

**2013 MS Black Leadership Summit
The Education Track**

CHARTER SCHOOLS TOOL KIT #1

***Charter Schools Are Here:
Now What?***

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West's Annotated Mississippi Code

Title 37. Education

Chapter 28. Mississippi Charter Schools Act of 2013 (Refs & Annos)

Miss. Code Ann. § 37-28-5

§ 37-28-5. Definitions

Currentness

As used in this chapter, the following words and phrases have the meanings ascribed in this section unless the context clearly indicates otherwise:

- (a) “Applicant” means any person or group that develops and submits an application for a charter school to the authorizer.
- (b) “Application” means a proposal from an applicant to the authorizer to enter into a charter contract whereby the proposed school obtains charter school status.
- (c) “Authorizer” means the Mississippi Charter School Authorizer Board established under [Section 37-28-7](#) to review applications, decide whether to approve or reject applications, enter into charter contracts with applicants, oversee charter schools, and decide whether to renew, not renew, or revoke charter contracts.
- (d) “Charter contract” means a fixed-term, renewable contract between a charter school and the authorizer which outlines the roles, powers, responsibilities and performance expectations for each party to the contract.
- (e) “Charter school” means a public school that is established and operating under the terms of charter contract between the school’s governing board and the authorizer. The term “charter school” includes a conversion charter school and start-up charter school.
- (f) “Conversion charter school” means a charter school that existed as a noncharter public school before becoming a charter school.
- (g) “Education service provider” means a charter management organization, school design provider or any other partner entity with which a charter school intends to contract for educational design, implementation or comprehensive management.
- (h) “Governing board” means the independent board of a charter school which is party to the charter contract with the authorizer and whose members have been elected or selected pursuant to the school’s application.
- (i) “Noncharter public school” means a public school that is under the direct management, governance and control of a school board or the state.

- (j) “Parent” means a parent, guardian or other person or entity having legal custody of a child.

(k) “School board” means a school board exercising management and control over a local school district and the schools of that district pursuant to the State Constitution and state statutes.

(l) “School district” means a governmental entity that establishes and supervises one or more public schools within its geographical limits pursuant to state statutes.

(m) “Start-up charter school” means a charter school that did not exist as a noncharter public school before becoming a charter school.

(n) “Student” means any child who is eligible for attendance in a public school in the state.

(o) “Underserved students” means students participating in the federal free lunch program who qualify for at-risk student funding under the Mississippi Adequate Education Program and students who are identified as having special educational needs.

Credits

Added by Laws 2013, H.B. No. 369, § 3, eff. July 1, 2013.

Editors’ Notes

REPEALER

<Laws 2013, H.B. No. 369, § 93 provides a July 1, 2020 repeal date.>

Miss. Code Ann. § 37-28-5, MS ST § 37-28-5

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Title 37. Education

Chapter 28. Mississippi Charter Schools Act of 2013 (Refs & Annos)

Miss. Code Ann. § 37-28-7

§ 37-28-7. Mississippi Charter School Authorizer Board; creation; authority

Currentness

(1) There is created the **Mississippi Charter School Authorizer Board** as a **state agency** with **exclusive chartering jurisdiction** in the State of Mississippi. Unless otherwise authorized by law, no other governmental agency or entity may assume any charter authorizing function or duty in any form.

(2)(a) The **mission of the Mississippi Charter School Authorizer Board** is to authorize high-quality charter schools, particularly schools **designed to expand opportunities for underserved students**, consistent with the purposes of this chapter. Subject to the restrictions and conditions prescribed in this subsection, the Mississippi Charter School Authorizer Board may **authorize charter schools within the geographical boundaries of any school district**.

(b) The Mississippi Charter School Authorizer Board may approve a **maximum of fifteen (15) qualified charter applications during a fiscal year**.

(c) **In any school district designated as an “A,” “B” or “C” school district** by the State Board of Education under the accreditation rating system, the Mississippi Charter School Authorizer Board may authorize charter schools only if a majority of the members of the local school board votes at a public meeting to endorse the application or to initiate the application on its own initiative.

(3) The Mississippi Charter School Authorizer Board shall consist of seven (7) members, to be appointed as follows:

(a) Three (3) members appointed by the Governor, with one (1) member being from each of the Mississippi Supreme Court Districts.

(b) Three (3) members appointed by the Lieutenant Governor, with one (1) member being from each of the Mississippi Supreme Court Districts.

(c) One (1) member appointed by the State Superintendent of Public Education.

All appointments must be made with the advice and consent of the Senate. In making the appointments, the appointing authority shall ensure diversity among members of the Mississippi Charter School Authorizer Board.

(4) Members appointed to the Mississippi Charter School Authorizer Board collectively must possess strong experience and expertise in public and nonprofit governance, management and finance, public school leadership, assessment, curriculum and instruction, and public education law. Each member of the Mississippi Charter School Authorizer Board must have demonstrated an understanding of and commitment to charter schooling as a strategy for strengthening public education.

(5) To establish staggered terms of office, the initial term of office for the three (3) Mississippi Charter School Authorizer Board members appointed by the Governor shall be four (4) years and thereafter shall be three (3) years; the initial term of office for the three (3) members appointed by the Lieutenant Governor shall be three (3) years and thereafter shall be three (3) years; and the initial term of office for the member appointed by the State Superintendent of Public Education shall be two (2) years and thereafter shall be three (3) years. No member may serve more than two (2) consecutive terms. The initial appointments must be made before September 1, 2013.

(6) The Mississippi Charter School Authorizer Board shall meet as soon as practical after September 1, 2013, upon the call of the Governor, and shall organize for business by selecting a chairman and adopting bylaws. Subsequent meetings shall be called by the chairman.

(7) An individual member of the Mississippi Charter School Authorizer Board may be removed by the board if the member's personal incapacity renders the member incapable or unfit to discharge the duties of the office or if the member is absent from a number of meetings of the board, as determined and specified by the board in its bylaws. Whenever a vacancy on the Mississippi Charter School Authorizer Board exists, the original appointing authority shall appoint a member for the remaining portion of the term.

(8) No member of the Mississippi Charter School Authorizer Board or employee, agent or representative of the board may serve simultaneously as an employee, trustee, agent, representative, vendor or contractor of a charter school authorized by the board.

(9) The Mississippi Charter School Authorizer Board shall appoint an individual to serve as the executive director and general counsel of the board. In addition to possessing the qualifications established by the board which are based on national best practices, the executive director and general counsel must be licensed to practice law in the State of Mississippi and must possess an understanding of state and federal education law. The executive director and general counsel, who shall serve at the will and pleasure of the board, shall devote his full time to the proper administration of the board and the duties assigned to him by the board and shall be paid a salary established by the board, subject to the approval of the State Personnel Board. Subject to the availability of funding, the executive director and general counsel may employ such administrative staff as may be necessary to assist the director and board in carrying out the duties and directives of the Mississippi Charter School Authorizer Board.

(10) The Mississippi Charter School Authorizer Board shall be located, for administrative purposes, within the offices of the State Institutions of Higher Learning, which shall provide meeting space and clerical support for the board.

Credits

Added by Laws 2013, H.B. No. 369, § 4, eff. July 1, 2013.

Editors' Notes

REPEALER

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Title 37. Education

Chapter 28. Mississippi Charter Schools Act of 2013 (Refs & Annos)

Miss. Code Ann. § 37-28-9

§ 37-28-9. Powers and duties of authorizer

Currentness

(1) The authorizer is responsible for exercising, in accordance with this chapter, the following powers and duties:

(a) Developing chartering policies and maintaining practices consistent with nationally recognized principles and standards for quality charter authorizing in all major areas of authorizing responsibility, including:

(i) Organizational capacity and infrastructure;

(ii) Solicitation and evaluation of charter applications;

(iii) Performance contracting;

(iv) Ongoing charter school oversight and evaluation; and

(v) Charter renewal decision-making;

(b) Approving quality charter applications that meet identified educational needs and promote a diversity of educational choices;

(c) Declining to approve weak or inadequate charter applications;

(d) Negotiating and executing charter contracts with approved charter schools;

(e) Monitoring, in accordance with charter contract terms, the performance and legal compliance of charter schools;

(f) Determining whether each charter contract merits renewal, nonrenewal or revocation; and

(g) Applying for any federal funds that may be available for the implementation of charter school programs.

(2) The authorizer shall carry out all its duties under this act in a manner consistent with nationally recognized principles and

standards and with the spirit and intent of this chapter.

(3) The authorizer may delegate its duties to the executive director and general counsel.

(4) Regulation by the authorizer shall be limited to those powers and duties prescribed in this section and all others prescribed by law, consistent with the spirit and intent of this act.

(5) Except in the case of gross negligence or reckless disregard of the safety and well-being of another person, the authorizer, members of the authorizer board in their official capacity, and employees of the authorizer in their official capacity are immune from civil liability with respect to all activities related to a charter school approved by the authorizer.

Credits

Added by Laws 2013, H.B. No. 369, § 5, eff. July 1, 2013.

Editors' Notes

REPEALER

<Laws 2013, H.B. No. 369, § 93 provides a July 1, 2020 repeal date.>

Miss. Code Ann. § 37-28-9, MS ST § 37-28-9

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Title 37. Education

Chapter 28. Mississippi Charter Schools Act of 2013 (Refs & Annos)

Miss. Code Ann. § 37-28-11

§ 37-28-11. Costs

Currentness

(1) To cover the costs of overseeing charter schools in accordance with this chapter, the authorizer shall receive **three percent (3%) of annual per-pupil allocations received by a charter school from state and local funds for each charter school** it authorizes.

(2) The **authorizer** may **receive** appropriate **gifts, grants and donations of any kind** from any public or private entity to carry out the purposes of this chapter subject to all lawful terms and conditions under which the gifts, grants or donations are given.

(3) The authorizer may expend its resources, seek grant funds and establish partnerships to support its charter school authorizing activities.

Credits

Added by Laws 2013, H.B. No. 369, § 6, eff. July 1, 2013.

Editors' Notes

REPEALER

<Laws 2013, H.B. No. 369, § 93 provides a July 1, 2020 repeal date.>

Miss. Code Ann. § 37-28-11, MS ST § 37-28-11

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Title 37. Education

Chapter 28. Mississippi Charter Schools Act of 2013 (Refs & Annos)

Miss. Code Ann. § 37-28-13
§ 37-28-13. Publication of pamphlet

Currentness

(1) Upon request, the State Department of Education shall assist the Mississippi Charter School Authorizer Board with implementing the authorizer's decisions by providing such technical assistance and information as may be necessary for the implementation of this chapter.

(2) **Before July 1 of each year**, the authorizer shall publish a pamphlet, which may be in electronic form, containing:

(a) All statutes in Title 37, Mississippi Code of 1972, which are applicable to the charter schools;

(b) Any rules, regulations and policies adopted by the State Superintendent of Public Education, the State Board of Education or the State Department of Education with which charter schools must comply by virtue of the applicability to charter schools, as well as other public schools, of the state law to which those relevant rules, regulations and policies pertain; and

(c) Any other state and federal laws and matters that are relevant to the establishment and operation of charter schools in the State of Mississippi.

The Mississippi Charter School Authorizer Board shall make the pamphlet available to the public on the board's website and shall notify all prospective applicants of the pamphlet.

Credits

Added by Laws 2013, H.B. No. 369, § 7, eff. July 1, 2013.

Editors' Notes

REPEALER

<Laws 2013, H.B. No. 369, § 93 provides a July 1, 2020 repeal date.>

Miss. Code Ann. § 37-28-13, MS ST § 37-28-13

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Title 37. Education

Chapter 28. Mississippi Charter Schools Act of 2013 (Refs & Annos)

Miss. Code Ann. § 37-28-15
§ 37-28-15. Requests for proposals

Currentness

(1) To solicit, encourage and guide the development of quality charter school applications, the authorizer shall issue and publicize **a request for proposals before September 1 of each year; however, during 2013, the authorizer shall issue and publicize a request for proposals before December 1.** The content and dissemination of the request for proposals must be consistent with the purposes and requirements of this chapter.

(2) The authorizer annually shall establish and disseminate a **statewide timeline** for charter approval or denial decisions.

(3) The authorizer's request for proposals must include the following:

- (a) A clear statement of any preferences the authorizer wishes to grant to applications intended to help **underserved students**;
- (b) A description of the performance framework that the authorizer has developed for **charter school oversight and evaluation** in accordance with [Section 37-28-29](#);
- (c) The criteria that will guide the authorizer's decision to approve or deny a charter application; and
- (d) A clear statement of appropriately detailed questions, as well as guidelines, concerning the format and content essential for applicants to demonstrate the capacities necessary to establish and operate a successful charter school.

