



Minnesota Office of Charter Authorizing

Charter School Guide
of MOChA Practices, Processes, and Procedures

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Minnesota Office of Charter Authorizing (MOChA)

Introduction

The sole purpose of the Minnesota Office of Charter Authorizing (MOChA) is to authorize charter schools in Minnesota through the legal instrumentality of chartering as defined in Minnesota Statutes §124E, *supporting and advancing the purposes of charter school law* by serving as a single-purpose authorizer whose mission is to improve *all* pupil learning and *all* student achievement.

As required in Statute, MOChA - a single-purpose authorizer - does not limit applications it solicits, considers, or approves to any single curriculum, learning program or method. Rather, following NACSA's Principles and Standards, MOChA considers diverse educational philosophies, approaches, and school models.

The MOChA board is guided by and committed to fulfill the three Core Principles espoused by NACSA:

1. Maintain high standards for schools
2. Uphold school autonomy
3. Protect student and public interests

Consonant with NACSA's Principles and Standards, MOChA implements a comprehensive application processes that include:

- Clear application questions and guidance;
- Follows fair, transparent procedures and rigorous criteria; and
- Grants charters only to applicants who demonstrate strong capacity to establish and operate a quality charter school.

MOChA's applications:

- State the chartering priority: to improve *all* pupil learning and *all* student achievement;
- Articulate comprehensive application questions to elicit the information needed for rigorous evaluation of applicants' plans and capacities;
- Require applicants to demonstrate capacity to serve students with diverse needs, such as students with disabilities or learning exceptionalities and English; and
- Provide clear guidance and requirements regarding application content and format, while explaining evaluation criteria.

MOChA's charter application process is open, well publicized - through the charter school network and website, and transparent, organized around clear, realistic timelines. The application timelines allow sufficient time for each stage of an application and school pre-opening process to be carried out with quality and integrity and within the requirements of Statute.

Pursuant to NACSA's Principles and Standards, the applications:

- Describe how each stage of the application process is conducted and evaluated, including MOChA's chartering priorities, processes, approval criteria, and decisions.

- Inform applicants of their rights and responsibilities and promptly notifies applicants of approval or denial, while explaining the factors that determined the decision.
- Utilize a multi-stage process in which applicants are provided information at each stage and are permitted to respond to that information during the process.

MOChA views denied applications as opportunities to provide reasons for denial so that applicants can decide if they wish to revise their plans based in part on that information and resubmit in the future.

Commensurately, MOChA's rigorous approval criteria is aligned to NACSA's Principles and Standards:

- Requires all applicants to present a clear and compelling mission, a quality educational program, a solid business plan, effective governance and management structures and systems, founding team members demonstrating diverse and necessary capabilities, and clear evidence of the applicant's capacity to execute its plan successfully.
- Establishes distinct requirements and criteria for applicants proposing to contract with education service or management providers.

Likewise, decision making is multifaceted and rigorous, aligned to NACSA's Principles and Standards:

- Grants charters only to applicants that have demonstrated competence and capacity to succeed in all aspects of the school, consistent with the stated approval criteria.
- Rigorously evaluates each application through thorough review of the written proposal, a substantive in-person interview with each qualified applicant, and other due diligence to examine the applicant's experience and capacity, conducted by knowledgeable and competent evaluators.
- Engages, for both written application reviews and applicant interviews, highly competent teams of internal and external evaluators with relevant educational, organizational (governance and management), financial, and legal expertise, as well as thorough understanding of the essential principles of charter school autonomy and accountability.
- Provides orientation or training to application evaluators (including interviewers) to ensure consistent evaluation standards and practices, observance of essential protocols, and unbiased treatment of all applicants.
- Ensures that the application-review process and decision making are free of conflicts of interest, and requires full disclosure of any potential or perceived conflicts of interest between reviewers or decision makers and applicants.
- Approves applications that comprise a detailed plan for school opening, operation, and fiscal stability, with little substantive work left for later development.

Organizational Goals

MOChA's Organizational Goals advance the vision as well as the primary statutory purpose:

Improve *all* pupil learning and *all* student achievement by increasing school performance - academic, operational, and fiscal - through high standards and the implementation of a system of standards-based accountability measures.

Related and aligned with NACSA's Principles & Standards, MOChA goals include safeguarding:

1. The rights of *all* students to have equitable access to the schools of their choice, to receive appropriate services, and to be treated fairly;
2. The public interest in ensuring that publicly funded programs are accountable, transparent, well governed, efficient, and effectively administered; and

3. The autonomy of charter school operators, giving them the freedom to control core functions.

MOChA will operationalize the organizational goals and benchmark success within timeframes:

1. *Primary Purpose.* Improving *all* pupil learning and *all* student achievement will be measured annually based on data performance reports on state assessments that measure proficiency and growth. Through quality oversight and monitoring, MOChA authorized schools will improve *all* pupil learning and *all* student achievement and post higher proficiency and growth rates than comparable schools with similar demographics.
2. *Replication.* MOChA will actively solicit new charter school applications that replicate high performing schools. Such replication accelerate the growth of the portfolio of schools that improve *all* pupil learning and *all* student achievement.
3. *Community.* MOChA will actively solicit new charter school applications by reaching out to Minnesota networks of organizations focused and dedicated to improving learning for *all* students, especially organizations that advocate for traditionally underrepresented students and thereby collaborate and leverage resources to improve *all* pupil learning and *all* student achievement. MOChA representatives (including board members) will host 2 meetings annually for community-based organizations. Also, MOChA representatives will attend a minimum of 6 community-based meetings and/or conferences per annum hosted by community organizations that advocate for traditionally underrepresented students.
4. *Teachers.* MOChA will actively solicit new charter school applications through networks of organizations that advocate for the development of professional opportunities for teachers (cf. Minnesota Statutes §124E.01, Subd. 1(5)), who are committed to the goal to improve *all* pupil learning and *all* student achievement. MOChA will post opportunities monthly at www.themocha.org and present the MOChA authorizing opportunity at two conferences annually.
5. Consistently, and upon MDE review, MOChA will achieve the highest possible designation in special reference to the Minnesota Authorizer Performance Evaluation System (MAPES). Annually, MOChA will assess progress towards attaining the goals.

Organizational Structure and Capacity

MOChA is governed by a Board of Directors; members serve voluntarily. All Directors have expertise that collectively ensures strong governance and all members have extensive and practical experience in chartered schools. The Board of Directors establish budgets, set policies and articulate the practices, processes, and procedures for MOChA.

Board of Directors

Dr. David Peterson, Chair

Dr. Peterson has been involved in education since receiving his first teacher's license in 1969. Since then, Dr. Peterson has worked as a teacher, principal, administrator, (charter school) executive director, including 27 years as a practicing school principal at the high school, middle school and elementary level. Moreover, he has contributed as a (university) faculty member, most recently the University of St. Thomas. While working at the University of St. Thomas, Dr. Peterson successfully taught and advised over 750 pre-service principals and superintendents in obtaining their school administrator licenses in the State of Minnesota. In addition, Dr. Peterson oversaw the University's authorization of charter schools as the Director of Charter School Authorizing and the Charter Leader Assessment and Development Center.

Marcia Houtz, Secretary

Ms. Houtz earned a Bachelor of Science in Chemistry from Jamestown College in North Dakota in 1960. Since then, Ms. Houtz has earned a Master of Arts in Special Education and an Educational Specialist degree in Educational Administration. As a STEM specialist, she also worked as the Director of School Services with the Minnesota Science Museum from 1992-2000. Ms. Houtz has been an adjunct faculty member at the University of St. Thomas and at Hamline University. She has served on the board of directors of a Minnesota charter school, and she worked as a consultant for a Minnesota single-purpose charter school authorizer.

