



Overview of Minnesota Charter Sector and Role of Authorizers

House Education Policy Committee

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Ten Minnesota Commitments to Equity

1. **Prioritize equity.**
2. **Start from within.**
3. **Measure what matters.**
4. **Go local.**
5. **Follow the money.**
6. **Start early.**
7. **Monitor implementation of standards.**
8. **Value people.**
9. **Improve conditions for learning.**
10. **Give students options.**

Items 3, 5, 7, 8, 9, and 10 are emphasized.



Role of Minnesota Authorizers

- Ensure that its authorized charter school has the autonomy granted by statute, fulfills the purposes of a charter school, and is accountable to its contract.
- Safeguard quality educational opportunities for students and maintain public trust and confidence.
- Approve, monitor, evaluate, renew, and, if necessary, close charter schools when contract terms are not met.

Authorizer Responsibilities

- Review and approve or deny applications for new schools or changes to grades or sites;
- Negotiate and execute performance charter contracts;
- Monitoring, oversight, and evaluation of the school's academic, operational, and financial performance;
- Determine the renewal, nonrenewal, or termination of the contract; and
- Comply with authorizer requirements in chapter 124E.

Eligible Authorizers

- School boards, intermediate school district school board, or education district
- 501(c)(3) and single-purpose charitable organizations and nonprofit corporations under chapter 317A
- Minnesota public colleges/universities and private colleges

Critical Aspects of Authorizer Oversight

Three critical aspects of an authorizer's oversight work are:

- Establishing the initial performance contract with a charter school;
- Determining if a charter school is ready to open; and
- Deciding whether to renew a charter school contract.

Approval Process for an Authorizer (1)

- Application to the Commissioner of Education that shows the applicant's ability to implement procedures and satisfy the criteria for chartering a school
- The commissioner must approve or disapprove the application within 45 business days of the deadline for that application period.

Approval Process for an Authorizer (2)

- If the commissioner disapproves:
 - Must notify the applicant of the specific deficiencies.
 - Applicant has 20 business days to satisfactorily address the deficiencies.
 - Commissioner then has 15 business days to make a final decision to approve or disapprove.
- A disapproved applicant may resubmit an application during a future application period.

Criteria to Approve an Authorizer (1)

Applications to become an authorizer must include demonstrations of planning for the following:

- infrastructure and capacity to serve as an authorizer;
- application criteria and process;
- contracting process;
- ongoing oversight and evaluation processes; and
- renewal criteria and processes.

Criteria to Approve an Authorizer (2)

Additional criteria required in the application for the authorizer approval process:

- how the organization carries out its chartering mission and its capacity to serve as an authorizer;
- process the authorizer uses to decide whether to grant charters and the type of charter contract it arranges;
- process for school oversight;
- criteria and process for adding grades or sites;
- process for renewing or terminating the school's charter; and
- commitment to serve as an authorizer until termination or withdrawal.

The Authorizer AAA or AAP

- Approved Application to Authorize (AAA)
- Approved Authorizing Plan (AAP)
 - An authorizer's AAP represents its commitments to fulfill responsibilities, including its commitments to students and the greater public.
 - Updates to the AAP must be submitted to MDE for review and approval.

New Charter School Formation Process

- After receiving an application from a charter school developer, an authorizer may issue a charter to operate a school.
- Once an authorizer approves an application, the authorizer then submits a New Charter School Affidavit to the commissioner for review and approval or disapproval.

New Charter School Affidavit Process

- The authorizer must file an affidavit with the commissioner stating its intent to charter a school.
- The affidavit must state the terms and conditions under which the authorizer is chartering the school, including a market need and demand study.
- The commissioner must approve or disapprove the affidavit within 60 business days
- If disapproved, the commissioner must notify the authorizer of the deficiencies and the authorizer then has 20 business days to address them.
- The commissioner must notify the authorizer of final approval or disapproval within 15 business days.