(4) In addition to all other requirements, the request for proposals must require charter applications to provide or describe thoroughly all of the following mandatory elements of the proposed school plan:

- (a) An executive summary;
- (b) The mission and vision of the proposed charter school, including identification of the targeted student population and the community the school hopes to serve;
- (c) The location or geographic area proposed for the school;
- (d) The grades to be served each year for the full term of the charter contract;
- (e) Minimum, planned and maximum enrollment per grade per year for the term of the charter contract;

(f) Evidence of need and community support for the proposed charter school;

(g) Background information, including proof of United States citizenship, on the applicants, the proposed founding governing board members and, if identified, members of the proposed school leadership and management team. The background information must include annual student achievement data, disaggregated by subgroup, for every school under the current or prior management of each board member and leadership team member;

(h) The school's proposed calendar, including the proposed opening and closing dates for the school term, and a sample daily schedule. The school must be kept in session no less than the minimum number of school days established for all public schools in [Section 37-13-63](#);

(i) A description of the school's academic program, aligned with state standards;

- (j) A description of the school's **instructional design**, including the type of learning environment (such as classroom-based or independent study), class size and structure, curriculum overview and teaching methods;
- (k) The school's plan for using **internal and external assessments** to **measure and report student progress on the performance framework developed by the authorizer in accordance with Section 37-28-29**;
- (l) The school's plan for identifying and successfully serving **students with disabilities** (including all of the school's proposed policies pursuant to the Individuals with Disabilities Education Improvement Act of 2004, [20 USCS Section 1400 et seq.](#), Section 504 of the Rehabilitation Act of 1973, [29 USCS Section 794](#), and Title 11 of the Americans with Disabilities Act, [42 USCS Section 12101 et seq.](#), and the school's procedures for securing and providing evaluations and related services pursuant to federal law), **students who are English language learners, students who are academically behind, and gifted students**, including, but not limited to, compliance with any applicable laws and regulations;
- (m) A description of **cocurricular or extracurricular programs** and how those programs will be funded and delivered;
- (n) Plans and timelines for **student recruitment and enrollment**, including **lottery policies and procedures** that ensure that every student has an equal opportunity to be considered in the lottery and that the lottery is equitable, randomized, transparent and impartial so that **students are accepted in a charter school without regard to disability, income level, race, religion or national origin**;
- (o) The school's **student discipline policies**, including those for **special education students**;
- (p) An organizational chart that clearly presents the **school's organizational structure**, including lines of authority and reporting between the governing board, education service provider, staff, related bodies (such as advisory bodies or parent and teacher councils), and all other external organizations that will play a role in managing the school;
- (q) A clear description of the **roles and responsibilities** of the governing board, education service provider, school leadership team, management team and all other entities shown in the organizational chart;
- (r) A **staffing chart** for the school's first year, and a staffing plan for the term of the charter;
- (s) Plans for **recruiting and developing school leadership and staff**, which may not include utilization of nonimmigrant foreign worker visa programs;
- (t) The school's **leadership and teacher employment policies**, including performance evaluation plans;
- (u) Proposed **governing bylaws**;
- (v) Explanations of any **partnerships or contractual relationships** central to the school's operations or mission;
- (w) The school's plans for providing **transportation, food service** and all other significant operational or ancillary services;
- (x) Opportunities and expectations for **parent involvement**;
- (y) A detailed **school start-up plan**, identifying tasks, timelines and responsible individuals;
- (z) A description of the **school's financial plans and policies**, including financial controls and audit requirements;
- (aa) A description of the **insurance coverage** the school will obtain;
- (bb) **Start-up and five-year budgets** with clearly stated assumptions;
- (cc) **Start-up and first-year cash flow projections** with clearly stated assumptions;

(dd) A disclosure of all sources of **private funding and all funds from foreign sources**, including gifts from foreign governments, foreign legal entities and domestic entities affiliated with either foreign governments or foreign legal entities. For the purposes of this paragraph, the term “foreign” means a country or jurisdiction outside of any state or territory of the United States;

(ee) Evidence of **anticipated fundraising contributions**, if claimed in the application; and

(ff) A sound **facilities plan**, including backup or contingency plans if appropriate.

(5) In the case of an application to establish a charter school by converting an existing noncharter public school to charter school status, the request for proposals additionally shall require the applicant to demonstrate support for the proposed charter school conversion by a petition signed by a majority of teachers or a majority of parents of students in the existing noncharter public school, or by a majority vote of the local school board or, in the case of schools in districts under state conservatorship, by the State Board of Education.

(6) In the case of a proposed charter school that intends to contract with an education service provider for substantial educational services, management services or both types of services, the request for proposals additionally shall require the applicant to:

(a) Provide **evidence of the education service provider’s success** in serving student populations similar to the targeted population, including demonstrated academic achievement as well as successful management of nonacademic school functions, if applicable;

(b) Provide a term sheet setting forth: the proposed duration of the service contract; roles and responsibilities of the governing board, the school staff and the education service provider; the scope of services and resources to be provided by the education service provider; performance evaluation measures and timelines; the compensation structure, including clear identification of all fees to be paid to the education service provider; methods of contract oversight and enforcement; investment disclosure; and conditions for renewal and termination of the contract;

(c) Disclose and explain any **existing or potential conflicts of interest** between the school governing board and proposed service provider or any affiliated business entities; and

(d) **Background information**, including proof of United States citizenship, on the principal individuals affiliated with the education service provider.

(7) In the case of a charter school proposal from **an applicant that currently operates one or more schools** in any state or nation, the request for proposals additionally shall require the applicant to provide **evidence of past performance and current capacity for growth**. The applicant shall be required to submit clear evidence that it **has produced statistically significant gains in student achievement** or consistently produced proficiency levels as measured on state achievement tests.

Credits

Added by Laws 2013, H.B. No. 369, § 8, eff. July 1, 2013.

Editors’ Notes

REPEALER

<Laws 2013, H.B. No. 369, § 93 provides a July 1, 2020 repeal date.>

Miss. Code Ann. § 37-28-15, MS ST § 37-28-15

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West's Annotated Mississippi Code

Title 37. Education

Chapter 28. Mississippi Charter Schools Act of 2013 (Refs & Annos)

Miss. Code Ann. § 37-28-17

§ 37-28-17. Purposes of a charter application

Currentness

(1) The following are the **purposes of a charter application**:

- (a) To present the proposed charter school's **academic and operational vision and plans**;
- (b) To demonstrate the applicant's **capacities to execute** the proposed vision and plans; and
- (c) To provide the authorizer a **clear basis for assessing** the applicant's plans and capacities.

(2) **An approved charter application may not serve as the school's charter contract.**

Credits

Added by Laws 2013, H.B. No. 369, § 9, eff. July 1, 2013.

Editors' Notes

REPEALER

<Laws 2013, H.B. No. 369, § 93 provides a July 1, 2020 repeal date.>

Miss. Code Ann. § 37-28-17, MS ST § 37-28-17

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Title 37. Education

Chapter 28. Mississippi Charter Schools Act of 2013 (Refs & Annos)

Miss. Code Ann. § 37-28-21

§ 37-28-21. Grant of charter

Currentness

(1) The authorizer shall grant an initial charter to each qualified applicant for a **term of five (5) operating years**. **The term of the charter shall commence on the charter school's first day of operation. An approved charter school may delay its opening for one (1) school year in order to plan and prepare for the school's opening.** If the school requires an opening delay of more than one (1) school year, the school must request an extension from the authorizer. The authorizer may grant or deny the extension depending on the particular school's circumstances.

(2)(a) The authorizer and the governing board of the approved charter school shall execute a **charter contract** that clearly sets forth the academic and operational performance expectations and measures by which the charter school will be judged and the administrative relationship between the authorizer and charter school, including each party's rights and duties. The performance expectations and measures set forth in the charter contract must include, but need not be limited to, applicable federal and state accountability requirements. The performance provisions may be refined or amended by mutual agreement after the charter school is operating and has collected baseline achievement data for its enrolled students.

(b) The charter contract must be signed by the chairman of the authorizer board and the president of the charter school's governing board.

(c) A charter school may not commence operations without a charter contract executed in accordance with this section and approved in an open meeting of the authorizer board.

(3) The authorizer may establish **reasonable preopening requirements or conditions to monitor the start-up progress** of a newly approved charter school and to ensure that the school is prepared to open smoothly on the date agreed and that the school meets all building, health, safety, insurance and other legal requirements before the school's opening.

Credits

Added by Laws 2013, H.B. No. 369, § 11, eff. July 1, 2013.

Editors' Notes

REPEALER

<Laws 2013, H.B. No. 369, § 93 provides a July 1, 2020 repeal date.>

Miss. Code Ann. § 37-28-21, MS ST § 37-28-21

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Title 37. Education

Chapter 28. Mississippi Charter Schools Act of 2013 (Refs & Annos)

Miss. Code Ann. § 37-28-23

§ 37-28-23. Enrollment in charter school

Currentness

- (1) A charter school must be open to any student residing in the geographical boundaries of the school district in which the charter school is located.
- (2) A school district may not require any student enrolled in the school district to attend a charter school.
- (3) Except as otherwise provided under subsection (8)(d) of this section, a charter school may not limit admission based on ethnicity, national origin, religion, gender, income level, disabling condition, proficiency in the English language, or academic or athletic ability.
- (4) A charter school may limit admission to students within a given age group or grade level, including pre-kindergarten students, and may be organized around a special emphasis, theme or concept as stated in the school's application.
- (5) The underserved student composition of a charter school's enrollment collectively must reflect that of students of all ages attending the school district in which the charter school is located, to be defined for the purposes of this chapter as being at least eighty percent (80%) of that population. If the underserved student composition of an applicant's or charter school's enrollment is less than eighty percent (80%) of the enrollment of students of all ages in the school district in which the charter school is located, despite the school's best efforts, the authorizer must consider the applicant's or charter school's recruitment efforts and the underserved student composition of the applicant pool in determining whether the applicant or charter school is operating in a nondiscriminatory manner. A finding by the authorizer that a charter school is operating in a discriminatory manner justifies the revocation of a charter.
- (6) A charter school must enroll all students who wish to attend the school unless the number of students exceeds the capacity of a program, class, grade level or building.
- (7) If capacity is insufficient to enroll all students who wish to attend the school based on initial application, the charter school must select students through a lottery.
- (8)(a) Any noncharter public school or part of a noncharter public school converting to a charter school shall adopt and maintain a policy giving an enrollment preference to students who reside within the former attendance area of that public school. If the charter school has excess capacity after enrolling students residing within the former attendance area of the school, students outside of the former attendance area of the school, but within the geographical boundaries of the school district in which the charter school is located, are eligible for enrollment. If the number of students applying for admission exceeds the capacity of a program, class, grade level or building of the charter school, the charter school must admit students

on the basis of a lottery.

(b) A charter school must give an enrollment preference to students enrolled in the charter school during the preceding school year and to siblings of students already enrolled in the charter school. An enrollment preference for returning students excludes those students from entering into a lottery.

(c) A charter school may give an enrollment preference to children of the charter school's applicant, governing board members and full-time employees, so long as those children constitute no more than ten percent (10%) of the charter school's total student population.

(d) This section does not preclude the formation of a charter school whose mission is focused on serving students with disabilities, students of the same gender, students who pose such severe disciplinary problems that they warrant a specific educational program, or students who are at risk of academic failure. If capacity is insufficient to enroll all students who wish to attend the school, the charter school must select students through a lottery.

Credits

Added by Laws 2013, H.B. No. 369, § 12, eff. July 1, 2013.

Editors' Notes

REPEALER

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Miss. Code Ann. § 37-28-23, MS ST § 37-28-23

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Oct. 21, 2013 Mike Sayer, Southern Echo Notes re: MS Charter School Authorizer Board meeting

On Monday, Oct. 21, 2013 the MS Charter School Authorizer Board had an eventful meeting and work session in the open, wood-paneled Board Room of the Institute for Higher Learning on the Ridgewood Road campus. Sorry this is a long email, but I wanted you to know what we heard at the meeting.

KEY DECISIONS BY THE BOARD

Under the guidance of Board Chair Tommie Cardin the Board used a lengthy work session to revise and adopt:

- DRAFT of a proposed Request for Proposals (RFP),
- DRAFT of a proposed Application form, and
- DRAFT of 3 proposed timelines:
 - a. one if opening a charter in the 2014-2015 school year,
 - b. one if using 2014-2015 as a planning year, and
 - c. one for the years after that, which are incorporated into the DRAFT of the RFP and Application. [See attached drafts of the 3 Timelines].

Unfortunately, I do not have a digital copy of the *revised proposed* RFP and Application yet, but will forward it if and when I do.

The Board will vote on whether to adopt or further revise these DRAFTS at its **next regular meeting, Monday, November 18 at 10:00 am in the Board Room.**

SEE DRAFTS ADOPTED, OFFER YOUR COMMENTS

PLEASE NOTE: The sub-committee revising the RFP and Application based on the Board's recommendations will finish its work and **the DRAFTS will be posted** on either or both of the **MDE and IHL websites on or before November 1, 2013.** [The Board does not yet have its own website, but will be seeking to create one.]

The Board is inviting **Public Comment** on these drafts, which must be sent to the Chair of the Board, Tommie Cardin, **no later than November 12, 2013**, which is 5 days before the next meeting of the Board (a requirement under their By-Laws, according to Chair, Tommie Cardin). Cardin's email address is: tommie.cardin@butlersnow.com

Please Note: By statute, the Board faces a December 1, 2013 deadline to produce an RFP and Application. That doesn't leave much time for revisions after the November 18 meeting, since Thanksgiving week intervenes between the meeting and the deadline. So ... *Good People* ... our Comments submitted prior to November 12 need to be focused, clear and do-able for the Board members to be able to consider them at the November 18 meeting!

BY-LAWS ADOPTED, COMMENTS INVITED

Chair Tommie Cardin informed the Board and the public that the By-Laws of the Charter Authorizer Board were submitted to the Secretary of State on October 17, 2013. **According to Cardin the By-**

Laws are available for review on the website of the Secretary of State. Public Comments on the By-Laws must be sent to Chair Tommie Cardin **no later than November 12, 2013**. The By-Laws will go into effect **December 13, 2013**.

PERSPECTIVES REVEALED

- **Creating Proposed “Planning Year” as part of Timeline:** During the work session discussion on Timelines (see 3 attached drafts) several Board members spoke in favor of using 2014-2015 as a planning year after the signing of contracts between the charter provider and the Board at the end of June 2014 for 2 reasons:
 - a. Board Chair Cardin noted that even if the Board signs a contract with a charter provider at the end of June 2014, the Board will have to exercise its *discretion* to make a “determination of readiness” regarding whether the charter is capable of accepting students into an effective, sustainable educational setting.

Several Board members were clear that they wanted to exercise due diligence prior to opening the charter rather than trying to address failures during a charter revocation process. Although they did not use these metaphors, in my view they accurately synthesize their discussion:

“Haste makes waste”; “It is futile to close the barn door after the horse is gone”.

Most Board members were skeptical that by August 2014 it would be possible for a charter applicant to effectively:

1. meet all the criteria and standards proposed for the written application, review and negotiation process,
2. enable and appropriately deploy both their governance and administrative structures,
3. engage in the necessary community outreach to education stakeholders,
4. adopt, review, negotiate and revise policies and practices around student discipline, intervention supports for students with special needs, English language learning issues, underperforming students and students with behavioral issues,
5. put student intervention supports in place to ensure that the needs of *all* students will be met,
6. burnish the curriculum to meet the standards,
7. be able to hire qualified teachers and other staff,
8. contract for and provide a suitable facility, and
9. complete 3rd party contracts for food, transportation, maintenance and other services, and be ready to accept students by August 2014.

The phrase most often used by members to describe their views were, “It would take a miracle ...”