John Domenic Martini, Treasurer

Mr. Martini obtained a degree in Social Work in 1978. He worked as a social worker until 1989, when he began working for a program implemented by St. Mary's University and St. Olaf College to create a summer residential program for at-risk children. Mr. Martini continued his focus on at-risk children until 1992, when he formed and started a charter school in Rochester Minnesota that was focused on high risk and at-risk high school students. Mr. Martini retired from this school in 2017, but the school, Rosa Parks Charter High School, is still in operation and serving at-risk students. Mr. Martini has extensive board experience including, among others: Olmsted County Youth Commission, Board Chair; MDE Special Education Advisory Board; MACSA Board Chair; Governor's Task Force on Mental Health; Hazelden Adolescent Programs; Commissioner's Advisory Council on School Safety; On-Belay/Anthony Louis Treatment Centers.

Said Sheik-Abdi

Mr. Sheik-Abdi has earned a Bachelor of Science degree in Agriculture from CCS Haryana Agricultural University in Haryana, India, and a Master of Science in Agronomy from the Indian Agricultural Research Institute. Since immigrating to the United States, Mr. Sheik-Abdi has served as a Partnerships Officer for the American Refugee Committee (ARC) serving diaspora Somali communities as well as consulting on international humanitarian aid efforts. In addition to leading efforts locally and nationally, Mr. Sheik-Abdi travels extensively, regularly providing advice to governments and Somali communities in the UK, UAE, Sweden, Denmark, and Norway. As the former Community Activist and Program Manager of I AM A STAR Campaign, Mr. Sheik-Abdi is knowledgeable about grass-roots efforts to bring together members of the diaspora community. As a manager of programs, including the oversight of fiscal and governance, he is knowledgeable and effective in a variety of leadership roles. Prior to his work with the ARC, Mr. Sheik-Abdi served as an Asset Operations Manager with the Minneapolis Public Housing Authority (the largest public housing agency in Minnesota) and managed the housing initiative at Cedar Riverside, the largest urban concentration of Somalis in the United States. In that role, Mr. Sheik-Abdi assisted hundreds of new immigrant families in securing housing, enrolling students in public schools, and accessing the necessary and critical services and training opportunities in the Twin Cities. Mr. Sheik-Abdi has served on two Minnesota charter school boards.

Kevin Xiong

The Twin Cities of Minnesota has one of the nation's largest Hmong populations. Mr. Xiong is an accomplished and prominent member of that community. Mr. Xiong has earned a Bachelor of Business Administration degree from Devry University in Edina, Minnesota, and a Master of Arts in Professional Development and Human Relations from Amberton University in Garland, Texas. From 2012-2017 Mr. Xiong worked as the Director of Human Resources for Hmong American Partnership, which is the largest Hmong-led charitable organization in the United States. From

2017 to the present Mr. Xiong has been the Business Director for New Millennium Academy, a Minnesota charter school that offers an education that includes studies of Hmong language and culture. Mr. Xiong has served on the board of directors of a Minnesota charter school as well as serving as a PFUND Board Member and Toast Master – Zaj Lus Chapter.

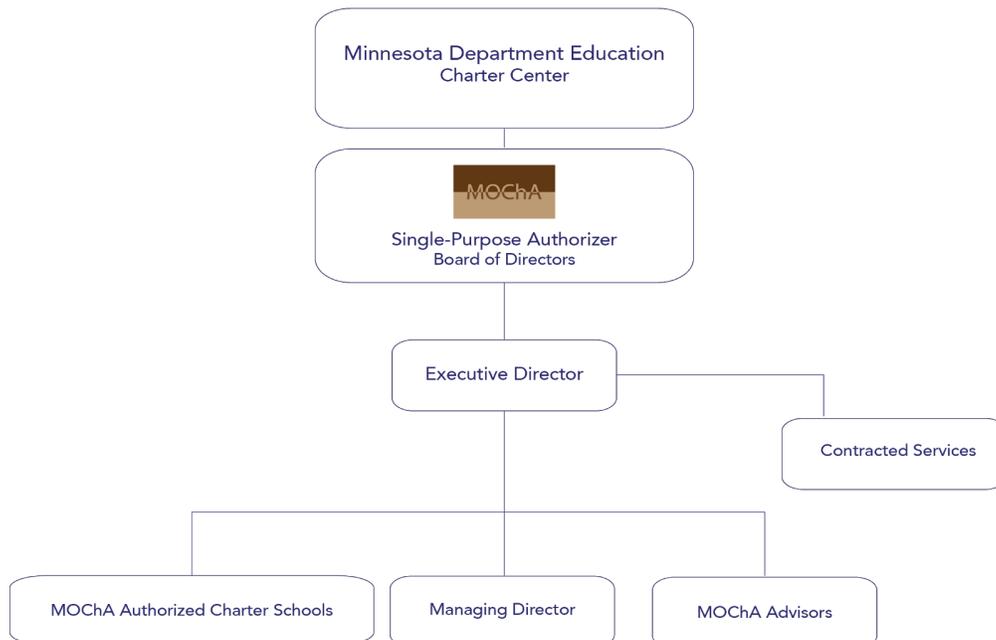
The Board of Directors retain, support, and evaluate MOChA staff who manage the day-to-day work of serving authorized schools. Staffing levels will be appropriate and sufficient to carry out all authorizing responsibilities in accordance with national standards and commensurate with the scale of the charter school portfolio.

Staff include: Executive Director, a Managing Director as well as contracts with Advisors. All staff are hired based on demonstrable expertise and experience and the board will evaluate staff annually. MOChA will enlist expertise and competent leadership for all areas essential to charter school oversight, including, but not limited to, education leadership; curriculum, instruction, and assessment; special education, English learners, and other diverse learning needs; performance management and accountability; law; finance; facilities; and nonprofit governance and management. Commensurately, all staff will be hired based on demonstrable expertise and experience as well as a deep understanding and committed to the three NACSA Core Principles of authorizing.

Reporting Protocols

The Executive Director reports to the Board of Directors; the Managing Director reports to the Executive Director; Advisors report to the Executive Director. All decisions in reference to applications and Charter Contracts are made by the Board of Directors based on materials prepared by the MOChA staff.

MOChA Organizational Chart



Information Management

MOChA safeguards school and student information by:

1. All MOChA authorized schools will be contractually obligated to utilize cloud and certificate-based digital ID software platform for managing documents and compliance requirements.
2. MOChA envisages a Data Sharing Agreement with the Minnesota Department of Education. All MOChA board members, staff, and contractors will be trained in data privacy best practices and will review the agreement with MDE.
3. MOChA will subscribe to a cloud and certificate-based digital ID software to secure signatures (e.g., Charter Contracts, Assurances, etc.) and securely store documents (e.g., contracts, employment agreements, corporate documents, etc.). The platform must meet or exceed stringent security and legal compliance standards and be certified compliant with ISO 27001, SSAE SOC 2 Type 2, and PCI DSS.

Conflict of Interest

MOChA addresses conflicts of interests via the Charter Contract and board approved policies and procedures.

The MOChA Charter Contract, Article II, addresses the relationship between the school and MOChA, stating in:

Section 2.2. The Independent Status of the School, i.e., MOChA has no authority or control over operational, administrative, or financial responsibility for the School.

Section 2.3. Financial Obligations Are Separate

Section 2.4. No Authority to Obligate or Bind Other Party

Moreover, Article XI, Section 11.1. Contract Renewal, specifies that renewal decisions are merit-based, specifically whether or not the school has fulfilled the Statutory purpose: improve *all* pupil learning and *all* student achievement.

