead and	Within 72 hours of the
Plan and convene a parent closure meeting.	Charter School	authorizing board's vote to close the charter school
Make copies of the "Closure FAQ" document available.	Administrator	
Provide overview of authorizer board closure policy and closure decision.		
 Provide calendar of important dates for parents, including application deadlines for other local programs of choice (i.e. magnet schools or private schools). 		
 Provide specific remaining school vacation days and date for end of classes. 		
Present timeline for closing down of school operations.		
 Provide contacts to answer questions and offer support. 		
Convene faculty and staff meeting.	Charter School Board	
Plan and convene a meeting for all faculty and staff to communicate:	Chair, Charter School	
 commitment to continuing coherent school operations throughout closure transition; 	Administrator Lead	
 plan to assist students and staff by making closing as smooth as possible; 		
reasons for closure;		
timeline for transition details;		
compensation and benefits timeline; and		
 contact information for ongoing questions. 		



Maintain location and lines of communication. Establish if the school will maintain the current facility as its locus of operation for the duration of closing out the school's business, regulatory, and legal obligations. In the event the facility is sold or otherwise vacated before concluding the school's affairs, the school must relocate its business records and remaining assets to a location where a responsive and knowledgeable party is available to assist with closure operations. The school must maintain operational telephone service with voice message capability and maintain custody of business records until all business and transactions are completed and legal obligations are satisfied. The school must immediately inform the authorizer if any change in location or contact information occurs.	Charter School Board Chair	Ongoing until closure complete
Maintain insurance policies. The school's assets and any assets in the school that belong to others must be protected against theft, misappropriation and deterioration. The school should:	Charter School Board Chair and Charter School Financial Lead	Ongoing until all business related to closure is completed
 maintain existing insurance coverage until the disposal of such assets under the school closure plan; 		
 continue existing insurance for the facility, vehicles, and other assets until 1)disposal or transfer of real estate or termination of lease and 2) disposal, transfer, or sale of vehicles and other assets; 		
 negotiate facility insurance with entities that may take possession of school facility (lenders, mortgagors, bond holders, etc.); 		
continue or obtain appropriate security services; and		
 plan to move assets to secure storage after closure of the school facility. 		



School Closure Plan – Notifications		
Action Item	Responsible Party	Completion Date
 Distribute parent/guardian closure transition letter. Distribute letter with detailed guidance regarding transition plan. Notification should include, but not be limited to: date of the last day of regular instruction; cancellation of any planned summer school; notification of mandatory enrollment under state law; date(s)of any planned school choice fair(s); listing of the contact and enrollment information for charter, parochial, public, and private schools in the area; information on obtaining student records before the end of classes; and contact information for parent/guardian assistance/questions. 	Charter School Board Chair and Charter School Administrator Lead	Within 10 days of MCSAB's vote to close the charter school
 Distribute staff/faculty closure transition letter. Outline transition plans and timelines for staff, including but not limited to: commitment of school's board to transitioning staff; commitment to positive transition of children into new educational settings; any transition of new employment assistance board anticipates providing (such as job fairs); timelines for compensation and benefits, including state unemployment benefits; timelines for outstanding professional development issues; COBRA information; pertinent licensure information; and contact(s) for assistance and questions. 	Charter School Board Chair	Within 10 days of MCSAB's vote to close the charter school



 Notify state and local education agencies. The school should notify the following departments at the Mississippi Department of Education: School Financial Services Federal Programs Student Assessment Public Reporting The school should also notify the local district superintendent and superintendents from any school districts where current students reside. 	Authorizer Lead and Charter School Board Chair	Within 10 days of MCSAB's vote to close the charter school
 Notify employee and benefit providers of termination date. The school should establish an employee termination date and: notify all employees of termination of employment and/or contracts; notify benefit providers of pending termination of all employees; notify employees and providers of termination of all benefit programs; terminate all programs as of last date of service in accordance with applicable law and regulations including: health care/health insurance; life insurance; dental plans; eyeglass plans; cafeteria plans; 401(k) retirement plans; and pension plans Specific rules and regulations may apply to such programs, especially teachers' retirement plans, so legal counsel should be consulted. Provide the authorizer copies of all materials. 	Charter School Board Chair and Charter School Financial Lead	Within 45 days of the authorizing board's vote to close the charter school