Krystal Cormack, chair of the Board’s RFP/Application sub-committee, noted that the sub-committee’s investigation of *national best practices* revealed that in many states the requirement is that the charter provider go through a 2-year readiness process: the first year for training, the second year for planning, *before* the charter takes on students. Cormack recommended to the Board that to ensure readiness that it consider requiring that the charter

provider undertake a one-year planning process before the charter opens its doors to students.

Members noted that this is the first year of this process and they want to make sure that it gets off on the correct footing.

- b. Although the Charter Authorizer Board is concerned with charters, as a state agency it has a duty and obligation to be concerned with the impact of its policies on student education in the traditional schools.

Deep concern was expressed and acknowledged that by the end of June 2014 the traditional district will have set its budget, hired its teachers, and let its other contracts. If the district does not find out until one to two months before school starts that it will lose a significant amount of MAEP, local and federal funding (which follow the students out of the district into the charters), then it could be a disaster for districts that have no way to make up for the shortfall or time to adapt to the changes.

It would be much better for the traditional schools, several members acknowledged, if the year of planning for the charters also provided the district with a year to deal with and adapt to the impact of the charter on the traditional district.

If the state's goal is to educate all children, it is important that the charter process not undermine the traditional schools. [Yes!]

Johnny Franklin pushed back hard the other way. While stating that he agreed with the concerns of the other members, Franklin insisted that charters must get underway for the 2014-2015 school year. He said that every year of delay is unfair to students.

No decision has been made yet on this issue.

- **Intervention and Supports:** Let me make these points about the discussion I heard during the work session:
 1. Johnny Franklin kept pressing the notion that the Board should not lay down policies that are in his word, "prescriptive", on the premise that the policies should be focused on freeing the charters to do the things in whatever way they want to do them ... unless the charter law mandated a particular obligation. Further, Franklin wanted to make sure that any rule of regulation prescribed by the State Board of Education or the MS Dept. of Education be precluded as an obligation upon the charters because "rules and regulations" are not "laws".
 2. Chair Tommie Cardin reminded the Board that the precise language of the charter law stated ... and here he read directly from the statute ... that the charters are not obligated to follow State Board of Education or MS Dept. of Education regulations *unless* expressly required by the charter law **OR, if the Charter Authorization Board elects in its discretion to make such State Board of Education or MS Dept. of Education rule or regulation a requirement as a matter of Charter Authorization Board policy.**

Note Well: According to the Chair of the Authorization Board, the Board has the discretion, the option, the authority to adopt or adapt existing rules and regulations for the charter process if the Board deems it necessary and appropriate!

3. So how does this involve *intervention and supports* for students? The 3-tier Response to Intervention (RTI) was included in the DRAFT RFP as an obligation of the charter. Johnny Franklin was adamant that he wanted RTI removed as a charter obligation because it was not state law, but rather State Board of Education policy. In addition, he stated that every teacher he ever talked with hated RTI because of the volume of paperwork involved. [Our experience is different than his.]
4. What was the response of other Board members? The other Board members, led by Krystal Cormack, Bonita Potter and Lynn House, pushed back collectively with the following comments:
 - a. they insisted that the needs of *all* students had to be met by charters,
 - b. that intervention and supports work because that is what the evidence shows in Mississippi and all across the nation,
 - c. that charters cannot be permitted to just push students back to the traditional schools when they have difficulties,
 - d. that this issue needs to be dealt with as part of the application process rather than the revocation process,
 - e. that intervention and supports policies are needed as part of the charter application process to demonstrate that the charter intends to accomplish these goals and has a serious plan for how best to do it, and
 - f. that they will word the obligation in the RFP and Application in such a way that it doesn't tie the charter to the precise way in which the State Board requires it to be done.
HOWEVER, the charter will have to produce a *viable* intervention and supports plan intended to meet the needs of *all* students who are having either academic or behavioral problems.

At least, that is what I heard!

So – you can see why it will be important to scrutinize diligently the RFP, Application and Timelines when they are posted Nov. 1 on the MDE and/or IHL websites ... and then to provide focused, clear Comments to Chair Tommie Cardin for consideration by the Board at the Board's Nov. 18 meeting. Your input is vital to the process of providing the Board with meaningful community perspectives.

If you cannot find the items that should be posted on these sites alert Tommie Cardin at the email address set out above so that the problem can be corrected.

FUTURE MEETING DATES

The Board set future meeting dates for:

- **Monday, November 18, 2013 at 10:00 am**
- **Monday, December 16, 2013 at 10:00 am**
- **Monday, January 27, 2014 at 10:00 am.**

Charter School Application Guide 2013

MCSAB LOGO

STREET ADDRESS
JACKSON, MS 39XXX
Phone: (601) XXX-XXXX

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INSTRUCTIONS

The Mississippi Charter School Authorizer Board (MCSAB) invites proposals for high-quality charter schools seeking to open for planning for the 2014-2015 school year, or thereafter. MCSAB will give preference to applications for schools intended to help underserved students.

All applications should reflect how the proposed charter school will:

- 1) improve student learning;
- 2) close achievement gaps between high- and low-performing groups;
- 3) increase educational opportunities for all students, but especially for those with a likelihood of academic failure;
- 4) allow teachers and school administrators to have a direct voice in the operation of the school;
- 5) encourage the use of high-quality models of teaching, governing and scheduling;
- 6) provide for exceptional levels of results driven accountability;
- 7) create expanded opportunities for involvement in the education system by students, parents and community members; and
- 8) encourage the replication of successful charter schools.

All new schools approved through this process will be public schools within the Mississippi public education system in accordance with The Mississippi Charter Schools Act of 2013.

Process Overview & Materials

DATE	ACTIVITY
22-Nov	MCSAB Releases RFP & Application
22-Jan	Letter of Intent Due
27-Jan	Bidders Conference in Jackson or Remotely via Webinar
14-March	Application Due
21-March	Effectuated School Districts Notified
28-March	Application Reviewed for Completeness
11-April	Application Revisions Due
15-April	Capacity Interviews Begin
27-May	Capacity Interviews End
30-May	Final Review
2-June	Vote on Acceptance/Acceptance w/ Amendments/Deny
10-June	If needed, Amended Application Due
16-June	Amended Application Accepted/Denied
17-June	Contract Negotiations Begin
27-June	Contract Finalized

Application Content & Review Process: The Mississippi Charter Schools Act designates the contents required in a charter school application as well as the process for which a group of parents, teachers, and/or community members may apply for a charter school. MS Code 037-0165-0027 Section 8 details the performance framework that is required to be included in a charter school application. These application components are included within the framework of this application guide.

Letter of Intent: All applicants are required to submit a Letter of Intent (LOI) prior to submitting a complete application. The Letter of Intent template is available in Appendix A. **This provides formal notice to MCSAB regarding applicants' intention to submit an application to open a public charter school for a planning year in 2014-15, and to begin accepting students in the 2015-2016 school year.** This letter is non-binding.

Complete Application:

- 1) **Proposal Narrative:** The narrative section herein seeks information about all major aspects of the proposed school. A complete application must include each section outlined in this application document (e.g., Executive Summary, Section I Culture, etc.). Within the narrative of each section, please use the outline headings that have been provided.
- 2) **Budget Forms:** All proposals must be accompanied by completed budget forms using the template provided by the MCSAB, which can be found at URL. Submit only electronic copies of the budget form (no paper based copy needed) and a paper based copy of the budget narrative.
- 3) **Appendices:** Submit only those appendices that are referenced in this application. Additional material beyond the narrative and appendices referenced in the application will not be considered.

Subsequent Information: Immediately upon receipt of the application, MCSAB will review materials for completeness. If it is determined that all relevant sections or materials have not been submitted, immediate notification will be made. The requested materials must be submitted within 15 days. After that time, MCSAB will not accept any additional materials. This includes email explanations, alterations to the plan, and/or comments to staff or board members. The plan submitted is considered final, unless MCSAB requests amendments following capacity interviews and final review.

Formatting and Submission Requirements

- Two hard copies of the final application are required upon submission, and each application is to be submitted in a 3-ring binder. One electronic application must be submitted. Each copy, whether on a flash drive or paper copy, must have appropriate signatures.
- The budget form must be submitted in Microsoft Excel, in electronic form only, using the template provided.
- Font must be either Arial or Times New Roman, with one-inch page margins, single-spaced, no smaller than 11 point font.
- Each section of the application must adhere to the page limits as indicated in the application. Attachments requested do not count against the page limit.
- Each section of the application should be labeled and tabbed, and numbered consecutively. A table of contents is required.
- The proposal must include the name of the proposed school on the outside spine of the binder.
- Templates and forms for Appendices A-D are provided in the back of this application guide to be filled out and included as part of the application. .

- If a particular question is not applicable to the proposal, please respond “Not Applicable.” ***A statement as to why the question is not applicable to the proposal may be needed.***

Deliver Letter of Intent by 5:00pm CT on January 22, 2014 via fax, e-mail, or mail and deliver Application by 5:00pm CT on March 14, 2014* to:

Mississippi Charter School Authorizer Board

Mailing Address

City, State, Zip

Email address

***No late submissions will be accepted.**

Application Review

Completed applications will be reviewed by a team of professionals, including each member of the Authorizer Board, and regional external experts. The Mississippi Charter Schools Act of 2013 ensures that multiple areas of expertise are represented on the Authorizer Board:

- Public and Nonprofit Governance
- Management and Finance
- Public School Leadership
- Assessment, Curriculum, and Instruction
- Public Education Law

The MCSAB works collectively to assess the quality of each application using a standards-based rubric that identifies quality criteria within a variety of domains. Each of these domains is represented in an application section, detailed below. MCSAB’s quality criteria have been established in partnership with a variety of local and national experts and in consultation with exemplars and best-practice research. The rubric used to evaluate this application is available on the MCSAB website at URL.

Teams with applications meeting or exceeding the standard in four of five criteria will be invited along with their founding leadership team/ board to participate in a capacity interview, the final phase of the application process. The primary purpose of the interview is to assess the capacity of the board to effectively oversee the school’s program, organizational viability, and finances. The interview is also designed to determine the group’s understanding of academic and fiscal accountability, and of the characteristics of the students and region the team plans to serve. The capacity interview will also provide an opportunity for the application reviewers to pose questions generated during the application review process.

If approved for a charter school, teams should engage in one academic year of planning. The MCSAB will request a mid-year and end-year readiness evaluation during this planning year to assess whether school teams have completed adequate preparation in order to begin receiving students.

If you have questions or concerns during the process, please contact **Executive Director’s** Name, E-mail, Phone Number. Do not contact members of the Charter Authorizer Board.

EXECUTIVE SUMMARY

Essential Information Form

Name of Proposed School	
School Type	Charter
Conversion or New Start	
Grade Configuration	
Model or Focus (e.g., Arts, College Prep, etc.)	
Proposed Region and Home School District	
Primary Contact Person (name, email)	

Enrollment Projections: *Delete unnecessary rows and/or provide additional columns if the school will not reach full enrollment by year five. Project student headcount (not funded FTEs).*

GRADE	2015-16	2016-17	2017-18	2018-19	2019-20
ECE					
K					
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
Total # students					

Student Demographics: Based on regional preference, project the demographic makeup of the school in terms of students who qualify for free or reduced lunch, receive special education services, and are English Language Learners.

	FRL %	SPED %	ELL %
Projected Demographics			

Executive Summary Narrative (4 page limit):

Address the following questions briefly in a narrative format. Please use the outline numbering and headers provided below, but do not repeat the questions

- I. Culture:** What is the mission of the school? What outreach has been conducted to engage prospective parents, teachers and pupils within this region? How many Intent to Enroll Forms have been completed?
- II. Leadership:** What critical qualifications, credentials and attributes have been identified for the school leader? Is there an identified candidate for the leader? If so, please provide a short bio for that leader. Applicants are required to provide proof of United States citizenship on identified members of the school leadership team. Please provide proof as an attachment to this Executive Summary Narrative.
- III. Education Plan:** Provide a brief overview of the education program of the proposed school, including major instructional methods, key program components and assessment strategies.
- IV. Teaching:** Explain how teacher effectiveness will be supported through evaluations and professional development.
- V. Governance:** Briefly outline the role of the Board with regard to school governance and academic oversight. Explain the rationale for seeking charter status. Applicants are required to provide proof of United States citizenship on each governing board member and, if identified, members of the school leadership and management team. Please provide proof as an attachment to this Executive Summary Narrative.

Expand the following table to list all proposed Board members for the school.

Name	Current Professional Title and Organization	Board Role	Focus/Expertise

- VI. Finance:** Complete the following table to summarize the detailed budget supplied in this application.

	2015-16	2016-17	2017-18	2018-19	2019-20
Number of Students					
Per Pupil Revenue					
Grant Funds					
Private Funds					
Other Sources					
Total Revenue					
Employee Salaries (including benefits)					
Building Expenses					
Services/Supplies					
Other Expenditures					
Total Expenses					
NET INCOME					
For any grants or private funds identified above, indicate whether the funding has been secured and any plans to secure future funding.					

- 1. Contracting with Education Service Providers (ESPs):** Applicants seeking services from a third party ESP must indicate the extent to which the school may employ services through these organizations or corporations. Note: Mississippi law prohibits charter schools from operating as for-profit corporations.
 - a. Does the school expect to contract with an ESP or other organization for a substantial portion of school management/operation? (Y/N) If so, please provide a description or copy of the proposed contract, a recent corporate annual report, an audited financial statement, a description of the firm's responsibility for the fiscal management of the proposed school, and a summary of the company's history including a description of its past results in management efforts, as well as the background on its leaders. Please provide these documents as an attachment to this Executive Summary Narrative.
 - b. Is the applicant an existing operator applying to replicate its current school(s)? (Y/N) If so, list all the schools currently or previously operated by the ESP. Briefly summarize the academic outcomes of each school currently being operated by the ESP.

Schools ESP Operates	Location (City/State)	Dates of Operation

Charter

Section I. CULTURE

(12 page limit)

This section describes the systems in place to support a strong school culture and involve key stakeholders in the school community. Address the following questions in a narrative format. Please use the high level outline components (e.g., “A. Mission Statement”) to organize the response. Do not repeat the text of the question.