MOChA Policy

MOChA's embraces NACSA's Principles & Standards regarding school autonomy (Standard 2) by honoring and preserving core autonomies crucial to school success including:

- Governing board independence from MOChA;
- Personnel, though certain licenses or waivers may be required;
- School vision and culture;
- Instructional programming, design, and use of time; and
- Budgeting.

Effectively, MOChA assumes responsibility not for the success or failure of individual schools, but for holding schools accountable for their performance based on performance frameworks that are clear and transparent. Moreover, through seamless and intuitive protocols, MOChA deliberately minimizes administrative and compliance burdens on schools.

The MOChA Conflict of Interest Policy is informed by Minnesota Statutes §124E, Section 317A.255 and MDE Guidance on Conflict of Interest for Authorizers and Charter Schools and includes prohibitions that vouchsafe the autonomy of the school.

Each director of MOChA shall disclose to the MOChA board of directors immediately upon learning that such director, or a member of the family (as defined below) of such director, or an organization for which such director serves as a director, officer, or legal representative, has a material financial interest in any entity with which any charter school that is authorized by MOChA has a contractual or fiduciary relationship. Moreover, MOChA Board of Directors, staff, and advisors are required to disclose any and all conflicts of interest. Upon such disclosure, MOChA will take all action described in Minnesota Statutes Section 317A.255 with respect to such conflict.

For purposes of the MOChA Conflict of Interest Policy, “immediate family” shall have the definition assigned in [Minnesota Statutes §124E.02](#) as an individual whose relationship by blood, marriage, adoption, or partnership is no more remote than first cousin.

Implementation

MOChA Board of Directors, staff, and advisors are required to disclose any conflicts of interest. Annually or when seated, employed, or contracted, all individuals are required to sign the Conflict of Interest Policy. Moreover, to ensure all applications and other materials submitted to MOChA for review or consideration are fairly evaluated, reviewers are required to identify any conflicts of interest prior to reviewing letters of intent and applications.

School Autonomy

The autonomy of charter schools, giving them the freedom to control core functions, lies at the heart of the charter school concept. MOChA espouses that autonomy and structurally avoids conflicts of interest by clearly defining roles and responsibilities.

MOChA addresses conflicts of interests via the Charter Contract and guiding principles aligned with [NACSA Principles & Standards](#) and MDE [Guidance on Conflict of Interest for Authorizers and Charter Schools](#).

The MOChA Charter Contract, Article II, addresses the relationship between the school and MOChA, stating in:

- Section 2.2. The Independent Status of the School, i.e., MOChA has no authority or control over operational, administrative, or financial responsibility for the School.
- Section 2.3. Financial Obligations Are Separate
- Section 2.4. No Authority to Obligate or Bind Other Party

Moreover, Article XI, Section 11.1. Contract Renewal, specifies that renewal decisions are merit-based, specifically whether or not the school has fulfilled the Statutory purpose: improve *all* pupil learning and *all* student achievement.

MOChA Principles

The MOChA endorses the following principles aligned to Minnesota Statutes §124E and [NACSA's Principles & Standards](#):

1. MOChA shall neither manage nor operate charter schools;
2. No member of MOChA nor any individual working on behalf or representing MOChA in any aspect of charter school oversight or decision-making may serve on the board of a MOChA authorized charter school;
3. No member of MOChA nor any individual working on behalf or representing MOChA may be employed by, contractually engage with, or volunteer at an authorized charter school over which that member has oversight or decision-making responsibility;

4. MOChA monitors and evaluates the academic, fiscal, and operational performance of its authorized schools and holds schools accountable for their performance.
5. Technical assistance offered by MOChA should not be construed as required; if/when offered to the School, the assistance is at no cost to the School.
6. MOChA decisions are merit-based. MOChA’s Performance Framework guides all decisions regarding ongoing monitoring and oversight and contract renewal. MOChA holds schools accountable for results - academic, operation, and fiscal. And the most important indicator is whether or not the School fulfills the Statutory purpose: improve *all* pupil learning and *all* student achievement, notwithstanding exceptional achievement in other identified purposes, financial, operational, and/or legal compliance requirements.



Charter School Applications

MOChA considers requests through formal application processes. An odd number and minimum of three reviewers will receive inter-rater reliability training prior to reviewing applications. Reviewers are selected based on expertise and experience.

New Charter School

The process for applying to MOChA to establish a high quality charter school is five step:

- Step 1: New Charter School Letter of Intent
- Step 2: Initial Interview
- Step 3: New Charter School Application (by invitation)
- Step 4: Interview
- Step 5: Decision

The Letter of Intent (including instructions) is available upon request (info@theMOChA.org) and at: theMOChA.org. The New Charter School Letter of Intent and Interview are intended as a guide for organizations/individuals interested in submitting an application to MOChA to start a charter school. The Letter of Intent should not be an initial exploration of ideas but rather a *summary of a thoughtful and cogent plan for how the proposed school will develop and implement a high-quality program for students*. Questions regarding the MOChA Letter of Intent or New Charter School Application process should be directed to: info@theMOChA.org.

Review and Decision Making Process and Timeline

Letter of Intent	Submitted to MOChA	Deadline: 15 November (theMOChA.org)
MOChA Response	Receipt of Letter of Intent	Receipt + 2 days•
MOChA Review	Internal	Receipt + 15 days
Interview	MOChA/School founders	Receipt + 30 days
Denial or Approval/Invitation	MOChA board action	Interview + 10 days

•All 'days' are business days unless otherwise noted

- Letter of Intent
 - The New Charter School Letter of Intent due date is: 15 November (theMOChA.org).

- Notice of Receipt. MOChA will acknowledge receipt of the application within 2 days.
- Review. MOChA will review the Letter of Intent within 15 days of receipt.
- Interview. MOChA will schedule and interview school founders within 30 days of receipt. MOChA representatives (including board) will interview founders. There is *not* a set of predetermined questions; however, school founders should be prepared for specific questions regarding the content of the Letter of Intent. The founders should display a distributed understanding of the materials and demonstrate a capacity to implement the proposal.
- MOChA considers all factors related to proposed school, especially the founders experience, expertise, and capacity to successfully establish a high-quality charter school consistent with its proposal. Subsequent to the interview, MOChA informs the founders of the decision, with feedback and determination: either approval or denial.
- Response/Notice
 - MOChA will post a Denial Notice or an Invitation to complete a New Charter School Application within 10 days of the interview.
- Evaluation
 - The New Charter School Letter of Intent Evaluation Rubric is available at: theMOChA.org

New Charter School Application

The New Charter School Application (including instructions and required components) is available upon request (info@theMOChA.org) and at: theMOChA.org.

Review and Decision Making Process and Timeline

Application	Submitted to MOChA	Deadline: 15 January (theMOChA.org)
MOChA Response	Receipt of Application	Receipt + 2 days•
MOChA Audit	Internal	Receipt + 10 days
MOChA Review	Internal	Receipt + 30 days
Denial or Interview	MOChA	Receipt + 45 days
Interview	MOChA/School founders	Receipt + 60 days
Denial or Approval	MOChA board action	Receipt + 70 days
Affidavit	MOChA to MDE	No later than 1 May
Affidavit Approval	MDE	Affidavit + 60 days (+ 20 days + 15 days if revisions)
Contract execution	MOChA	Affidavit Approval + 45 days
Contract submission	MOChA to MDE	Execution + 10 days

•All 'days' are business days unless otherwise noted

- Application
 - The New Charter School Application due date is: 15 January (theMOChA.org).
 - Notice of Receipt: MOChA will acknowledge receipt of the application within 2 days.
 - Desk Audit. The MOChA Managing Director will review the New Charter School Application to ensure that all required components are included (including evidence of

board trainings and background checks) in the materials and that the format requirements are satisfied. MOChA will apprise the applicants of any deficiencies within 10 days. MOChA is not obligated to consider applications that have deficiencies. If MOChA requests additional information and/or clarification, the applicants must submit the materials no later than 5 days after the request is posted.