 Notify management company/organization and terminate contract. The school must: notify management company/organization of termination of education program by the school's board, providing the last day of classes and absence of summer program; provide notice of non-renewal in accordance with management contract; request final invoice and accounting to include accounting of retained school funds and grant fund status; and provide notice that the management company/organization should remove any property lent to the school after the end of classes and request a receipt of such property. Provide a copy of this notification to the authorizer. 	Charter School Board Chair	Within three weeks of MCSAB's vote to close the charter school
 Notify contractors. The school must formulate a list of all contractors with contracts in effect and: notify them regarding school closure and cessation of operations; instruct contractors to make arrangements to remove any contractor property from the school by a certain date (copying machines, water coolers, other rented property); retain records of past contracts as proof of full payment; and maintain telephone, gas, electric, water, and insurance long enough to cover the time period required for all necessary closure procedures to be complete. Provide the authorizer written notice of such notifications. 	Charter School Financial Lead	Within three weeks of MCSAB's vote to close the charter school
Notify creditors. Solicit from each creditor a final accounting of the school's accrued and unpaid debt. Compare the figures provided with the school's calculation of the debt and reconcile. Where possible, negotiate a settlement of debts consummated by a settlement agreement reflecting satisfaction and release of the existing obligations.	Charter School Financial Lead	Within three weeks of MCSAB's vote to close the charter school
The school should not accept further loans nor otherwise incur additional liability. However, it may continue to accept gifts from charitable partners as long as the charity is aware of the school's closure. Provide the authorizer a written summary of this activity.		



Notify debtors. Contact all debtors and demand payment. If collection efforts are unsuccessful, consider turning the debt over to a commercial debt collection agency. All records regarding such collection or disputes by debtors regarding amounts owed must be retained.	Charter School Financial Lead	Within three weeks of MCSAB's vote to close the charter school
Provide the authorizer a written summary of this activity.		



School Closure Plan – Records		
Action Item	Responsible Party	Completion Date
Disposition of Non-Student Records	Charter School Board	Within two months of the end of classes and ongoing
In all cases, the school board shall maintain all corporate records related to:	Chair	
loans, bonds, mortgages and other financing;		
contracts;		
leases;		
assets and asset sales;		
• grants (records relating to federal grants must be kept in accordance with 34 CFR 8042);		
• governance (minutes, by-laws, policies);		
 employees (background checks, personnel files); 		
 accounting/audit, taxes and tax status, etc.; 		
• personnel;		
employee benefit programs and benefits; and		
any items listed in this closure plan.		
The organization shall maintain these documents indefinitely. In the event the school corporation is dissolved, any and all records not previously sent to the MCSAB should be immediately sent.		
Final Report Cards and Student Records Notice	Charter School	One week after the end of classes
The school must ensure that:	Administrative Lead	
 all student records and report cards are complete and up to date; 		
 parents/guardians are provided with copies of final report cards and notice of where student records will be sent (with specific contact information); and 		
 parents/guardians receive a reminder letter or post card reminding them of opportunity to access student records under Freedom of Information law. 		
Provide the authorizer with a copy of the notice.		



Transfer of Student Records	Charter School Board	Within one month after the end
In accordance with MS Code Section, 37-15-3, the school must transfer all permanent and/or cumulative student records to students' new schools. In accordance with Mississippi Code Section 37-15-1, the permanent and cumulative student records include:	and Charter School Administrative Lead	of classes
 student's date of birth (and documentation); 		
record of attendance;		
grades and any evaluation;		
date of withdrawal;		
 date of any expulsion from the school system and description of behavior or act resulting in the expulsion; 		
all materials associated with the Individual Education Plans;		
immunization records; and		
parent/guardian information.		
The school must contact the relevant districts of residence for students and notify districts of how (and when) records – including special education records – will be transferred. In addition, the school must create a master list of all records to be transferred and state their destinations.		
The school should transfer the records of any graduating students to the MCSAB.		
Documenting Transfer of Records	Charter School Board	Within one month after the end
Written documentation of the transfer of records must accompany the transfer of all student materials. The written verification must include:	and Charter School Administrative Lead	of classes
 the number of general education records transferred; 		
 the number of special education records transferred; 		
the date of transfer;		
• the signature and printed name of the charter school representative releasing the records; and		
• the signature and printed name of the district (or other entity) recipient(s) of the records.		
Provide copies or all materials documenting the transfer of student records to the authorizer.		



DRAFT School Closure Protocol

Transfer of Testing Materials The school must determine state requirements regarding disposition of any state assessment materials	Charter School Administrative Lead	One week after the end of classes
stored at the school and return as required.		
Provide authorizer with letter outlining transference of testing materials.		