Resources:

- **Strategic School Design (SSD):** New school applications are encouraged to include elements of SSD into their applications. For more information on SSD consult the book The Strategic School: Making the Most of People, Time and Money by Karen Hawley Miles and Stephen Frank.
- **Student Attendance:** Refer to Mississippi’s compulsory school attendance law, which can be accessed here <http://www.mde.k12.ms.us/dropout-prevention-and-compulsory-school-attendance/compulsory-attendance>

A. Mission Statement

1. Provide the mission of the proposed school. The mission statement should be a concise statement that does the following:
 - a. Identifies the school’s target student population and community to be served.
 - b. Articulates clear guiding purposes and priorities that are meaningful, measurable and attainable.
 - c. Provides the entire school community as well as external stakeholders a clear picture of what the school aims to achieve.
- The mission statement provides the foundation for the entire school proposal and operational plan. Accordingly, the rest of the school application should fully align with and support the stated mission.

B. Targeted Student Population

1. Identify the region the school proposes to serve.
2. What will be the maximum student enrollment? Provide forecasted figures by grade level that illustrate the build-out of the school over time (use the chart provided in the Executive Summary section). If the forecasted enrollment is different than the maximum enrollment, explain the rationale.
3. Provide the expected demographics for the students the school plans to serve including the percentage of Free and Reduced Lunch, Special Education and English Language Learners (ELLs).
4. Explain how the decision to serve this targeted population, including the grade levels that have been chosen, would meet the district and community needs.

C. Evidence of Need and Community Support

1. Describe the role of parents/guardians and community members in developing and providing input into the proposed school.
2. Describe the outreach that has been conducted to engage prospective parents, teachers and pupils in the region the school is proposing to serve.

3. Describe evidence of support from any identified community partners, organizations, agencies, or consultants (e.g., letters of intent/commitment, in-kind donations, memoranda of understanding, and/or contracts, and should specify the resources to be committed or contributed from the partner, as applicable). Provide evidence of support for the proposed school among prospective parents, teachers, and pupils, or any combination thereof as an attachment to this application. Support may be gauged and demonstrated through community meetings, parent/teacher/student letters of support, surveys of prospective stakeholders, and/or evidence of letters of intent to enroll among other means.
4. If the school is relying on a community partner to provide a service or facility that is integral to the operating of the school or educational model, providing a copy of the contract or MOU as an attachment is strongly encouraged.

D. School Culture & Student Engagement

1. Describe the planned culture for the school and how this culture will promote a positive academic environment and reinforce student intellectual and social development.
2. Explain the systems, structures, practices, and traditions the school leader and leadership team will create to foster this culture for students, teachers, administrators, and families starting from the first day of school (note that a description of the planned discipline policy is requested in the next section).
3. Explain how the school culture will include and serve all students including students with special needs, students receiving special education services, English Language Learners, and any students at-risk of academic failure.

E. Student Discipline Policy

1. What will be the key elements of the school discipline policy and how will it reflect the school culture described above?
2. Is there a strategy for positive behavioral reinforcements? What rituals or protocols will be in place as part of this strategy?
3. How will the discipline policy be practiced in the classroom to ensure students are on task and focused on learning?
4. How will the school ensure that minority students and students with disabilities are not disproportionately represented in disciplinary procedures?
5. Which roles on the staff will be responsible for implementing the school's discipline policy?

F. Student Recruitment & Enrollment

1. Describe the plan to recruit students in the pre-opening year, including the strategies, activities, events, responsible parties and milestones that will demonstrate progress over time.
2. How will the school team specifically reach out to families in poverty, academically low-achieving students, students with disabilities, linguistically diverse families and other youth at risk of academic failure?
3. Will the school leadership team be collecting Intent to Enroll forms during the pre-opening year? How many Intent to Enroll forms have been collected as of the time of application submission?

- *Note: A sample [Intent to Enroll Form](#) is provided at the back of this application.*
- 4. Outline the planned admission process, including specifics around any admission priorities for students, lottery procedures and policies around waiting lists.
- 5. What is the target re-enrollment rate for each year?
- 6. Describe the student recruitment plan once the school has opened. In what ways will it be different than the pre-opening year, in terms of the strategies, activities, events, persons responsible and milestones?
- 7. Describe the goal(s) for student attendance and explain how the school will ensure high rates of student attendance. Who will be responsible for collecting and monitoring attendance data? What will happen in the event that attendance targets are not reached?

G. Ongoing Stakeholder Involvement

1. What community resources will be available to students and their families? Describe any partnerships the school will have with community organizations, businesses, or other educational institutions. Specify the nature, purposes, terms, and scope of services of any such partnerships.
2. Describe how families will be engaged in the school's culture and operations. How will the school build family-school partnerships to strengthen support for learning and encourage family involvement?
3. Explain how families will be involved in the governance of the proposed charter school. How will family satisfaction be encouraged? How will any ratings be obtained around family satisfaction?
4. What communication protocols are planned for stakeholders? How will families be informed about school updates, board meetings and other events?

Section II. LEADERSHIP

(10 page limit)

This section outlines school personnel and the processes that will ensure school sustainability and achievement.

A. Leadership Team Personnel

1. Describe the essential responsibilities of the school's leader.
2. Summarize the profile of the school's ideal leader, including skills, qualifications, and characteristics. Is it a requirement that the school leader has school leadership experience? Will your school leader be the instructional leader at the proposed school? If not, who will be responsible for the instructional leadership at the proposed school?
3. Provide a detailed description of the recruiting, hiring, and selection process, and timeline for identifying the school leader. Who makes the hiring decision for the school leader position?
4. If the Principal/Head of School candidate has been identified:
 - a. Explain why this individual is well qualified to lead the proposed school in achieving its mission and goals. Summarize the proposed leader's academic and organizational track record. Provide specific evidence that demonstrates the leader's capacity to design, launch, and manage a high performing school. If the school leader has never run a school, describe any principal leadership training programs that the proposed leader has completed or is currently attending.
 - b. Provide specific data that demonstrate strong evidence of the school leader's ability to effectively serve the proposed target population.
5. What personnel will make up the school's leadership team? Summarize the essential duties and responsibilities for each person on the leadership team.
6. What are the qualifications and credentials necessary for the other members of the leadership team? Please provide job descriptions for all leadership team positions as an attachment to this narrative.
7. Have the other members of the leadership team been identified? If not, what is the timeline to fill each position?

B. Leadership Team Coaching & Evaluation

1. Explain the school's system for analyzing the school leader's need for coaching and professional development. How will the school supply these supports to the school leader?
2. Explain how and when the governing board will evaluate the school leader or principal? What evaluation tool will be used? What key performance criteria will be examined? How will student academic performance be factored into the school leader's evaluation?
3. How will the school's board handle unsatisfactory leadership performance?
4. Who will coach and evaluate the other members of the leadership team (i.e., not the principal)?

C. School Personnel Structure

1. Separate from the leadership team discussed above, outline the positions that the school will fill to ensure successful ongoing operations. Note any core functions that will be outsourced to third parties or consultants.
2. As an attachment, supply an organizational chart that includes each position/title, name of person holding the position (if applicable), and the year in which the school anticipates adding the position to the staff roster. This organizational chart will be compared against the budget figures supplied elsewhere; the two should sync. *General education teaching positions can be included as one box on the org chart; however, special education and ELL positions should be listed separate from general teaching.*
3. As an attachment, supply a staff roster that details all staff positions, such that teaching positions are listed individually and all paraprofessional or specialty teachers are included. This roster should be a full list of the planned staff, but can be in list format as opposed to an organization chart. If the school is phasing in the program, please use multiple columns to indicate which positions will be added in which years. Note on the roster whether positions are full-time or part-time.
4. Outline the proposed school's salary ranges and employment benefits for all employees, as well as any incentives or reward structures that may be part of the compensation system.

Section III: EDUCATION PROGRAM

(30 page limit)

This section will describe the educational program designed to meet the needs of all students through well-developed curriculum, assessment system, programs for special populations, and clear systems for instructional planning.

Resources:

- **Mississippi Academic Standards:** All schools must employ standards that meet or exceed the Mississippi's Academic Standards. Review the standards at: <http://www.mde.k12.ms.us/curriculum-and-instruction>
- **Graduation Requirements:** High schools approved by the MS Charter Schools Authorizer Board will be expected to meet, at a minimum, the same graduation requirements as all other MS traditional public high schools, set forth at http://www.mde.k12.ms.us/docs/2012-board-agenda/tab_16_appendix_a_and_standard_20_rev.pdf?sfvrsn=2h
- **Mississippi Standardized Tests:** All schools in Mississippi must administer (at a minimum) the correct, state mandated assessments to monitor student progress. Review information about these standardized assessments at: <http://www.mde.k12.ms.us/student-assessment>
- **Mississippi Third Grade Reading Gate:** Review information at <http://www.mde.k12.ms.us/docs/sped-powerpoints-page/3rd-Grade-Reading-Gate.pdf?sfvrsn=2>

A. Curriculum

1. Describe the proposed curriculum. In particular, describe:
 - a. The curricular model and focus (e.g., curriculum overview and teaching methods)
 - b. The learning environment (e.g., classroom-based or independent study, class size, structure, etc.)
2. **Evidence Basis.** Present evidence that the proposed curriculum is research-based and has delivered or will deliver rigorous, engaging and effective instruction for the target student population. If evidence of effectiveness in other schools serving similar populations is not available, explain why the proposed program is likely to succeed with the school's targeted population.
3. **Standards.** Explain how the school team will provide standards that are, at a minimum, the level of rigor and depth of Mississippi's state standards, as they have been adapted to match the Common Core State Standards. Explain how these standards will be implemented using the curricular materials described above. If the school team plans to adopt or develop additional academic standards beyond the state standards, explain what kinds of standards (content areas, grade levels) the school team intends to adopt or develop. Please provide evidence of how these proposed standards meet or exceed state standards.
4. **For Secondary Programs.** Please provide a comprehensive explanation of how the courses and curriculum will prepare students for career- ready and/or college level course work.
5. **Scope/Sequence.** Provide an overview of the course scope and sequence by subject for all major existing grades that the school would serve (e.g., K, 3, 5, 8, 12 as applicable), including alignment with Mississippi state standards/Common Core State Standards, if applicable. What resources have been used in developing the scope and sequence?

6. **Instructional Materials.** For each core subject area, unique focus area, and performance level (grade level, age grouping, etc.) for the first five years of operation, discuss the resources and instructional materials to be used to aid in the transference of information (trade books, multimedia aids, science kits, etc.) and that are aligned with the mission and philosophy of the school and the proposed learning standards. In addition, discuss how the resources and instructional materials will lead to the accomplishment of the school's goals.
7. **Cultural Relevancy.** Describe how the school's curriculum will ensure cultural relevancy. Provide an overview of how the particular framework and/or the curriculum materials will address the needs of culturally and linguistically diverse students.
8. **Timeline of Curriculum Development.** If the curriculum is not fully developed, provide a timeline outlining the process and benchmarks for curriculum development during the school's pre-opening year. Who will be responsible for completing the alignment of curriculum with standards? Are funds allocated in the budget to account for this process?

B. School Schedule & Calendar

1. Provide the school's proposed calendar for the first year of operation and identify the total number of days and hours of instruction that students will receive. Identify the number of in-service days for teachers. Explain how the calendar will support the stated goals of the educational program. Pursuant to Mississippi Law, show how the proposed school will be in session no fewer days than the minimum number of school days established for all public schools.
2. Provide sample daily schedules for one week of classes, both from the perspective of a student and the perspective of a teacher. Describe the structure of the school day and week. Note the length of the school day, including start and dismissal times. Provide the minimum number of hours/minutes per day and week that the school will devote to academic instruction in each grade for core subjects such as language arts, mathematics, science, and social studies. Explain how the school's daily and weekly schedule will optimize student learning for all students, including those needing either acceleration or intervention.

C. Progress Monitoring and Assessment

1. **Assessments.** Explain how the school will measure and evaluate academic progress – of individual students, student cohorts, and the school as a whole – throughout the school year and at the end of each academic year.
 - a. Demonstrate an understanding that the proposed school will participate in the obligatory statewide system of assessment and accountability.
 - b. Which interim assessments will be used and how will these assessments align to the curriculum? How are proposed interim assessments known to be valid and reliable indicators of progress? Explain how these assessments align with the school's curriculum, performance goals and standards.
 - c. Identify any other measures or assessments you plan to use for particular indicators and goals.
 - d. Describe how the school will use student assessment data to drive key decisions aimed at the evaluation, retention, and support of the teaching staff.

2. **Performance Goals.** Outline the measurable annual performance and growth goals that the school will set in order to meet or exceed expectations during the first three years.
 - a. All Schools: Regardless of grade levels served, new charter schools will not receive a rating until after the completion of their first full year. Provide a goal worksheet that delineates short-term and long-term academic goals that will confirm that the school is on track.
 - b. K-8 Schools: Elementary and K-8 schools that are phasing in one grade at a time will not receive a state-level rating until their fourth graders have taken the state assessment. If the school will be an elementary or K-8 school, describe specific performance targets for all state mandated tests and interim assessments that you will use to measure the success of the school. Describe how these assessments will be used and detail the steps that will be taken in the event that the school does not meet these targets. Please make specific reference to Mississippi's third grade gate law.
 - c. Describe the corrective actions the school will take if it falls short of student academic achievement expectations or goals at the school-wide, classroom or individual student level. Explain what would trigger such corrective actions and who would be responsible for implementing them.
3. **Progress Monitoring.** Explain how and how frequently the school will collect and analyze longitudinal student academic achievement data, use the data to refine and improve instruction, and report the data to the school community (specifically families).
 - a. Identify the person(s), position(s), and/or entities that will be responsible and involved in the collection and analysis of assessment data. Describe the information system(s) the school will use to manage student performance data. Identify the staff member(s) who will be responsible for warehousing the data, interpreting the data for classroom teachers, and leading or coordinating professional development to improve student achievement.
 - b. Describe any additional data that will be collected, beyond items identified above in the description of the assessments and performance goals.
4. **Promotion & Retention Policies.** Explain the school's policies and standards for promoting students from one grade to the next. How and when will promotion and graduation criteria be communicated to families and students? What is the protocol for redress when families disagree with promotion decisions?
5. **Graduation Requirements** (*High Schools only*).
 - a. List the school's graduation requirements and how they will ensure students are ready to participate in college, career, military service or trade school. Does the school intend to seek SACs accreditation?
 - b. Explain how the school will ensure students meet graduation requirements. Explain how students will earn credit hours, how grade-point averages will be calculated, what information will be on transcripts, and what elective courses will be offered. Explain any requirements above and beyond what is required by the state of Mississippi.
 - c. Provide the school's exit standards for graduating students. Exit standards should clearly set forth what students in the last grade the school anticipates serving will know and be able to do.