- Review. MOChA will review the New Charter School Application within 30 days of receipt.
- Criteria and Evaluation
 - Guidance is embedded in the New Charter School Application (i.e., each required element provides a prompt in the form of: "An exemplary application will . . .". The criteria is aligned with the Evaluation Rubric.
 - The New Charter School Application Evaluation Rubric is available at: theMOChA.org.
 - The New Charter School Application criteria is consistent with MOChA Performance Frameworks. The criteria and evaluation are designed to determine whether the proposed plan is needed, cogent, and plausible and whether the founders have the experience, expertise, and capacity to develop a high-quality charter school. Criteria are clear, exacting, and transparent so that the indicators guide the process.
- Response/Notice
 - MOChA will post a Denial Notice or schedule an interview within 45 days of receipt.
 - Interview. The Managing Director MOChA will schedule an interview with school founders within 60 days of receipt. The Executive Director, Managing Director, and Advisors (who reviewed the materials as well as (minimally one) Board Director will represent MOChA. There is *not* a set of predetermined questions; however, school founders should be prepared for specific questions regarding the content of the application. The founders should display a distributed understanding of the application materials and demonstrate a capacity to implement the proposal.
 - *Determination*. MOChA will post a Denial Notice or Approval decision within 70 days of receipt. MOChA considers all factors related to proposed school, especially the founders experience, expertise, and capacity to successfully establish a high-quality charter school consistent with its proposal. Subsequent to the interview, MOChA informs the founders of the decision, with feedback and determination: either approval or denial.
- Affidavit
 - If the MOChA Board of Directors approves the application, the Executive Director and Managing Director will prepare and submit an Affidavit to the Minnesota Department of Education no later than 1 May, fourteen months prior to 1 July of the year in which the school plans to open, in conformance with [Minnesota Statutes §124E.06, Subd. 4](#).
 - The Commissioner of Education has 60 business days to approve or disapprove the Affidavit. If approved the school is chartered.
- Contract
 - The approval of the Affidavit by the Commissioner generates calendar tasks.
 - Contract Execution Deadline = within 45 business days of affidavit approval.
 - Submission Deadline = within 10 business days of execution.
 - MOChA follows the NACSA recommendation of a five-year contract unless mitigating factors merit otherwise and at the discretion of MOChA.

New Charter School, Ready to Open Indicators

MOChA has established reasonable pre-opening requirements or conditions for new schools to ensure that they meet all health, safety, and other legal requirements prior to opening and are prepared to open smoothly. Charter School Ready to Open Indicators (including required components aligned to [Minnesota Statutes §124E.06, Subd 3\(h\)](#)) is an integral component of the Charter Contract as Exhibit F. The Charter School Ready to Open Indicators document is available at: theMOChA.org.

Charter School Ready to Open Indicators include:

- Legal/Structural, Items 1-13;
- Governance, Items 14-33;
- Financial, Items 34-53;
- Personnel and Policy Development, Items 54-64
- Learning Program, Items 65-70;
- Special Education and EL, Items 71-77;
- Students, Items, 78-83;
- Community Relations/Engagement/Media/Marketing/Outreach, Items 84-91;
- Community and Business Partnerships, Items 92-95;
- Facilities, Items 96-112
- Food and Nutrition, Items 113-119;
- Transportation, Item 120

As stated in the Charter Contract Section 6.23, high level critical indicators and dates include:

- 1 March: Facility secured
- 1 May: Database of interested students/families that is 125% of budgeted enrollment
- 10 May: Significant renovations/buildout to facility have begun
- 1 June: 75% of projected budgeted students officially enrolled
- 1 June: 75% teaching staff hired
- 1 July: 125% of projected budgeted students officially enrolled

Monthly and prior to opening, the school must provide a report (as part of the board meeting agenda) on the progress in reference to Ready to Open Indicators and note any target dates that were missed.

Charter School Expansion Application

MOChA considers school expansion requests through a formal application process to add grades and/or sites beyond those defined in the original Charter Contract. The Charter School Expansion Application is reviewed based on statutory requirements and the terms and conditions set forth in the commissioner-approved MOChA Authorizer Approved Plan.

The Charter School Expansion Application (including instructions and required components) is available upon request (info@theMOChA.org) and at: theMOChA.org

Review and Decision Making Process and Timeline

Application	Submitted to MOChA	Deadline: 1 July (theMOChA.org)
MOChA Response	Receipt of Application	Receipt + 2 days•

MOChA Audit	Internal	Receipt + 10 days
MOChA Review	Internal	Receipt + 30 days
Denial or Approval	MOChA board action	Receipt + 45 days
Suppl. Affidavit	MOChA to MDE	No later than 1 October
Affidavit Approval	MDE	Affidavit + 30 days (+ 20 + 15 if revisions)
Contract execution	MOChA	Affidavit Approval + 45 days
Contract submission	MOChA to MDE	Execution + 10 days

•All 'days' are business days unless otherwise noted

- Application
 - The Charter School Expansion Application due date is: 1 July (theMOChA.org).
 - Notice of Receipt: MOChA will acknowledge receipt of the application with 2 days.
 - Desk Audit. The MOChA Managing Director will review the Charter School Expansion Application to ensure that all required components are included in the materials and that the format requirements are satisfied and will apprise the applicants of any deficiencies within 10 days. MOChA is not obligated to consider applications that have deficiencies. If MOChA requests additional information and/or clarification, the applicants must submit the materials no later than 5 days after the request is posted.
 - Review. MOChA will review the Expansion Application within 30 days of receipt.
- Criteria and Evaluation
 - Guidance is embedded in the Charter School Expansion Application (i.e., each required element provides a prompt in the form of: "An exemplary application will . . ."). The criteria is aligned with the Evaluation Rubric.
 - The Charter School Expansion Application Evaluation Rubric is available at: theMOChA.org.
 - The Charter School Expansion Application criteria is consistent with MOChA Performance Frameworks. The criteria and evaluation are designed to determine whether the proposed plan is needed, cogent, and plausible and whether the founders have the experience, expertise, and capacity to develop a high-quality charter school. Criteria are clear, exacting, and transparent so that the indicators guide the process.
- Response/Notice
 - MOChA will post a Denial Notice or Approval decision within 45 days of receipt.
- Affidavit
 - MOChA must file a supplemental affidavit to MDE by 1 October to be eligible to add grades and/or sites in the next school year ([Minnesota Statutes §124E.06, Subd. 5](#)).
 - The Commissioner of Education has 30 business days to review and comment on the supplemental affidavit. The commissioner shall notify the authorizer in writing of any deficiencies in the supplemental affidavit and MOChA has 20 business days to address any deficiencies. The commissioner must notify MOChA of final approval or final disapproval within 15 business days after receiving the MOChA's response to the deficiencies in the affidavit.

Charter School Replication Application

MOChA considers school replication requests through a formal application process. The Charter School Replication Application must demonstrate exemplary academic, fiscal, and operational performance in the current school(s). Applicants that do not demonstrate the required high and exacting levels will be redirected to (optionally) submit a New Charter School Application.