School Closure Plan – Financial		
Action Item	Responsible Party	Completion Date
U.S. Department of Education Filings	Charter School Financial	One week after the end of
File Federal Form 269 or 269a if the school was receiving funds directly from the United States Department of Education. See 34 CFR 80.41.	Lead	classes
IRS Status	Charter School Board	TBD
The school should take the steps to maintain 501(c)(3) status including, but not limited to, the following:	Chair and Charter School Financial Lead	
notification to IRS regarding any address change of the school corporation; and		
• filing of required tax returns or reports (e.g., IRS form 990 and Schedule A).		
If the school corporation proceeds to dissolution, notify the IRS of dissolution of the education corporation and its 501(c)(3) status, and provide a copy to the authorizer.		
Audit	Charter School Board	Within 120 days of the end of classes
The school must establish a date by which to complete a final close out audit by an independent firm or state auditor as determined by statute.	Chair and Charter School Financial Lead	
Provide a copy of the final audit to the authorizer.		
Vendors	Charter School Financial Lead	Within 45 days of MCSAB's vote to close the charter school
The school must:		
create a vendor list; and		
 notify vendors of closure and cancel or non-renew agreements as appropriate. 		
Provide the authorizer lead with a copy of all documents.		



 Inventory The school must: create a fixed asset list segregating state, federal, and non-government expenditures; note an item number for each inventoried item; note source codes for funds and price for each purchase; and establish fair market value, initial, and amortized for all fixed assets. Provide the authorizer with a copy of all documents. 	Charter School Financial Lead	Within 45 days of MCSAB's vote to close the charter school
Disposition of Property Purchased with Federal Funds Check with the state department of education regarding proper procedures for disposition of property purchased with federal funds.	Authorizer and Charter School Financial Lead	Within 45 days of MCSAB's vote to close the charter school
Disposition of InventoryPursuant to the Mississippi Charter Schools Act, all assets purchased with government funds must revert to the local school district where the charter school is located. All assets purchased with funds from nongovernmental sources must revert to the nonprofit entity created to operate the school and may be disposed of according to applicable laws for nonprofit corporations.Establish a disposition plan (e.g., auction), and establish a payment process (e.g., cash, checks, credit cards) for all inventory items.	Charter School Financial Lead	Within 45 days of MCSAB's vote to close the charter school
Provide the authorizer with a copy of all documents.		



 Property Purchased with Public Charter School Program (PCSP) Funds Establish under state or individual school agreements required disposition of property purchased with PCSP funds. Generally, property purchased with PCSP funds must first be offered to other charter schools within the same region in which the closing school is located, with requisite board resolutions consistent with the purpose PCSP. If no schools want the property, an auction must be held to dispose of the PCSP assets. The school must: ensure public notice of the auction is made widely; price items at fair market value, as determined from inventory and fixed assets policy; and 	Charter School Financial Lead	Within 60 days of the end of classes
 determine with the state education department how to return funds if any remain. Provided the authorizer board resolutions and minutes of any transfer of assets with a dollar value of zero to another school. 		
Disposition of Real Property (i.e., Facilities) Determine state requirements for real property acquired from a public school district to determine right of first offer and other applicable requirements for disposition.	Charter School Financial Lead and Board Chair	Within 45 days of MCSAB's vote to close the charter school
Payment of Funds The school should work with the authorizer to prioritize payment strategy. Using available revenue and any funds from auction proceeds, pay the following entities: • retirement systems; • teachers and staff; • employment taxes and federal taxes; • audit preparation; • private creditors; • other as identified by authorizer. Provide the authorizer with a copy of all materials associated with this action.	Charter School Financial Lead and Authorizer Lead	Plan complete within 45 days of MCSAB's vote to close the charter school and ongoing activity until completed



Expenditure Reporting Ensure that the Federal Expenditure Reports and the Annual Performance Framework (APF) are completed. Provide the authorizer with a copy of all materials.	Charter School Board Chair and Financial Lead	Within 45 days of the end of classes
Itemized Financials Review, prepare, and make available: fiscal year-end financial statements; cash analysis; list of compiled bank statements for the year; list of investments; list of payables (and determinations of when a check used to pay the liability will clear the bank); list of all unused checks; list of petty cash; and list of bank accounts. Additionally collect and void all unused checks as well as close accounts once transactions have cleared.	Charter School Financial Lead	Within 45 days of the end of classes
Payroll Reports The school must generate a list of all payroll reports including taxes, retirement, or adjustments on employee contracts. Provide the authorizer with copies of all materials.	Charter School Financial Lead	Within 30 days of the end of classes



List of Creditors and Debtors	Charter School Financial	Within three weeks of
Formulate list of creditors and debtors and any amounts accrued and unpaid with respect to such creditor or debtor. The list should include:	Lead	MCSAB's vote to close the charter school
contractors to whom the school owes payment;		
lenders;		
mortgage holders;		
bond holders;		
equipment suppliers;		
secured and unsecured creditors;		
persons or organizations who owe the school fees or credits;		
lessees or sub-lessees of the school; and		
any person or organization holding property of the school.		