D. English Language Learner Students

1. **Identification Process.** How will the school learn about the home language of students prior to enrollment? How will the data about home language be utilized?
2. **Assessment and Placement.** When will students be assessed for placement? What valid and reliable English Language proficiency assessment will be used to determine proficiency levels in listening, reading, writing, and speaking English? How often will students be assessed for progress? How will the results be utilized? **How will families be made aware of the school's programs and services? Who will notify families about the results, what will be included in the notification, and when will it happen?**
3. **Program Design and Curriculum.** Describe the program to be used to ensure that students acquire adequate English language skills. How will the instructional schedule be designed in order to provide adequate instruction? What are the performance objectives and what standards will be used to measure the progress of ELL students? What instructional techniques will be utilized to help ELLs develop and understand academic vocabulary appropriately in speaking, reading, and writing? How will teachers support students' various English language development levels? **How will the school ensure that families are aware of the school's programs and services?**
4. **Teaching.** **Provide the profile of the staff member responsible for the management of the ELL program, including responsibilities, qualifications, certifications, relevant language proficiency, and knowledge of the history and culture of the ELLs in the program.** Describe the professional development opportunities that will be offered to administrators evaluating the ELL program staff, and to teachers in ESL/bilingual, mainstream, and content-specific classrooms.
5. **Exiting/Redesignation.** **Describe the plan to exit/redesignate students from the ELL program. What will determine the exiting/redesignation of students? What valid, reliable, and objective criteria will be used to measure English proficiency in each of the four language domains? Describe the plan to monitor students after exit/redesignation. How will the school determine if additional ELL program services are needed?**

E. Special Education Students

1. Explain how the school will identify students with disabilities and special needs. Which staff will be responsible for this identification? **How will the school avoid misidentification?**
2. **How will the school team ensure that students with special needs can receive adequate services at the proposed school in accordance with state and federal laws regarding students with special needs?**
3. **How will the school ensure that staff for students with mild and moderate needs are "Highly Qualified" in accordance with the Elementary and Secondary Education Act (ESEA)? What are the pre-requisite qualifications for these positions? Explain how the school will recruit, hire, professionally develop, and retain teachers that meet these requirements.**
4. Describe the specific, **research-based** instructional programs, practices, and strategies the school will employ to provide a continuum of services, to ensure students' access to the general education curriculum, and to ensure academic success for students with special education needs.
5. **How will the school regularly evaluate and monitor the progress and success of special education students so that students attain those goals set forth in the Individualized**

Education Program (IEP)? How will the school ensure that special education students participate in the state testing system as mandated by state law?

F. Academic Intervention & Acceleration

1. How will the school's assessment system enable the school to identify students in need of academic intervention or acceleration? What process will be used to identify those students? Which staff members will be involved?
2. *For High Schools Only.* Explain what systems and structures the school will implement for students at risk of dropping out of high school and/or not meeting the proposed graduation criteria (i.e., credit recovery, etc.).

G. Gifted and Talented Students

1. Explain how the school will identify gifted/talented and academically advanced students. Identify the testing protocol, assessments to be used, and proposed timeline for the testing and identification of gifted and talented students.
2. What methods will the school use to improve the representation of traditionally under-represented student cohorts in its gifted and talented programs?
3. Describe the instructional programs and strategies that the school will use to appropriately address the educational needs of gifted students. Will the programs require additional instructional materials?
4. How will the school adjust its schedule, if necessary, to meet the needs of G&T students?
5. How will the assessment system described earlier support the ongoing tracking of progress for students who may be above grade level?
6. How will the school provide professional development and train both G&T and general education teachers to serve the needs of G&T students?

H. Co-curricular or Extracurricular Programming

1. Describe any unique or supplementary programs students (and families) will be offered to promote improved mental, emotional and physical health. Who will conduct these programs? Will they be optional? What community resources will be leveraged to offer these programs?
2. Describe the extra- or co-curricular activities or programming the school will offer. What are the activities, how often will they occur, who will manage or oversee the activities and how will they be funded (including, will there be a fee for student participation)? Include description of sports to be offered.
3. Describe any volunteer or service programs for students, if these have not already been addressed elsewhere in the application.
4. *For schools offering summer school.* Describe the summer school program to be proposed. How many students are expected to attend summer school, and how will they be selected for participation? How many hours and weeks of summer school will be provided, and how will it be funded? What specific student needs will the summer school address?

Section IV: TEACHING

(10 page limit)

This section will describe the systems in place to promote teacher quality, beginning with a rigorous hiring process and including teacher coaching, evaluation, and professional development.

A. Teacher Recruitment, Hiring, & Retention

1. Describe the protocol that will be used in hiring teachers. Describe the professional backgrounds, depth of experience, and personal qualities that will be sought in teachers and other school staff and how those qualities will help the school achieve its goals.
2. What will be done to ensure that all staff hired are “Highly Qualified” in accordance with the Elementary and Secondary Education Act (ESEA) by the timeline designated in the Mississippi Public Charter Schools Act of 2013. Explain other key selection criteria and any special considerations relevant to the school design. Note whether there is a plan to request a waiver for licensed instructional staff.
3. What will be done to ensure that all hired staff have received and passed criminal background checks, in accordance with the law?
4. Describe the timeline for interviewing and selecting teachers. How will the school publicize open positions? Who will make hiring decisions for teachers? How will the school team assess whether good hiring decisions are made on an annual basis?
5. Explain what cultural competencies will be required of key staff positions in order to appropriately serve the proposed target population.
6. What strategies will be deployed in order to promote retention of the school’s best performing teachers? Is there a target retention rate? Is retention part of the annual goal setting process? Does staff retention factor into the school leader’s evaluation?

B. Teacher Coaching

1. What are the primary goals for teacher coaching in the proposed school? Are there specific areas on which the instructional leaders expect to focus? What criteria will be used to establish coaching feedback?
2. Describe the school’s plan to coach teachers. Which personnel will be involved in teacher coaching? Will teachers receive feedback from non-supervisory coaches or peers?
3. What research basis is being used to create classroom observation protocols and feedback instruments? What methodologies will teacher coaches employ to ensure they are delivering relevant and differentiated feedback to drive improved student outcomes? How will the teachers receive coaching and feedback on their instructional planning?

C. Teacher Evaluation

1. Will the MSTAR framework be a part of the teacher evaluation system?
 - a. If not, what are the standards that will be used to evaluate teachers? How will these standards be developed?
 - b. Explain the protocol the school will use to evaluate the performance of the teachers. Who will have primary responsibility to evaluate teachers?
 - c. Specifically address what role student progress and achievement will play in teachers’ evaluations.
2. What steps or actions will the school take when teacher performance is unsatisfactory?

D. Professional Development

1. Describe the professional development standards and opportunities that will be offered to the teaching staff, and identify who will be responsible for developing, leading and evaluating professional development at the school.
2. Provide a scope and sequence, along with an explanation of professional development that will take place prior to school opening. Explain what will be covered during this induction period and how teachers will be prepared to deliver any unique or particularly challenging aspects of the curriculum and instructional methods.
3. Identify the expected number of days/hours for professional development throughout the school year and explain how the school's calendar, daily schedule, and staffing plan will be structured to accommodate this plan. Note whether teachers will have time for common planning or collaboration, and how such time will typically be used.
4. Explain how the professional development program will support staff in the cultural competencies necessary to effectively serve linguistically and culturally diverse students.
5. Explain how the professional development program will be evaluated to assess its effectiveness and success.

E. Pedagogy

1. Describe the expected instructional methodology and strategies that teachers will employ in order to effectively deliver the school's curriculum. Include strategies teachers will use to differentiate instruction to meet the needs of the targeted student population, students with disabilities, students requiring intervention and students needing accelerated curriculum.
2. What planning tools will teachers use to prepare lessons? How will students' formative assessment data be used to influence teachers' instruction?
3. How will teachers ensure that each student masters content objectives and develops related skills to demonstrate proficiency across all standards?
4. Describe the investment strategies to be implemented to involve students in the school and their academics including any school-specific routines and rituals.

Section V: GOVERNANCE

(15 page limit)

The Governing Board is the entity legally responsible for holding the charter, entering into the contract with Mississippi Charter School Authorizer Board and overseeing the operation and academic performance of the charter school. Governance includes all financial planning, budgeting and oversight. Below is the budget narrative, where applicants are asked to describe in detail the fiscal plan for the proposed school. The specifics of this plan are requested in the budget form. The two should sync.

Resources:

- Training modules for governing board members of Mississippi charter schools can be found at: <http://www.msbaonline.org/AboutMSBA/tabid/387/Default.aspx>
- MDE Resources on Funding:
 - Worksheet to calculate charter at-risk funding: <http://www.mde.k12.ms.us/school-financial-services/school-financial-services-fets-formulas>
 - Financial Policies and Procedures: <http://www.mde.k12.ms.us/school-financial-services>
- For information on Title I, II, and III grants, refer to: <http://www.mde.k12.ms.us/federal-programs>
- NACSA's Issue Brief *Good to Govern* on charter governing boards
<http://nacsa.mycrowdwisdom.com/diweb/catalog/item/id/77222/q/q=boards&c=82>
- Refer to Section 10 of the Mississippi Public Charter Schools Act of 2013 regarding 'right of first refusal' to facilities.

A. Governance Philosophy

1. Explain the general philosophy of governance that will guide the proposed school. What is the primary role of the school's board in regards to the school operation? **Please make sure that within the answer, management is clearly distinguished from governance responsibilities.**
2. How will the board interact with the principal or head of school?

B. Board Capacity & Structure

1. Provide an organizational chart that clearly presents the school's organizational structure, including lines of authority and reporting between the governing board, education service provider, staff, related bodies (such as advisory bodies or committees), and any other external organizations that will play a role in managing the school.
2. Outline the key expectations for board members. What actions would trigger removal from the board and under what process? What are the attendance and committee service requirements for board members?
3. **Describe the size and composition of the governing board, both in the present and future. Identify key skills, areas of expertise, and constituencies that will be represented on the governing board, as well as their involvement with the school's target population. List all current board members and their roles, and summarize their interests in and qualifications for serving on the school's board. How will the proposed composition ensure that: (a) the school is an educational and operational success and (b) that key stakeholders and community members will be active in the governance of the school?**
4. Explain the criteria and procedure by which board members have been and/or will be selected. Identify your timeline to recruit additional members and the skill sets you plan to add to the board.

5. Explain the board development plan for increasing the capacity of the governing board. What kinds of orientation or training will new board members receive, and what kinds of ongoing development or training will existing board members receive? When will this training occur and what topics will be addressed?
6. How frequently will the board meet? **How will board agendas, minutes and decisions be reported to stakeholders?**
7. Provide a detailed school start-up plan, identifying tasks, timelines, and board members and/or staff who are responsible for each task.

All board members are requested to fill out the "Charter School Board Member Questionnaire," found in [Appendix B](#). These completed questionnaires should be included in the application as Appendix B.

C. School Oversight & Stakeholder Engagement

1. How will the board approach its oversight role? Describe the metrics or progress indicators that the board will consider in its analysis of the school, as well as how the board will receive this information (i.e., dashboard.) Be sure to include both the academic and financial metrics, and the frequency with which the board will review these metrics. These metrics will likely inform any contractual agreements subsequent to application approval.
2. **How will the board oversee and implement the school's grievance process and policy? What is the role of the board when a staff member or a family member has a grievance? What are the goals of the board in terms of monitoring and resolving staff and family complaints?**
3. Describe the solvency-related financial goals, as demonstrated in the submitted budget form, including specific metrics that will be monitored.
4. Describe any partnerships or contractual relationships with external stakeholders central to the school's operations or mission.

D. Board Status & Compliance

1. Describe the proposed school's legal status, including whether Articles of Incorporation have been filed and whether the school has obtained or plans to seek federal tax-exempt status. If the school will be incorporated, will it be a member or nonmember corporation? Who will the members be?
2. Describe the process by which the proposed school board developed its Articles of Incorporation & Bylaws? How do they comply with state and federal laws?
3. Provide the proposed Articles of Incorporation and Bylaws. **Be sure to include a Conflict of Interest Policy.**
4. **Describe how the school and governing board will comply with Open Meetings and Open Records laws.**

E. Budget & Policy Narrative

As the Budget is developed, become familiar with Section 28 of the Mississippi Charter Schools Act of 2013, where details regarding state, local, and federal funding sources are found. Also, remember to withhold the 3% fee to support the Authorizer Board.

1. In the budget form, detail a proposed budget for the start-up year and subsequent five-years. Also, provide start-up and first-year cash flow projections with clearly stated assumptions. Additionally, provide a budget narrative that justifies each line item found on the budget form. Be sure to include a statement of how each line item helps the school to meet its vision and goals.

2. Describe the anticipated private revenue sources including contributions and grants. Note which are secured and which are anticipated as well as how each revenue stream will be used in support of non-core operational expenses. By law, disclose all sources of private funding and all funds from foreign sources, including gifts from foreign governments, foreign legal entities and domestic entities affiliated with either foreign governance or foreign legal entities.
3. Describe the fundraising plan for the first year, as well as any additional fundraising that will need to occur over the next five years. Detail who will be involved with fundraising, and any contingency plans should anticipated funds not be secured.
4. Describe any services to be contracted, such as business services payroll and auditing services, including costs and criteria for selecting such services. Which services, if any, will be contracted out with the local education agency?
5. If anticipated revenues are not received or are lower than expected, what specific changes will be made (explain in narrative format)? In addition, is there a contingency set aside in this budget?
6. Describe the systems, policies and procedures, including internal controls, which will be in place to responsibly manage accounting, purchasing, payroll and financial reporting requirements including a year-end audit. Detail the procedure to be used to ensure that an independent group conducts an annual audit.
7. Operations –Transportation: Detail how reliable and safe transportation will be provided for all students.
8. Operations –Food Service: Detail how reliable food services will be provided for all students. Does the school intend to participate in the National School Lunch program? Does the school intend to participate in the National School Breakfast program? Detail the steps that have been taken to secure participation in these programs, if there is a plan to participate. Indicate whether the school will participate in the local school district's food service programs and whether food will be prepared on or off site.
9. Demonstrate well thought-out plans for food service facilities and equipment that will meet local and state requirements.
10. Operations – Insurance Coverage: Provide a list of the types of insurance coverage the school will secure, including a description of the levels of coverage. Types of insurance would include Worker's Compensation, liability, property,
 - All applicants are required to submit the completed charter application budget form as a separate electronic document in excel. Applicants do not need to submit a hard copy of the budget form. This budget template can be found on: URL.