Charter Contract Contents (1)

- Main purpose of achievement other purposes and how the school will report progress to its authorizer;
- School program and student outcomes that pupils must achieve;
- Admission policies and procedures;
- Governance, management, and administration plan;
- Board commitment to comply with all applicable charter laws;
- Detailed authorizer monitoring plan;
- Formal written performance evaluation for contract renewal;
- Types and amounts of insurance liability coverage;

Charter Contract Contents (2)

- Indemnity and hold harmless provision;
- Terms for initial or renewed contracts;
- Plan for special education services and instruction;
- Specific conditions for contract renewal;
- Additional purposes and performance obligations to determine contract renewal;
- Plan for an orderly closing that establishes who is responsible for notification, information and assistance, student records, and financial operations; and
- Design showing programs to at least meet the outcomes in Minnesota Academic Standards for public school students.

Authorizer's Role in Overseeing Charter Schools

- The charter contract must include, *“the criteria, processes, and procedures the authorizer will use to monitor and evaluate fiscal, operational, and academic performance”*
- The authorizer's application (AAA) must include the “ongoing oversight and evaluation processes” and “renewal criteria and processes.”

Minnesota Authorizer Performance Evaluation System (MAPES)

- MDE must review an authorizer's performance every five years and may review an authorizer's performance more frequently.
- [MAPES](#) was developed by MDE to identify high-quality authorizing practices to promote authorizer excellence in Minnesota.
- MDE uses a competitive application process to select an independent, professional, third-party evaluator for each MAPES cohort.

MAPES Objectives

MAPES objectives include:

- Setting clear expectations between authorizers and MDE regarding authorizer performance;
- Ensuring authorizer accountability and the fulfillment of commissioner-approved authorizer applications and authorizing plans;
- Promoting high-quality charter schools and charter school authorizing excellence to improve all pupil learning and student achievement; and
- Evaluating authorizer performance through a lens of continuous improvement.

Charter School Closure Determinations

An authorizer may terminate or choose not to renew a contract for following grounds:

- failure to demonstrate satisfactory academic achievement
- failure to meet generally accepted standards of fiscal management;
- violations of law; or
- other good cause shown.

Nonrenewal or Termination of a Charter School Contract

- Authorizer
 - At least 60 business days before, the authorizer notifies the board in writing, stating the grounds and describing the informal hearing process.
 - If a charter school board requests an informal hearing, it must be live-streamed and recorded.
 - The authorizer shall take final action no later than 20 business days before the proposed date for terminating the contract or the end date of the contract.
- MDE
 - Statute does not provide a role for MDE in the termination of a charter school process except that the commissioner may terminate the contract if the school has a history of failure to meeting student achievement, fiscal mismanagement, or repeated major violations of law.

Revocation of an Authorizer

The commissioner may take corrective action, including terminating an authorizer's ability to charter a school, terminating a contract with a charter school, and other appropriate sanctions due to:

- failing to demonstrate the criteria under which the commissioner approved the authorizer;
- violating a term of the chartering contract;
- unsatisfactory performance as an approved authorizer;
- any good cause shown that gives the commissioner a legally sufficient reason to take corrective action; or
- failing to meet the terms of a corrective action plan by the specified deadline.

MDE's Oversight (1)

In addition to statutorily required, charter school specific oversight, MDE provides general oversight of the public education programs or funding the charter school administers such as:

- School Finance
- Nutrition Programs
- Federal Title Programs
- Special Education
- COMPASS
- Academic Standards
- College and Career Success

MDE's Charter Center provides oversight of authorizers to ensure they implement their AAA and AAP as approved. Oversight includes the following:

- The Minnesota Authorizer Performance Evaluation System (MAPES)
- Review of Authorizers' Annual Reports
- Review Authorizers Statements of Income and Expenditures
- Review of Change in Authorizer Requests
- Review New School Affidavits
- Review and approve Supplemental Affidavits (expansion requests)

MDE's Oversight (3)

- Review Annual Charter School Assurances
- Review charter school merger contracts
- Collect withdrawal and nonrenewal notices of authorizers
- Provide guidance for authorizers and charter schools – through documents and via the bi-monthly Charter School Boot Camp
- Review complaints regarding a charter school or authorizer who may have violated the requirements of Chapter 124E.

Thank You!

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