The Charter School Replication Application (including instructions and required components) is available upon request (info@theMOChA.org) and at: theMOChA.org

Review and Decision Making Process and Timeline

Application	Submitted to MOChA	Deadline: 15 January (theMOChA.org)
MOChA Response	Receipt of Application	Receipt + 2 days•
MOChA Audit	Internal	Receipt + 10 days
MOChA Review	Internal	Receipt + 30 days
Denial or Interview	MOChA	Receipt + 45 days
Interview	MOChA/School founders	Receipt + 60 days
Denial or Approval	MOChA board action	Receipt + 70 days
Affidavit	MOChA to MDE	No later than 1 May
Affidavit Approval	MDE	Affidavit + 60 days (+ 20 + 15 if revisions)
Contract execution	MOChA	Affidavit Approval + 45 days
Contract submit	MOChA to MDE	Execution + 10 days

•All ‘days’ are business days unless otherwise noted

- Application
 - The Charter School Replication Application due date is: 15 January (theMOChA.org).
 - Notice of Receipt: MOChA will acknowledge receipt of the application within 2 days.
 - Desk Audit. The MOChA Managing Director will review the Charter School Replication Application to ensure that all required components are included in the materials and that the format requirements are satisfied. MOChA will apprise the applicants of any deficiencies within 10 days. MOChA is not obligated to consider applications that have deficiencies. If MOChA requests additional information and/or clarification, the applicants must submit the materials no later than 5 days after the request is posted.
 - Review. MOChA will review the Charter School Replication Application within 30 days of receipt.
- Criteria and Evaluation
 - Guidance is embedded in the Charter School Replication Application (i.e., each required element provides a prompt in the form of: “An exemplary application will . . .”). The criteria is aligned with the Evaluation Rubric.

- Charter School Replication Applications are evaluated in reference to the Performance Framework Accountability System (and Evaluation Rubrics), available at: theMOChA.org and Charter Contract, Exhibit H.
- The Charter School Replication criteria is consistent with MOChA Performance Frameworks. The criteria and evaluation are designed to determine whether the proposed plan is needed, cogent, and plausible and whether the founders have the experience, expertise, and capacity to develop a high-quality charter school. Criteria are clear, exacting, and transparent so that the indicators guide the process.
- Response/Notice
 - MOChA will post a Denial Notice or schedule an interview within 45 days of receipt. If a Denial Notice is posted because the Application does not demonstrate the required high and exacting levels, the applicants will be redirected to (optionally) submit a New Charter School Application.
 - Interview. The Managing Director at MOChA will schedule an interview with school founders within 60 days of receipt. The Executive Director, Managing Director, and Advisors (who reviewed the materials as well as (minimally one) Board Director will represent MOChA. There is *not* a set of predetermined questions; however, school founders should be prepared for specific questions regarding the content of the application. The founders should display a distributed understanding of the application materials and demonstrate a capacity to implement the proposal.
 - Determination. MOChA will post a Denial Notice or Approval decision within 70 days of receipt. MOChA considers all factors related to proposed school, especially the founders experience, expertise, and capacity to successfully establish a high-quality charter school consistent with its proposal. Subsequent to the interview, MOChA informs the founders of the decision, with feedback and determination: either approval or denial.
- Affidavit
 - MOChA must file a new school affidavit to MDE by 1 May, 14 months prior to 1 July of the year the school proposes to open ([Minnesota Statutes §124E.06, Subd. 4](#)).
 - The Commissioner of Education has 60 business days to approve or disapprove the Affidavit. If approved the school is chartered.
- Contract
 - The approval of the Affidavit by the Commissioner generates calendar tasks.
 - Contract Execution Deadline = within 45 business days of affidavit approval.
 - Submission Deadline = within 10 business days of execution.
 - MOChA follows the NACSA recommendation of a five-year contract unless mitigating factors merit otherwise and at the discretion of MOChA.

Charter School Official Early Learning Program(s) Application

MOChA considers *Charter School Official Early Learning Program(s)* requests through a formal application process to add programs beyond those defined in the original Charter Contract. The Application is reviewed based on statutory requirements and the terms and conditions set forth in the commissioner-approved MOChA Authorizer Approved Plan.

For existing MOChA authorized schools, this Charter School Official Early Learning Program(s) Application should be attached to the Charter School Expansion Application (including instructions and required components) is available upon request (info@theMOChA.org) and at: theMOChA.org). For a new school seeking authorization, the Charter School Official Early Learning Program(s) Application should be attached the New Charter School Application (available upon request info@theMOChA.org and at: theMOChA.org).

Early Childhood Health and Developmental Screening Program

A charter school may provide an early childhood health and developmental screening program that complies with Minnesota Statutes §121A.16 to 121A.19 governing early childhood screening per Minnesota Statutes §124E.03, Subd.7(b). The Minnesota Department of Education (MDE) verifies a charter school’s alignment with early childhood screening standards through this official recognition process. This document provides instructions and forms for approved charter school authorizers to submit a request to MDE on behalf of a charter school to offer and gain official recognition of an early childhood health and developmental screening program. Official recognition allows for a charter school to access available state aid to provide early childhood screening. For more information, visit MDE’s Early Childhood Screening webpage.

Review and Decision Making Process and Timeline (existing schools)

Application	Submitted to MOChA	Deadline: 1 July (theMOChA.org) (unless new school - see below)
MOChA Response	Receipt of Application	Receipt + 2 days•
MOChA Audit	Internal	Receipt + 10 days
MOChA Review	Internal	Receipt + 30 days
Denial or Approval	MOChA board action	Receipt + 45 days
Suppl. Affidavit	MOChA to MDE	No later than 1 October
Affidavit Approval	MDE	Affidavit + 30 days (+ 20 + 15 if revisions)
Contract execution	MOChA	Affidavit Approval + 45 days
Contract submission	MOChA to MDE	Execution + 10 days

•All ‘days’ are business days unless otherwise noted

- Application
 - For a new school seeking authorization, the Charter School Official Early Learning Program(s) Application should be attached the New Charter School Application (available upon request info@theMOChA.org and at: theMOChA.org). The Application due date is: 15 January (theMOChA.org).
 - For existing MOChA authorized schools, the application deadline is 1 July of the year prior to the school year in which program expansion is/are proposed.
 - Notice of Receipt: MOChA will acknowledge receipt of the application within 2 days.
 - Desk Audit. The MOChA Managing Director will review the New Charter School Application to ensure that all required components are included in the materials and that the format requirements are satisfied. MOChA will apprise the applicants of any

- deficiencies within 10 days. MOChA is not obligated to consider applications that have deficiencies. If MOChA requests additional information and/or clarification, the applicants must submit the materials no later than 5 days after the request is posted.
- Review. MOChA will review the Official Early Learning Program(s) Application within 30 days of receipt. The Executive Director will assign the materials to Advisors who have the requisite expertise to assess the application. In turn, the Managing Director will compile the reviews and submit the report to the Executive Director for board Action/Vote.
 - Criteria and Evaluation
 - Guidance is embedded in the Charter School Official Early Learning Program(s) Application (i.e., each required element provides a prompt in the form of: "An exemplary application will . . .").
 - The Charter School Official Early Learning Program(s) Application Evaluation Rubric is available at: theMOChA.org.
 - The Official Early Learning Program(s) Application criteria is consistent with MOChA Performance Frameworks. The criteria and evaluation are designed to determine whether the proposed plan is needed, cogent, and plausible and whether the founders have the experience, expertise, and capacity to develop a high-quality charter school. Criteria are clear, exacting, and transparent so that the indicators guide the process.
 - Response/Notice
 - MOChA will post a Denial Notice or Approval decision within 45 days of receipt.
 - Affidavit
 - For existing MOChA authorized schools, MOChA will submit a Supplemental Affidavit to MDE by 1 October to be eligible to add Early Learning Program(s) in the next school year ([Minnesota Statutes §124E.06, Subd. 5](#)).
 - The Commissioner of Education has 30 business days to review and comment on the supplemental affidavit. The commissioner shall notify the authorizer in writing of any deficiencies in the supplemental affidavit and MOChA has 20 business days to address any deficiencies. The commissioner must notify MOChA of final approval or final disapproval within 15 business days after receiving the MOChA's response to the deficiencies in the affidavit.
 - For new schools, MOChA must file a new school affidavit to MDE by 1 May, 14 months prior to 1 July of the year the school proposes to open ([Minnesota Statutes §124E.06, Subd. 4](#)).
 - The Commissioner of Education has 60 business days to approve or disapprove the Affidavit. If approved the school is chartered.