F. Facility

1. Define the process for identifying and securing a facility that is appropriate for the instructional needs of the school, including any brokers or real estate consultants being employed to assist in finding a facility.
2. The plan for facilities must include basic requirements to accommodate the school plan, including number of classrooms, square footage per classroom, classroom types, common areas, overall square footage and amenities.

All applicants are to fill out the School Facility Questionnaire, located in [Appendix C](#). Section VI: WAIVERS (as needed)

SAMPLE TABLE:

Request for Automatic Waiver from District/State/Federal Policy	
State Statute/State Board Rule/District Policy	
Rationale for Waiver Request	
School's Replacement Policy	
How will a waiver of this statute help student achievement?	

Charter

Optional Section VII: Conversion Schools*(6 page limit)*

The Mississippi Charter School Authorizer Board also welcomes conversion school applicants who specifically wish to provide a high quality option for students where a majority of parents and/or teachers and/or school board members of the existing school wish to convert the existing noncharter public school, or where the existing school is undergoing State or District turnaround efforts. Conversion charter schools must have a clear plan for dramatically improving persistently underperforming school cultures, significantly raising student achievement and effectively meeting the needs of at-risk populations, especially students with special needs. These conversion school applicants are expected to establish strong partnerships with the school community.

Please address the following questions if a conversion school is being proposed.

1. Describe how the proposed school will meet the needs of the student population currently attending the underperforming school. How will a strong school culture be built? How will the proposed educational model ensure the school significantly raises student achievement?
2. Why is the noncharter public school being proposed for conversion into a charter school?
3. Provide an accelerated phase-in plan that details how the proposed school would take responsibility for all grades and all existing programs of a school, including center programs for students with severe disabilities, English Language Learner programs, and any early childhood education programs.
4. Describe the plan for successfully recruiting, transitioning, and retaining students who are in the school being replaced or who would be going to the school that is being replaced. What specifically will be done to seek parent and community support?
5. Please describe the plan to work with the existing school during the transition.

Optional Section VIII: Education Service Provider Relationship*(11 page limit)***Resources:**

- *Charting a Clear Course: A Resource Guide for Building Successful Relationships between Charter Schools and School Management Organizations*, available at: <http://www.publiccharters.org/publication/?id=393>.

If the proposed school intends to contract with an education service provider (ESP) – such as a charter management organization – provide the following additional information:

A. ESP Selection

1. Explain how and why the ESP was selected.

B. ESP Track Record

1. List of all schools operated by the ESP that serve the same grade levels as and student populations demographically similar to the anticipated population of the proposed school. Include name, year opened, contact information, location, number of students, and contact information for the authorizer for each currently operating school.
2. Explain the ESP's success in serving student populations similar to the target population of the school. Describe the ESP's demonstrated academic track-record as well as successful management of non-academic school functions (e.g., back-office services, school operations, extracurricular programs).
3. Provide student performance data, including disaggregated student performance data (growth data where possible) for all schools operated by the ESP that serve the same grade levels as and student populations demographically similar to the anticipated population of the proposed school.
4. Provide evidence of the financial health of the ESP.

C. Legal Relationships

1. Provide evidence that the board is independent from the ESP and self-governing, including separate legal representation of each and arms-length negotiating.
2. Discuss any potential conflicts of interest between the ESP and the school.
3. If the charter school intends to enter into a lease, execute promissory notes or other negotiable instruments, or enter into a lease-purchase agreement of other financing relationships with the ESP, the applicant must provide evidence that such agreements are separately documented and not be a part of or incorporated in the ESP agreement.

D. Organizational Structure

1. Provide a detailed description of the roles and responsibilities of the ESP.
2. Describe the scope of services and costs of all resources to be provided by the ESP.
3. Describe the oversight and evaluation methods that the Board will use to oversee the ESP. What are the school-wide and student achievement results which the management organization is responsible for achieving? How often, and in what ways, will the board review and evaluate the ESP's progress toward achieving agreed-upon goals? Will there be an external evaluator to assess the ESP's performance? What are

the conditions, standards, and procedures for board intervention, if the management organization's performance is deemed unsatisfactory?

4. Describe the compensation structure, including clear identification of all fees to be paid to the ESP. What is the schedule on which the ESP will receive compensation?
5. Describe the financial responsibilities of the ESP, including the ownership of items purchased with public funds. Which operating and capital expenditures will each party be responsible for? What types of spending decisions can the management organization make without obtaining board approval? What reports must the management organization submit to the board on financial performance, and on what schedule?
6. Explain the duration, renewal and termination of the management agreement. How often will the management agreement be renewed? Describe the conditions that both the ESP and the school must satisfy for the management agreement to be renewed. Describe the procedures for determining whether the management agreement will be renewed. On what grounds can the ESP or the school terminate the management agreement for cause (including provisions for notice to the other party)? What are any conditions under which either party may terminate the management agreement without cause? List any indemnification provisions in the event of default or breach by either party.

Appendix A: Letter of Intent- Charter School

This letter of intent (LOI) serves to provide a formal notice to the Mississippi Charter School Authorizer Board regarding an applicant's intention to submit a proposal for opening for planning in the 2014-2015 school year cycle.

The information presented in the Letter Of Intent is non-binding.

Name of Proposed School:	
Grade Configuration:	
Model or Focus:	
Primary Contact Person:	
Phone:	
Email:	
Region:	
Proposed Leader (if known):	
Replication:	Yes <input type="checkbox"/> No <input type="checkbox"/>
Contract with ESP:	Yes <input type="checkbox"/> No <input type="checkbox"/>

Enrollment Projections: *Provide additional rows and columns if necessary.*

GRADE	2015-16	2016-17	2017-18	2018-19	2019-20
X					
X					
X					
Total # students					
	FRL %	SPED %	ELL %		
Proposed Demographics					
Mission of School:					
Provide a brief overview of the education program of the proposed school:					

Complete the following table to list Board members for the school at this time.

Name	Current Professional Title and Organization	Board Role	Focus/Expertise

Appendix B: Charter School Board Member Questionnaire

(To be completed individually by each proposed board member for the Charter School)

The purposes of this survey are: 1) to supply pertinent information to the application review team; 2) to encourage board members to reflect individually as well as collectively on their common mission, purposes, and obligations at the earliest stage of school development; and 3) to identify any potential conflict of interest you may have as a board member.

Conflict of Interest

The information requested below is being requested to identify any potential conflicts of interest that you may have as a board member. This is in alignment with best practices in non-profit and charter school governance and is also DPS policy for its board members. If the charter school is approved, any conflict of interest that is identified must be addressed by the charter school in alignment with its board conflict of interest policy.

Background/Criminal History Checks

Background checks are an important volunteer management tool for charter schools. The safety of students, employees, and board members is of utmost importance. Moreover, the judicious oversight of the school's finances and operations is among the governing board's main responsibilities.

Contact Information

Name of charter school:	
Your Name:	
Home Address:	
City/State/Zip:	
Telephone:	
Email:	
Employer:	
Occupation:	
Employer Address:	
Employer City/State/Zip:	

Are you a Mississippi resident?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Will (or do) any of your children attend this public charter school?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, how many?		
Will you be able to attend regularly scheduled board meetings?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Check your highest education level:		
<input type="checkbox"/> High School/GED <input type="checkbox"/> Associate's Degree <input type="checkbox"/> Trade/Business School <input type="checkbox"/> BA or BS Degree <input type="checkbox"/> Master's Degree <input type="checkbox"/> MD, DO, JD, Ph.D., etc.		
Please check each area of expertise you would contribute to the board:		
<input type="checkbox"/> Community Service <input type="checkbox"/> Education <input type="checkbox"/> Finance <input type="checkbox"/> Fundraising <input type="checkbox"/> Law <input type="checkbox"/> Management <input type="checkbox"/> Marketing <input type="checkbox"/> Personnel <input type="checkbox"/> Public Relations <input type="checkbox"/> Parent Involvement Programs <input type="checkbox"/> Other:		

Board members' resumes should be attached to this questionnaire.

Conflict of Interest

1. Indicate whether you currently or have previously served on a board of a school district or another Charter School ☐ Yes. ☐ No.

If yes please list the board(s) and date(s) of service.

2. Have you been cited for a breach of ethics for unprofessional conduct, or been named in a complaint to a court, administrative agency, professional association, disciplinary committee, or other professional group? ☐ Yes. ☐ No.

If yes, please explain.

3. Do you or an immediate family member have a close personal relationship with the School or any individual(s) associated with the School that would make it difficult for you to execute your duties as a board member in an independent manner? ☐ Yes. ☐ No.

If yes, please describe.

4. Do you or any immediate family members have any contractual agreements with the School? ☐ Yes. ☐ No.

If yes, please describe.

5. Have or will you or any member of your immediate family receive funds, gifts, loans, services or any other consideration for any purpose from the School or any other company contracting or providing service to the School? ☐ Yes. ☐ No.

If yes, please describe.

6. Will you or any member of your immediate family be leasing or selling any real estate property to the School? ☐ Yes. ☐ No.

If yes, please explain the arrangement in detail.

7. Have or will you or any immediate family members be guaranteeing or granting any loans or services—at no charge or for charge—to the School or any other company contracting or providing service to the School? ☐ Yes. ☐ No.

If yes, please describe.

8. Are or will you or any immediate family members be employed at the School (either directly or as an employee of the educational service provider or any other company contracting or providing service to the School)? ☐ Yes. ☐ No.

If yes, please describe.

9. Are or will you or any immediate family member be serving as an officer, director, trustee, sole proprietor, employee, sales representative, agent, consultant, independent contractor, or advisory board member to the educational service provider or any other company, organization or agency funding projects, goods or service to the School? ☐ Yes. ☐ No.

If yes, please describe.

10. Do you or an immediate family member own stock or have direct or indirect financial interest in any contract where the financial interest amounts to \$250 or 5% or more of the contract costs to the School, or the financial interest amounts to \$5000.00 or more in any corporation, partnership, association or joint venture involving the School, educational service provider, or any other company or entity contracting with the School? ☐ Yes. ☐ No.

If yes, please describe.

11. Do you or an immediate family member know any individual(s) or entity (ies) that does or plans in the next year to engage in business or any exchange of services with the School? ☐ Yes. ☐ No.

If yes, please describe.

12. Other than your current board position, do you currently serve as an elected or appointed public official? ☐ Yes. ☐ No.

If yes, please describe.

13. Do you currently serve with any other board, group or corporation that has an interest in the actions you would take as a member of the board? ☐ Yes. ☐ No.

If yes, please explain.

14. Do you foresee any potential ethical or legal conflicts of interest if you serve on the School Board? ☐ Yes. ☐ No.

If yes, please explain.

15. To the best of your knowledge, are there situations not described in this questionnaire which may give the appearance of a conflict of interest between you or a member of your immediate family, or would make it difficult for you to execute the duties of your office in an independent manner? ☐ Yes. ☐ No.

If yes, please describe.

School Mission and Program:

1. What is your understanding of the school's mission and guiding beliefs?
2. What is your understanding of the school's proposed educational program?
3. What do you believe to be the characteristics of a successful school?

Governance:

1. Why do you wish to serve on the board?
2. What is your understanding of the appropriate role of a public charter school board member?
3. Describe any previous experience you have that is relevant to serving on the charter school's board (e.g., other board service). If you have not had previous experience of this nature, explain why you have the capability to be an effective board member.
4. Provide a forecast of where you see the school after its first year of operation and then again in four years. Please be sure to include high level academic and financial components.
5. What specific steps do you think the charter school board will need to take to ensure that the school is successful?
6. How would you handle a situation in which you believe one or more members of the school's board was acting unethically or not in the best interests of the school?

Certification

I recognize that all information submitted with this conflict of interest disclosure (with the exception of the background check) becomes a matter of public record, subject by law to disclosure upon request to members of the general public. I will hold the Mississippi Charter School Authorizer Board, its trustees, officers, employees or authorized agents harmless from liability for the disclosure of any information it reasonably believes is true based upon my representations.

I hereby certify that the information contained in this document is true and complete to the best of my knowledge and, if the proposed charter school is approved, agree to notify the chair of the board at the charter school at which I will serve of any change that may create a conflict of interest. Further, if the proposed charter school is approved, I recognize that falsification or failure to submit a complete annual conflict of disclosure becomes justification for removal.

Signature: _____ Date: _____

Appendix C: School Facility Questionnaire – Charter School

School Name:					
Primary Contact for Facility Planning:					
Telephone:			Email:		
Grade levels and student enrollment estimates for the first five years:					
	2015-16	2016-17	2017-18	2018-19	2019-20
Grades					
Enrollment					
School District in which charter school will be located:					
Description of the facility/ies under consideration including available square footage and quotes (for years 1-5) from property owners: (Note: Charter school has right of first refusal for vacant school facility.)					
Facility #1:					
Facility #2					
Facility #3					
Are you interested in investigating the possibility of occupying a district-owned facility should a district-owned facility be available? <input type="checkbox"/> Yes <input type="checkbox"/> No					

(1 of 2)

Core Classroom Requirements Years 1-3:		
Baseline assumption for number of students per classroom: _____		
Year 1	Year 2	Year 3
Administrative/Support Spaces		
Main Office	<input type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, list number of private offices needed (e.g., principal, AP, etc.):		
Satellite Office	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Work Room/Copy Room	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Supplies Storage	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Teacher Work Room(s)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, list number of teacher work/planning rooms needed:		
Specialty Classroom Needs		
Number of Science Labs:		
Number of art rooms (with or without kiln):		
Number of computer labs:		
Library Media Center (LMC)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Performance/Dance Room	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Auditorium	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Other (list room type and number):		
Physical Education/Athletic Requirements		
Gymnasium	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Locker Rooms	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Weight Room	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Field(s) – soccer, football, multipurpose	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Baseball Field	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Softball Field	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Other (please list):		
Other Needs		
Playground(s)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Large space for class/school assemblies (e.g., morning meeting, cafeteria)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Spaces not addressed and/or special considerations:		

(2 of 2)

School Lunch Requirements

Food preparation/Distribution Center

Eating Area

Appendix D: Applicant Checklist

The applicant will use the first column of boxes to check off the sections completed. MCSAB will use the second column of boxes for its completeness check.

Application Component		Applicant Check	Reviewer Check
Executive Summary		<input type="checkbox"/>	<input type="checkbox"/>
Section I. Culture	A. Mission Statement	<input type="checkbox"/>	<input type="checkbox"/>
	B. Targeted Student Population	<input type="checkbox"/>	<input type="checkbox"/>
	C. Evidence of Need and Community Support	<input type="checkbox"/>	<input type="checkbox"/>
	D. School Culture & Student Engagement	<input type="checkbox"/>	<input type="checkbox"/>
	E. Student Discipline Policy	<input type="checkbox"/>	<input type="checkbox"/>
	F. Student Recruitment & Enrollment	<input type="checkbox"/>	<input type="checkbox"/>
	G. Ongoing Parent/Guardian Involvement	<input type="checkbox"/>	<input type="checkbox"/>
Section II. Leadership	A. Leadership Team Personnel	<input type="checkbox"/>	<input type="checkbox"/>
	B. Leadership Team Coaching & Evaluation	<input type="checkbox"/>	<input type="checkbox"/>
	C. School Personnel Structure	<input type="checkbox"/>	<input type="checkbox"/>
Section III. Education Program	A. Curriculum	<input type="checkbox"/>	<input type="checkbox"/>
	B. School Schedule and Calendar	<input type="checkbox"/>	<input type="checkbox"/>
	C. Progress Monitoring and Assessment	<input type="checkbox"/>	<input type="checkbox"/>
	D. English Language Learner Students	<input type="checkbox"/>	<input type="checkbox"/>
	E. Special Education Students	<input type="checkbox"/>	<input type="checkbox"/>
	F. Academic Intervention & Acceleration	<input type="checkbox"/>	<input type="checkbox"/>
	G. Gifted and Talented Students	<input type="checkbox"/>	<input type="checkbox"/>
	H. Co-curricular and Extracurricular Programming	<input type="checkbox"/>	<input type="checkbox"/>
Section IV. Teaching	A. Teacher Recruitment, Hiring, & Retention	<input type="checkbox"/>	<input type="checkbox"/>
	B. Teacher Coaching	<input type="checkbox"/>	<input type="checkbox"/>
	C. Teacher Evaluation	<input type="checkbox"/>	<input type="checkbox"/>
	D. Professional Development	<input type="checkbox"/>	<input type="checkbox"/>
	E. Pedagogy	<input type="checkbox"/>	<input type="checkbox"/>
Section V. Governance	A. Governance Philosophy	<input type="checkbox"/>	<input type="checkbox"/>
	B. Board Capacity & Structure	<input type="checkbox"/>	<input type="checkbox"/>
	C. School Oversight & Stakeholder Engagement	<input type="checkbox"/>	<input type="checkbox"/>
	D. Board Status & Compliance	<input type="checkbox"/>	<input type="checkbox"/>
	E. Budget & Policy Narrative	<input type="checkbox"/>	<input type="checkbox"/>
	F. Facility	<input type="checkbox"/>	<input type="checkbox"/>
Section VI. Waivers	A. Waivers	<input type="checkbox"/>	<input type="checkbox"/>
Optional Section VII. Conversion	A. Conversion Schools	<input type="checkbox"/>	<input type="checkbox"/>

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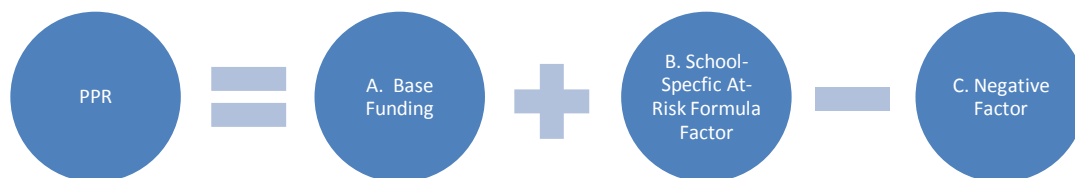
Schools			
Optional Section VIII: ESP Relationship	A. ESP Selection	<input type="checkbox"/>	<input type="checkbox"/>
	B. ESP Track Record	<input type="checkbox"/>	<input type="checkbox"/>
	C. Legal Relationships	<input type="checkbox"/>	<input type="checkbox"/>
	D. Organizational Structure	<input type="checkbox"/>	<input type="checkbox"/>
Appendices	Appx. A – Letter of Intent (copy of LOI submitted)	<input type="checkbox"/>	<input type="checkbox"/>
	Appx. B – Board Member Questionnaires (for each member)	<input type="checkbox"/>	<input type="checkbox"/>
	Appx. C – School Facility Questionnaire	<input type="checkbox"/>	<input type="checkbox"/>
	Appx. D – Applicant Checklist	<input type="checkbox"/>	<input type="checkbox"/>
Electronic copy of entire application		<input type="checkbox"/>	<input type="checkbox"/>
Electronic copy of completed budget templates		<input type="checkbox"/>	<input type="checkbox"/>

Charter

Information for Applicants: Per-Pupil Funding

Per Pupil Revenue. Each school founded after fiscal year 2003-2004 receives a per pupil revenue which is based on the school's specific at-risk percentage (as measured by students who are eligible for free lunch). The district average PPR, at an at-risk percentage of approximately 68%, for fiscal year 2012-2013 is estimated to be \$6,868.29. In fiscal year 2013-14, district average PPR is currently projected to be \$7,070.34. For more information on how PPR is calculated please see below. Note that the funding purposes kindergarten students in fiscal year 2012-2013 are equal to .58 in the total per pupil funding calculation. In fiscal year 2013-2014, kindergarten students will be equal to .597 in the total per pupil funding calculation.

School Finance Act Formula Per-Pupil Revenue



Base Funding. The state determines this district-wide figure based on a cost of living factor, a personnel cost factor and a size factor (all as measured or determined by the state).

School Specific At-Risk Formula Factor (alternate at-risk funding calculation). The alternate at-risk funding calculation applies to all charter schools that are:

- Newly created as of FY 2004-05 or thereafter;
- In a district that has retained exclusive chartering authority; and
- In a district that has an at-risk percentage greater than 40%.

The intent of the alternate at-risk funding calculation is to provide at-risk funding based on the at-risk population served by the charter school.

The school-specific at-risk formula factor is provided by the CDE and is based on the following factors:

- District Total At-Risk Funding
- District Funded Pupil Count
- District At-Risk %
- District At-Risk Formula Factor
= District Total At-Risk Funding (a) / District Funded Pupil Count (b)
- School Funded Pupil Count K-12 (K=.597)
- School At-Risk Pupil Count K-12 (K=.5)
Students eligible for free lunch
Based on audited count submission to CDE
- School K-12 Membership (K=.5)
- School At-Risk %
= At-Risk Pupil Count (f) / K-12 Membership (g)
- School At-Risk Formula Factor
= District At-Risk Formula Factor (d) / (School At-Risk % (h) * District At-Risk % (c))

Negative Factor. Starting in FY 2010-11, an additional factor was included in the school finance formula. This factor acts as a reduction to other existing factors and shall not reduce any base per pupil funding districts receive through the school finance formula.

Information for Applicants: Sample Intent to Enroll Form

This confidential Intent to Enroll Form is used to demonstrate interest in having your child(ren) enroll at _____. Signing this Intent to Enroll does not obligate the student to attend _____ nor does it guarantee admission. However, parents/legal guardians who sign this Intent to Enroll are indicating a sincere desire to enroll their child(ren) in this school in the event that the Mississippi Charter School Authorizer Board approves the applicant's proposal to open _____ in the fall of 2014.

Parents and guardians should understand that the Mississippi Charter School Authorizer Board must vote to approve any new school (regardless of school type) and such vote has not yet occurred for the school referenced herein.

School Information		
School Name:		
Grades Served:		
Proposed Regional Location:		
Anticipated Opening Date:		
School Leader/Contact:		
Parent/Legal Guardian Information		
Parent/Legal Guardian's Name(s):		
Primary Phone:		
Email:		
Student's Home Address		
Street Address:		
City:	State:	Zip Code:
Student(s) Information:		
Please list each child whom you are interested in enrolling in the school.		
Student's Name:	Age:	Grade in fall 2014:
Student's Name:	Age:	Grade in fall 2014:
Student's Name:	Age:	Grade in fall 2014:

Parent/Legal Guardian Name (Print)

Parent/Legal Guardian (Signature)

Date ____ / ____ / ____

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**Mississippi Charter School Application Evaluation
Ratings and Sample Scoring Criteria**

Ratings and Criteria

Evaluators will use the following criteria to rate applications. Within each section, specific criteria define the expectations for a well thought out response that “Meets the Standard.” Evaluators will rate the responses by applying the following guidance:

Rating	Characteristics
Meets or Exceeds the Standard	The response reflects a thorough understanding of key issues. It clearly aligns with the mission and goals of the school. The response includes specific and accurate information that shows thorough preparation.
Partially Meets Standard	The response meets the criteria in some aspects, but lacks sufficient detail and/or requires additional information in one or more areas.
Does Not Meet Standard	The response is significantly incomplete; demonstrates lack of preparation; is unsuited to the mission and vision of the school or otherwise raises significant concerns about the viability of the plan or the applicant’s ability to carry it out.

An application that merits a recommendation for approval should present a clear, realistic picture of how the school expects to operate; be detailed in how this school will raise student achievement; and inspire confidence in the applicant’s capacity to successfully implement the proposed academic and operational plans. In addition to meeting the criteria that are specific to that section, each part of the proposal should align with the overall mission, budget, and goals of the application.

Recommendations for approval or denial will be based on the written application (narrative and attachments) and applicant capacity interviews.

Applications that do not meet or exceed standard in every area will be deemed not ready for approval. Mississippi law states, “The authorizer must (a) Grant charters only to applicants that have provided evidence of competence in each element of the authorizer’s published approval criteria, and in the case of an applicant that currently operates one or more schools in any state or nation, clear evidence that the management or leadership team of the charter school or schools currently operated by the applicant has produced statistically significant gains in student achievement or consistently produced proficiency levels as measured on state achievement test; (b) base decisions on documented evidence collected through the application review process; and (c) follow charter-granting policies and practices that are transparent, based on merit and avoid conflicts of interest or any appearance thereof.” Thus, an initial or amended charter application, to be approved, must be ready to be incorporated into a charter agreement.

Recommendation Summary
Complete this page last

OVERALL RECOMMENDATION

Would you recommend that the MS Charter School Authorizer Board approve this application for a public charter school:

Explain your recommendation in the Summary Comments section below.

Check one (required)

☐ **Deny**

☐ **Approve with Appropriate Amendments**

☐ **Approve**

SUMMARY COMMENTS (1,200 character maximum)

Summarize your assessment of the application focusing on key strengths and concerns, as applicable.

Evaluator Signature:

Date:

Printed Name:

Section I Culture (12 page limit)

Evaluation Detail

- A. Mission, Vision and Educational Philosophy
Check one (required)

- ☐ Meets the Standard
☐ Partially Meets the Standard
☐ Does Not Meet the Standard

For Evaluator's Reference

Evaluation Criteria	Applicant Instructions
A response that meets the standard will:	
Present a compelling 1-2 sentence mission statement that defines the purpose of the school.	State the school's mission and briefly describe your vision for how the school will operate. Describe the school's educational foundation and culture (reflective of the school's discipline philosophy). Include an overview of how students will be recruited and plans for ensuring ongoing community engagement.
Present a coherent and concise vision of what the school will look like in 5-10 years if it is achieving its mission	Include evidence that the school will ensure a safe environment conducive to learning.
Present a coherent and concise summary of the evidence of community support and need for the school	
Present a coherent plan of student recruitment and enrollment, student and community engagement.	
Present the plan for establishing a positive culture that reflects the school's discipline philosophy.	

Strengths

Concerns and Additional Questions

Section II Leadership (10 page limit)

Evaluation Detail

A. Leadership

Check one (required)

- ☐ Meets the Standard
☐ Partially Meets the Standard
☐ Does Not Meet the Standard

For Evaluator's Reference

Evaluation Criteria	Applicant Instructions
A response that meets the standard will:	
Demonstrate capacity to oversee the successful development and implementation of the education program presented in the application.	Describe the essential responsibilities of the school's leader and leadership team.
Describe the school's leadership and how the leaders and leadership team's performance will be monitored and evaluated.	Describe how the Board will monitor the leader's performance and plans for assistance if needed.
Demonstrate capacity to oversee the effective and responsible management of public funds and will be responsible for the school's compliance with legal obligations.	Describe the leadership team structure of the school.
Generally have the capacity to lead and sustain a quality school.	