Charter School Change in Authorizer Application

MOChA considers *Charter School Change in Authorizer* requests through a formal application process. The Charter School Change in Authorizer Application is reviewed based on statutory requirements and the terms and conditions set forth in the commissioner-approved MOChA Authorizer Approved Plan.

The process for a Change in Authorizer is established in [Minnesota Statute §124E.10, Subd. 5](#).

1. The current authorizer and the school board must jointly submit a written and signed letter of their intent to the Commissioner (MDE) to mutually not renew the contract.

2. Upon request from the proposed authorizer, the current authorizer that is a party to the existing contract must submit to the proposed authorizer all requested information about the fiscal, operational, and student performance status of the school, including unmet contract outcomes and other outstanding contractual obligations.
3. The Charter Contract between the proposed authorizer and the school must identify and provide a plan to address any outstanding obligations from the previous contract.
4. The proposed authorizer must submit the proposed Charter Contract to MDE at least 105 business days before the end of the existing charter contract.

The Charter School Change in Authorizer Application (including instructions and required components) is available upon request (info@theMOChA.org) and at: theMOChA.org

Review and Decision Making Process and Timeline

Authorizer/School mutual nonrenewal letter of intent	Submitted to MDE	1 October. Due date may be revised under extenuating circumstances and in consideration of capacity.
Current Authorizer Report	Submitted to MOChA	No deadline
MOChA Response	Receipt of Report	Receipt + 2 days•
Application	Submitted to MOChA	Deadline: 1 October (theMOChA.org) (may be revised under extenuating circumstances)
MOChA Response	Receipt of Application	Receipt + 2 days
MOChA Site Visit scheduled	MOChA to School	Receipt + 10 days
MOChA Audit	Internal	Receipt + 5 days
MOChA Review	Internal	Receipt + 10 days
MOChA Review of Authorizer Report	Internal	Receipt + 10 days
Denial or Approval	MOChA board action	Receipt of application and site visit + 20 days
Proposed Contract	MOChA	No later than 105 business days before expiration of current contract
Contract submit	MOChA to MDE	Execution + 10 days

•All 'days' are business days unless otherwise noted

- Application
 - Charter School Change in Authorizer Application due date is: 1 October; The due date may be revised under extenuating circumstances and in consideration of capacity.
 - Notice of Receipt: MOChA will acknowledge receipt of the application within 2 days.
 - Site Visit. MOChA will schedule a site visit within 10 days of receipt.
 - Desk Audit. The MOChA Managing Director will review the Change in Authorizer Application to ensure that all required components are included in the materials and

- that the format requirements are satisfied and will apprise the applicants of any deficiencies within 5 days. MOChA is not obligated to consider applications that have deficiencies. If MOChA requests additional information and/or clarification, the applicants must submit the materials no later than 5 days after the request is posted.
- Review. MOChA will review the Change in Authorizer Application within 10 days of receipt.
 - Criteria and Evaluation
 - Guidance is embedded in the Charter School Change in Authorizer Application (i.e., each required element provides a prompt in the form of: “An exemplary application will...”).
 - Charter School Change in Authorizer Applications are evaluated in reference to the Performance Framework Accountability System (and Evaluation Rubrics), available at: theMOChA.org and Charter Contract, Exhibit H.
 - The Charter School Change in Authorizer Application criteria is consistent with MOChA Performance Frameworks. The criteria and evaluation are designed to determine whether the proposed plan is needed, cogent, and plausible and whether the founders have the experience, expertise, and capacity to develop a high-quality charter school. Criteria are clear, exacting, and transparent so that the indicators guide the process.
 - Response/Notice
 - MOChA will post a Denial Notice or Approval decision within 20 days of receipt.
 - Charter Contract
 - MOChA will submit a proposed Charter Contract at least 105 business days before the end of the existing charter contract.
 - Consistent with Minnesota Statutes §124E.10, Subd. 5, the commissioner has 30 business days to review and make a determination on the change in authorizer. If the change in authorizer is disapproved, MOChA and the school have 15 business days to respond to the determination and address any issues identified by the commissioner. The commissioner must make a final determination no later than 45 business days before the end of the current charter contract.

Charter Contract

The MOChA Charter Contract contains all current statutory requirements per [Minnesota Statutes §124E.10, Subd. 1\(a-b\) and 3\(c\)](#).

Rights and Responsibilities

Charter Contract Section III defines the role and oversight responsibilities of MOChA. School obligations are delineated in the Charter Contract, Article VI (Operating Requirements); Article VII (General Prohibitions); and Article VIII (Compliance with State and Federal Laws).

Performance Goals

Performance goals are developed during the application process and are integral to the Charter Contract (Section 6.7) and are the basis for contract renewal decisions (Section 11.1). The MOChA Charter Contract explicitly requires that all goals be SMART: specific, measurable, achievable, relevant, and time-bound.

Execution

Charter Contracts, Terms and Conditions, are predicated on and reflect the details in the Charter School Application and, subsequently, the Affidavit.

Metrics for meeting Statutory Deadlines, including:

Change in Authorizer Contract	Contract Execution Deadline = no later than the first day following the end of the previous contract
	Submission Deadline = within 10 days of execution
New School Charter Contract	Execution Deadline = within 45 days• of affidavit approval
	Submission Deadline = within 10 days of execution
Renewed Charter Contract	Contract Execution Deadline = no later than the first day of renewal period
	Submission Deadline = within 10 days of execution
Amended Charter Contract	Submission Deadline = within 10 days of execution
Merged Charter Contract	Effective date: 1 July
	Submission Deadline = within 10 days of execution

•All 'days' are business days unless otherwise noted

Charter Contract Signatures and Assurances are secured through a certificate-based digital ID software. The platform meets or exceeds stringent security and legal compliance standards and is certified compliant with ISO 27001, SSAE SOC 2 Type 2, and PCI DSS.

Charter Contract Amendment

Changes in Statute and/or new requirements by the Minnesota Department of Education may initiate an amendment by MOChA. Mitigating circumstances at the school may warrant an amendment and MOChA considers the requests case by case. Pursuant to the Charter Contract, Section 9.1., all amendments must be in writing and signed by the parties and submit to MDE within 10 days of execution.

MOChA will amend the Charter Contract to reflect the expansion, including any changes to sites and/or grades and related changes (e.g., Academic Achievement) and submit to MDE within 10 days of execution.

Charter Contract Renewal

The Charter Contract specifically states that improving *all* pupil learning and *all* student achievement is the most important factor in determining contract renewal, and that the determination will be based primarily on the School's attainment of academic outcomes in the contract; however, the contract also allows MOChA to consider other compelling evidence of student achievement on state assessments. The contract also allows termination for serious financial or legal problems. The charter contract also sets forth the circumstances for a corrective action renewal – the School is improving *all* pupil learning and *all* student achievement but the School has financial and/or operational issues – and

that the circumstances resulting in the corrective action renewal, must be addressed and corrected during the corrective action renewal term or no subsequent renewal will be provided (see Section 10.3).

MOChA considers Charter School renewal requests through a formal application process. The Charter School Renewal Application is reviewed based on statutory requirements and the terms and conditions set forth in the commissioner-approved MOChA Authorizer Approved Plan and the degree to which the School is satisfying the obligations delineated in the extant Charter Contract.

The Charter School Renewal Application (including instructions and required components) is available upon request (info@theMOChA.org) and at: theMOChA.org.

Review and Decision Making Process and Timeline

Application	Submitted to MOChA	Deadline: 1 September (theMOChA.org)
MOChA Response	Receipt of Application	Receipt + 2 days•
MOChA Review	Internal	Receipt + 15 days
Annual Audit	Submitted to MOChA	Within 15 days of release to the School
MOChA Response	Receipt of Audit	Receipt + 2 days
Denial or Approval	MOChA board action	Receipt of all documents + 15 days
Contract execution	MOChA	Prior to expiration of current contract
Contract submission	MOChA to MDE	Execution + 10 days

•All 'days' are business days unless otherwise noted

- Application
 - The Charter School Renewal Application due date is: 1 September (theMOChA.org).
 - Notice of Receipt: MOChA will acknowledge receipt of the application within 2 days.
 - Review. MOChA will review the Charter School Renewal Application within 15 days of receipt.
- Audit (Final)
 - Submitted to MOChA within 15 days of release to the School
 - Notice of Receipt: MOChA will acknowledge receipt of the application with 2 days.
 - Review. MOChA will review the audit within 15 days of receipt.
- Performance Standards

Regular and reiterative school visits (including board meetings), the communication between MOChA and the School, and the School Annual Reports (including independent external audits), and an annual written performance evaluation - based on Performance Framework Accountability System - serve as the body of materials used for renewal decisions and is the same process for all oversight for all schools, regardless of the status. The process is consistent and transparent across the portfolio of schools. The MOChA Performance Standards are delineated in the Charter Contract and include these aspects required in [Minnesota Statutes §124E.01, Subd. 3](#)

 - Academic Performance
 - Fiscal Performance

Operational Performance

- Criteria and Evaluation
 - Guidance is embedded in the Charter School Renewal Application (i.e., each required element provides a prompt in the form of: “An exemplary application will . . .”).
 - Charter School Renewal Applications are evaluated in reference to the Performance Framework Accountability System (and Evaluation Rubrics), available at: theMOChA.org and Charter Contract, Exhibit H.
 - The Charter School Renewal Application criteria is consistent with MOChA Performance Frameworks. The criteria and evaluation are designed to determine whether the proposed plan is needed, cogent, and plausible and whether the founders have the experience, expertise, and capacity to develop a high-quality charter school. Criteria are clear, exacting, and transparent so that the indicators guide the process.
 - MOChA reserves the right to consider ALL sources of information and data (MDE, School Annual Reports, audits, authorizer reports, etc.) to evaluate the application.
- *Length of Contract Renewal Guidelines*
 The following guidelines represent targets in the renewal process. MOChA will access all relevant data to inform the decision. In addition, MOChA will exercise judgement in determining the length of contract renewal.

Renewal Years	Indicators of School Performance
5 Year Renewal	<ul style="list-style-type: none"> ● No intervention for the previous three, consecutive years. ● Overall Annual Review (most recent) rating: 3.0 or above - all sections require a rating of 3.0 or above. ● Meets all the terms of the MOChA Charter Contract ● No major concerns with academic, financial, and/or operations ● Indicators of excellence are present (i.e., MDE School Finance Award, Local/State/National Recognition of school, staff, students, etc.)
4 Year Renewal	<ul style="list-style-type: none"> ● Not currently on intervention; No interventions in previous two years. ● Overall Annual Review (most recent) rating: 2.75 or above - Academic MUST be 3.0 and no section below 2.0 ● Meets all the terms of the MOChA Charter Contract ● No major concerns with academic, financial, and/or operations
3 Year Renewal	<ul style="list-style-type: none"> ● Not currently on intervention; No more than one year on Intervention status in the past three years. ● Overall Annual Review (most recent) rating: 2.5 or above - Academic MUST be 3.0 and no section below 2.0 ● Meets the terms of the MOChA Charter Contract, with minor exceptions ● Minor concerns with academic, financial or operations
2 Year Renewal	<ul style="list-style-type: none"> ● Currently on Intervention - first occurrence during contract ● Overall Annual Review (most recent) rating: 2.25 or above - Academic MUST be 2.5 and no section below 1.75 ● Meets the terms of the contract, with minor exceptions ● Concerns with academic, financial or operations ● Minor outstanding requests or requirements

1 Year Renewal	<ul style="list-style-type: none"> ● Currently on Intervention - multiple occurrences during contract ● Overall Annual Review (most recent) rating: 2.0 or above - Academic MUST be 2.0 and no section below 1.5 ● Meets the terms of the MOChA Charter Contract, with one or more major exceptions ● Major concerns with academic, financial and/or operations ● Minor outstanding requests or requirements
Non-Renewal	<ul style="list-style-type: none"> ● Currently on Intervention - multiple occurrences during contract ● Overall Annual Review (most recent) rating: below 2.0. ● Does not meet two or more terms of the MOChA Charter Contract ● Major concerns with academic, financial and/or operations ● Major outstanding requests or requirements ● Violations of law

- Response/Notice
 - MOChA will post a Denial Notice or Approval decision within 15 days of receipt (of all documents, including the external audit (final, not draft).
- Charter Contract
 - If approved, MOChA and the School will execute a Charter Contract before the expiration date of the current contract.

Nonrenewal/Termination

The renewal/nonrenewal/termination process is delineated in Sections X (Contract Revocation/Termination and Nonrenewal) and XI (Contract Renewal) of the Charter Contract. The Charter Contract delineates consequence in reference to a lack of academic, fiscal, and/or operational performance. Specifically, Article X delineates the reasons for a potential Charter Contract revocation/termination or nonrenewal, including failure to fulfill the primary purpose stated in Minnesota Statute §124E: improve *all* pupil learning and *all* student achievement. In addition, high and exacting fiscal and operational performance standards are required and must be met (Sections 10.1 and 10.2).

Performance Standards are embedded and explicitly stated in the MOChA Charter Contract as well as in the Performance Framework (Exhibit H). Once executed, all Charter Contract decisions - revocation/termination, nonrenewal, and renewal - are merit-based in reference to the Performance Standards in the Framework.

Charter School Closure

Guiding documents and resources:

- Charter School Contract, Exhibit G, plan for an orderly closing of the school under chapter 317A;
- MDE Charter School Closure Guide (as revised 02.2018 and thereafter) is provided upon notification of closure.
- Minnesota Statutes §124E, §127A.45, §123B.77, §317A.701 to 317A.791;
- The National Association of Charter School Authorizers (NACSA), *A Comprehensive Guide to Charter School Closure* with practical appendices that can be adapted (e.g., Letter to Parents, etc.).

Pursuant to Minnesota Statutes §124E.10, Subd. 1(b), the MOChA Charter Contract contains a plan for an orderly closing of the school under chapter 317A, that establishes the responsibilities of the school

board of directors and the authorizer, whether the closure is a termination for cause, a voluntary termination, or a nonrenewal of the contract. The plan establishes who is responsible for: (1) notifying the commissioner, school district in which the charter school is located, and parents of enrolled students about the closure; (2) providing parents of enrolled students information and assistance to enable the student to re-enroll in another school; (3) transferring student records under section §124E.03, Subd. 5, paragraph (b), to the student's resident school district; and (4) closing financial operations.

In addition, Minnesota Statutes §124E.25, Subd. 1 specifically applicable to the closure of a charter school: (a) Notwithstanding subdivision 1 and section §127A.45, for a charter school ceasing operation on or before 30 June, for the payment periods occurring after the school ceases serving students, the commissioner shall withhold the estimated state aid owed the school. The charter school board of directors and authorizer must submit to the commissioner a closure plan under chapter 308A or 317A, and financial information about the school's liabilities and assets. After receiving the closure plan, financial information, an audit of pupil counts, and documented lease expenditures from the charter school and monitoring special education expenditures, the commissioner may release cash withheld and may continue regular payments up to the current year payment percentages if further amounts are owed. If, based on audits and monitoring, the school received state aid in excess of the amount owed, the commissioner shall retain aid withheld sufficient to eliminate the aid overpayment. (b) For a charter school ceasing operations before or at the end of a school year, notwithstanding section §127A.45, Subd. 3, the commissioner may make preliminary final payments after the school submits the closure plan, an audit of pupil counts, documented lease expenditures, and Uniform Financial Accounting and Reporting Standards (UFARS) financial data and the commissioner monitors special education expenditures for the final year of operation. The commissioner may make the final payment after receiving audited financial statements under section §123B.77, subdivision 3. (c) Notwithstanding sections 317A.701 to 317A.791, after closing a charter school and satisfying creditors, remaining cash and investment balances shall be returned by the commissioner to the state general fund.

Process

The closing of a charter school has significant impacts on stakeholders, and therefore must be managed with clarity and care. In the event of a school closing, MOChA will ensure that a plan is thoroughly mapped and executed to facilitate the transition of students and families.

A school closing may be precipitated by a number of factors, including the inability to meet enrollment expectations, facility issues, leadership or personnel challenges involving the board of directors and/or staff, financial challenges or termination for cause. MOChA's active monitoring and oversight of a school are designed to help a school identify and resolve many challenges, but in some cases, the situation may be untenable and closure is the appropriate and sometimes only solution.

As an engaged overseer, MOChA will act decisively when closure is called for and monitor the plan development and execution, working closely with stakeholders. The MOChA Charter Contract includes the manifest of items required for closure, cf. Exhibit G - Closure Checklist & Plan.

Ongoing Oversight

The MOChA oversight criteria, processes, and procedures are delineated in the Charter Contract. The Oversight Responsibilities of MOChA are delineated in Article III, Section Section 3.1., and include:

1. Academic
2. Fiscal
3. Operational

The manner in which MOChA exercises oversight is set forth generally in Article VI.

Inputs

MOChA considers five inputs in the process of evaluating the academic, fiscal, and operational performance of the School:

1. Public data, especially state assessments;
2. School information, including Annual Report, external audits, monthly board minutes and financial reports, etc.);
3. MOChA audits for compliance, including MDE website requirements, enrollment policy and procedures, etc.
4. Site Visits in special reference to academic, fiscal, and operational standards and practices, including board meetings.
5. Charter School Annual Reviews (based on the Performance Frameworks (Exhibit H of the Charter Contract). MOChA will report results to the School within 30 days of the receipt of the audit (final not draft).

School Reporting to MOChA. The Charter Contract delineates the reporting obligations including:

- State assessment results (preliminary and final), Section 6.7
- Continuous Improvement Plan, annually reviewed, Section 6.7
- School Calendar, Section 6.10
- Financial reports, including monthly reports and annual budgets, Section 6.11
- Annual Independent External Audit, Section 6.13
- Annual Report, Section 6.16
- Board Meetings and minutes, Sections 6.2 and 6.22
- Changes in Board Membership (and verification of background checks), Section 6.22
- Annual Assurances, including Conflict of Interest, Section 6.22
- Lease, including amendments, Section 11.3

Site Visits

MOChA may engage in scheduled and unscheduled site visits in the course of the academic year. Site visits will be an opportunity to review academic goals and achievement data to date, evaluate the implementation of the academic program as well as review school culture, conditions of the facilities, and the general operational integrity of the School.

Notice of Concern

In the process of the ongoing oversight responsibilities, MOChA may determine that a significant concern warrants notice to the School. In these instances, MOChA will post a formal Notice of Concern/Corrective Action. A response is required and the proposed corrective action must include time delimiters and specific, measurable aspects that satisfy the concern. Until MOChA has posted an indication that the issue(s)/concern(s) have been resolved, the School must attend to the precipitates and resolve the issue(s)/concern(s). Serious abrogations of the Charter Contract and an unwillingness and/or inability to resolve the issue(s)/concern(s) may result in a nonrenewal or termination of the Charter Contract.

Communication

Web/Digital/Contact

MOChA resides at: www.themocha.org. The site hosts general information, contact information, and documents related to the efforts as a single-purpose authorizer (e.g., applications, guidance, etc.). The site is updated monthly, including resources that promote high-quality charter schools, sharing of best practices (authorizing and charter schools), and general interest materials related to public schools.

Communication with MOChA is primarily facilitated through email, either at info@theMOChA.org or in the case of document submissions at submit@theMOChA.org. Board of Directors, staff, and advisors are assigned e-mail addresses formatted as: firstinitial+lastname@theMOChA.org. A primary phone number and mailing address is also listed at: www.themocha.org.

Schools/Concerns

Communication between MOChA and the schools is critical in a deliberate effort to maintain an open conduit. Early interventions are much easier if information and knowledge are shared, regularly and reiteratively. If however, issue(s)/concern(s) arise that merit intervention, MOChA will formally communicate with the School.

If the School fails to achieve academic goals, acceptable financial and operational performance, comply with Applicable Law, or other requirements, the MOChA Charter Contract Section 6.7(b) delineates the remediation process. MOChA shall provide the following notices, as applicable.

- Notice to School Leader(s) or Board Chair. MOChA shall notify the school leader(s) or board chair of area(s) of concern for correction. MOChA may specify a target date for correction.
- Formal Notice to School Board. If the situation remains uncorrected for thirty (30) days without reasonable explanation, or if the situation involves an urgent concern, MOChA will formally notify the school board of the area(s) of concern for correction and may ask the school board to adopt a specific performance improvement plan. If MOChA requires the School Board to retain a third-party investigation, the third-party investigator must be acceptable to MOChA and the School Board shall authorize such investigator to provide status reports and communicate with MOChA. MOChA shall specify a target date for correction which may, if circumstances warrant, be amended.
- Revocation/Termination. After Formal Notice to the School Board, if the situation remains uncorrected for thirty (30) days without reasonable explanation, MOChA initiates notice pursuant to the requirements set forth in Section 10.3 whereby charter authorization will be withdrawn.

Complaints

Process

This guidance establishes the process by which MOChA strives to address complaints regarding MOChA and/or its authorized schools. MOChA takes seriously, considers and reviews allegations of illegality or failure to meet generally accepted standards. The MOChA Contact page on the website (www.themocha.org) affords easy access to the process and any submissions received through that portal automatically receive an automatic Notice of Receipt response.

Procedure

Notice of Complaint	The complaint must identify the complainant - MOChA will not investigate oral or anonymous complaints - and provide a method of contact.
Notice of Receipt	MOChA will acknowledge receipt of the complaint, initially via an auto generated Notice of Receipt response.
Reasonable Inquiry	MOChA will conduct a reasonable inquiry for the purpose of verifying whether the allegations provide sufficient evidence to establish the alleged violation(s) of law or fiscal mismanagement. The extent and manner of the reasonable inquiry is at MOChAs discretion. If the reasonable inquiry provides sufficient evidence to establish the alleged violation(s) of law or fiscal management, MOChA will notify the school and require action as necessary and appropriate. If the violation requires mandatory reporting to law officials, MOChA will immediately contact the appropriate authorities.
Data	The information contained in the complaint generally is considered public information unless it is classified by law as private information, such as data about individual students. In addition, the identity of the complainant may be classified as private if the complainant is an employee reporting a violation, suspected violation, or planned violation of state or federal law, or if a law classifies their identity as private.
Response	The length of the reasonable inquiry will vary depending upon the scope, complexity, and specificity of the complaint. MOChA will make effort to respond in writing to the complainant within thirty days.

End of document