Required Exhibits:
Resumes of Selected Leadership Members and/or Job Descriptions
Organizational Chart
Staff Roster that details positions
Proposed salary ranges (w/benefits and performance bonuses)

Strengths

Concerns and Additional Questions

Section III Education Program (30 page limit)

Evaluation Detail

- A. Education Program
Check one (required)

--- Meets the Standard
 — Partially Meets the Standard
 — Does Not Meet the Standard

For Evaluator's Reference

Evaluation Criteria	Applicant Instructions
A response that meets the standard will:	
Describe the framework for a rigorous, quality academic plan that reflects the needs of the targeted student population and will ensure all students meet or exceed the expectations of the Mississippi Curriculum Standards aligned with the Common Core State Standards.	State if the school intends to use a curriculum that has already been developed or if the school intends to develop core curriculum.
Demonstrate understanding of relevant instructional strategies by identifying sound research, experience or theoretical base and foundational materials that will guide curriculum development.	Describe the proposed curriculum and the evidence basis for the selection of this curriculum.
Present a coherent framework for professional development and instructional material selection.	Describe how the standards will be addressed by providing an overview of the course scope and sequence for every grade that the school would serve. Special attention should be given to secondary programs to ensure that comprehensive explanations of how courses will ensure students are career and college ready upon exiting the school.
Demonstrates that the school calendar/day aligns with the school's educational mission and goals.	Present the school calendar showing the number of days the school will be in session and sample daily class schedules showing hours of operation and allocation of time for core instruction, supplemental instruction, extra-curriculum and after-school activities, if applicable.
Demonstrates that the assessment plan aligns with the school's mission and overall educational priorities.	Describe the school's approach to assessment. Explain how the school will evaluate progress of individual students, cohorts over time, and the school as a whole toward meeting the statewide requirements. In particular, describe how the school will determine proficiency (by grade) for core subjects.
Present an assessment plan that shows a clear, credible and sound plan for measuring and reporting the educational performance and progress of individual students, cohorts and the	Describe the school's approach to educating students with varying needs- students with disabilities, ELL students, gifted and talented students and those with varying learning styles.

charter school as a whole including valid and reliable measures of student outcomes.	
Explain how the school will use assessment data to drive key decisions aimed at improving academic performance.	Describe how the school will offer unique supplementary programs and how community resources will be leveraged to accomplish this objective.
Demonstrate an understanding of and commitment to comply with assessment requirements applicable to Mississippi schools consistent with state and federal law.	
Demonstrate an understanding of and capacity to meet state and federal requirements regarding the identification and education of students with disabilities.	
Demonstrate an understanding of and capacity to meet state and federal requirements regarding the identification and education of an ELL population.	
Design gifted education services to provide identified students with instructional objectives and strategies that are appropriate to their identified learning needs and are provided on a continuing basis. Specifically look for screening protocols and multi-disciplinary academic programming options.	
Provide description of any co-curricular/extracurricular programming options and how community resources will be leveraged to support this objective.	

Required Exhibits:

Sample daily schedule for each grade at which the school intends to operate
Annual calendar for the first year of operation

Strengths***Concerns and Additional Questions***

Section IV Teaching (10-page limit)

Evaluation Detail

A. Teaching

Check one (required)

- ☐ Meets the Standard
☐ Partially Meets the Standard
☐ Does Not Meet the Standard

For Evaluator's Reference

Evaluation Criteria	Applicant Instructions
A response that meets the standard will:	
Present strategies for recruiting and retaining effective teachers.	Discuss the staffing plan for the term of the charter including anticipated staffing needs and recruitment strategies. Discuss how the plan supports sound operation and successful implementation of the school's educational program.
Demonstrate a sound understanding of staffing needs that are aligned with the budget and with the school's anticipated enrollment.	Describe the instructional skills, experience and development that teachers will need in order for the school to be successful. How are those needs reflected in the plan for teacher recruitment?
Demonstrate a commitment to the effective evaluation of teachers and a feedback protocol that leads to increasing teacher capacity.	Describe the standards and tools that will be utilized to evaluate teachers.
Present a clear and coherent framework for teaching and learning-particularly in core academic areas- and will demonstrate alignment with the Common Core State Standards.	Describe how the school will approach professional development as an important element in the school's design.
Present a coherent framework for professional development that is likely to support effective implementation of the selected curriculum and how teachers and students are assessed.	Identify the research, experience or theoretical base and foundational materials that will guide curriculum development and implementation.

Strengths

Concerns and Additional Questions

Section V Governance

(15 page limit)

Evaluation Detail

A. Governance

Check one (required)

- ☐ Meets the Standard
☐ Partially Meets the Standard
☐ Does Not Meet the Standard

For Evaluator's Reference

Evaluation Criteria	Applicant Instructions
A response that meets the standard will:	
Present proper documentation of the Board's structure, capacity to oversee the successful development and implementation of the education program presented in the application.	Describe the entity that will hold the charter and be responsible for governing the school. Provide documentation of the entity's legal status including Articles of Incorporation, Bylaws and documentation of legal not-for-profit status.
Demonstrate capacity to oversee the effective and responsible management of public funds; has the capacity to oversee the school's compliance with this legal obligations.	List the members of the proposed governing board including their names, current employment, and experience or qualifications for serving on the board including, but not limited to, their relationship to the community in which the school will be located.
Represent the community well.	Describe the organizational structure of the school and its day-to-day operations. Explain the management roles and responsibilities for key administrators with respect to instructional leadership, human resources, and budgeting and legal compliance.
Provide clear delineation of the roles and responsibilities for administering the day-to-day activities of the school.	
Present budget priorities that are consistent with and support key parts of the plan, including the school's mission, educational program, staffing and facility.	Structure a business plan that provides an understanding of how the applicant will develop and manage the school's infrastructure and finances. The budget should present a clear picture of the school's revenue projections; expenditure requirements; facilities needs; transportation and food service plans and pre-opening plan.
	Discuss the school's contingency plan for cash flow challenges, a budget shortfall, lower than expected student enrollment or other financial challenges in the early years of operation.
Demonstrate understanding of the school's financial management obligations.	Describe the systems and procedures for managing the school's finances and identify the staff positions that will be responsibilities for financial oversight and management.
Demonstrate preparation to meet its insurance, annual audit and other key financial management	

obligations	
Reflect a sound understanding of facilities needs.	Discuss the school's facility needs based on the educational program and anticipated enrollment. If the applications have identified a facility, indicate the location and provide at a minimum, the number and size of classrooms, common areas, administrative areas, any community facilities and an assurance that the facility will be accessible to students with disabilities.
<p>If the applicants have elected to provide transportation, a response that meets the standard will:</p> <ul style="list-style-type: none"> • Present a through and cost effective transportation plan • Provide specific evidence of readiness consistent with the school's budget assumptions <p>If the applicants have elected not to provide transportation, a response that meets the standard will:</p> <ul style="list-style-type: none"> • Present a clear statement of the school's intent not to provide transportation services • Describe viable transportation options for students • Describe a contingency plan for transporting students with disabilities. 	State whether the school intends to provide transportation for students. If so, describe the transportation plan and explain budget revenue and expenditure assumptions including those related to student with disabilities.
Describe a sound understanding of the basic requirements for food service and legal child nutrition guideline compliance.	Describe the food services that the school will provide to students, including whether the school will provide breakfast and/or snacks in addition to lunch.
	Indicate whether the school will participate in the National School Lunch Program.

Required Exhibits:
Prospective Board Member Resumes
Facility Floor Plans

Strengths

Concerns and Additional Questions

**BYLAWS
OF
MISSISSIPPI CHARTER SCHOOL AUTHORIZER BOARD**

Proposed Bylaws—10 Miss. Admin. Code Pt. 401, R. 1.1-1.

Title 10: Education Institutions and Agencies

Part 401: Organization and Formation

Part 401 Chapter 1: Bylaws

Rule 1.1 Bylaws.

ARTICLE 1

Name

The name of this state agency shall be Mississippi Charter School Authorizer Board (MCSAB), henceforth referred to as “Authorizer Board” or “Board.”

ARTICLE 2

Purpose

The Authorizer Board is an independent state agency that holds exclusive chartering jurisdiction in the state of Mississippi. The mission of the Authorizer Board is to authorize and oversee high-quality charter schools, particularly schools designed to expand opportunities for underserved students. In addition to its responsibilities as a public charter school authorizer, the Authorizer Board is expected to establish policies that are consistent with principles and standards of quality charter school authorizers and align with the provisions of Mississippi’s public charter school law.

ARTICLE 3

Membership and Responsibilities

Section 3.1 Authorizer Board composition. The Authorizer Board shall consist of seven members; three appointed by the Governor, with one member being from each of the Mississippi Supreme Court Districts, three appointed by the Lt. Governor, with one member being from each of the Mississippi Supreme Court Districts, and one member appointed by the State Superintendent of Public Education.

Section 3.2 Term of Authorizer Board Members. The initial term of office for the three Authorizer Board members appointed by the Governor shall be four years, and thereafter shall be three years. The initial term of office for the three Authorizer Board members appointed by the Lt. Governor shall be three years, and thereafter shall be three years; and the initial term of office for the member appointed by the State Superintendent of Education shall be two years, and thereafter shall be three years. No member may serve more than two consecutive terms.

Section 3.3 Meeting attendance and preparation. Members are expected to consistently attend and prepare for Authorizer Board and committee meetings, of which they are members, in order to be effective and active participants. Members are further expected to stay current in their knowledge and understanding of the Authorizer Board's projects and policymaking.

Section 3.4 External communication. Members of the Authorizer Board should support group decisions and policies when providing information to the public. This does not preclude Authorizer Board members from expressing their personal views. The executive director or a Board designee will be the spokesperson for the Authorizer Board with the media.

Section 3.5 Authorizer Board responsibilities. Authorizer Board members shall serve without pay, but shall be entitled to reimbursement for necessary expenses, including travel and lodging expenses, while attending meetings of the Commission or when actually engaged in business relating to the work of the Authorizer Board. No member, employee, agent or representative of the Authorizer Board may serve simultaneously as an employee, trustee, agent, representative, vendor or contractor of a charter school authorized by the Board.

ARTICLE 4

Officers and Terms

Section 4.1 Designation. The officers of the Authorizer Board shall be elected by the board of directors and shall consist of a chair and a vice-chair. No offices may be held by the same person.

Section 4.2 Election and Term of Office. The first officers of the Authorizer Board shall be elected by the board of directors at the first meeting of the Board. Thereafter, the officers of the Board shall be elected annually by the Authorizer Board. Each officer shall hold office at the pleasure of the board of directors from the date of his or her election for a term of one year and until his or her successor shall have been duly elected and qualified or until his or her death or he or she shall resign or shall have been removed from office in the manner hereinafter provided.

Section 4.3 Vacancies. A vacancy in any office may be filled only by a majority of the Authorizer Board at the next regular or special meeting of the Board to serve out the remainder of the term. The member elected to fill the vacant officer position shall begin service on the executive committee at the end of the meeting at which she or he was elected and complete the term of office associated with the position.

Section 4.4 Removal. Any officer may be removed by the Authorizer Board whenever in its judgment the best interests of the Board will be served thereby. Election or appointment of an officer shall not of itself create contract rights.

ARTICLE 5

Duties of Officers and Board Members

Section 5.1 Chair. The chair shall be the chief executive officer of the Board and shall, subject to the control of the Authorizer Board, supervise and control all of the business and affairs of the Board. The chair shall, when present, call meetings of the Board and preside at all meetings of the Board. The chair may sign deeds, mortgages, bonds, contracts or other instruments for or in behalf of the Authorizer Board except where required by law to be otherwise signed and executed and except where the signing and execution thereof shall be expressly delegated by the Board to some other officer or agent of the Board. In general, the chair shall perform all duties incident to the office of chair and such other duties as may be prescribed by the Board.

Section 5.2 Vice Chair. In the absence of the chair, the vice-chair shall perform the duties of the chair, and when so acting, shall have all the powers of and be subject to all the restrictions upon the chair. Any vice-chair shall perform such duties as from time to time may be assigned to such vice-chair by the chair or the Authorizer Board.

Section 5.3 Committee Chairs. Committee Chairs shall report activities, recommendations or decisions of their respective committees to the full Board and shall inform the Chair when items need to be placed on the agenda.

ARTICLE 6

Committees

Section 6.1 Standing Committees. The Authorizer Board may have four Standing Committees:

- (a) Executive Committee
- (b) Administration & Operations
- (c) Applications
- (d) Performance & Accountability

Section 6.2 Executive Committee. In the event an executive committee is appointed, the executive committee shall consist of the chair, vice chair, and one other member. The executive committee will be responsible for the budget, and the management of affairs that are delegated to it as a result of Authorizer Board direction, consensus or motion, including transacting necessary business in the intervals between Board meetings, inclusive of preparing agendas for Board meetings. The Authorizer Board Chair shall serve as chair of the executive committee, and the committee will ensure that an evaluation of the Authorizer Board occurs annually.

Section 6.3 Standing Committee Members and Officers. Each Standing Committee shall have a Committee Chair and Committee Vice-Chair, nominated and approved by a majority vote of the Authorizer Board. All members not appointed to a Standing Committee shall be an ad hoc, ex-officio member of that Standing Committee.

Section 6.4 Voting. Standing Committees can make a recommendation upon the concurrence of a simple majority of the Standing Committee.

Section 6.5 Advisors/Consultants to Committees. Each committee may consult with or be advised by non-Authorizer Board members, as deemed appropriate by the Committee Chair.

Section 6.6 Ad Hoc Committees. The Authorizer Board Chair may, as circumstances warrant, authorize the creation of an ad hoc committee for a discrete and specific purpose of interest to the Board and shall appoint all members and officers of such ad hoc committee(s). The Board shall approve the charge of any ad hoc committee. Such committee may be created for a definite time period or until its specific function has been completed, but shall not exist longer than one year from the date of authorization unless specifically authorized by its charge.

Section 6.7 Committee Reports. Committees may submit written reports in advance of any regular meeting in lieu of an oral report unless the report contains action items.

ARTICLE 7

Meetings

Section 7.1 General Business Meetings. All meetings will be conducted in accordance with the MS Open Meeting Act. Meetings will be held monthly per pre-approved schedule by Authorizer Board members. This same body may set an alternative schedule with more frequent meetings according to need. The Authorizer Board Chair may call a special meeting of the Board at any time, subject to statutory notice requirements.

Section 7.2 Committee Meetings. All committees may meet at the discretion of the Committee Chair. The Committee Chair, with the approval of the Board Chair, may change or cancel any committee meeting date, time, or location, subject to statutory notice requirements.

Section 7.3 Meeting Agenda. The General Business Meeting agenda shall be promulgated by the Board Chair, with input from the Committee Chairs and members. Hearings to receive information and opinions shall be scheduled when necessary on the agenda prior to final consideration for action by the Board.

ARTICLE 8

Public Testimony and Submission of Data, Views, or Arguments

Section 8.1 Submission of Data, Views or Arguments. Any interested person may submit data, views, or arguments in writing to the Board on any agenda item no later than five (5) days in advance of a scheduled Board meeting. The written submittals shall be considered by members before taking action on any agenda item, subject to reasonable time for review.

Section 8.2 Public Testimony. All interested persons shall be provided an opportunity to present testimony on any agenda item. Any individual wishing to testify should register prior to the meeting, and testimony must be related to an item that is on the agenda and such person

shall be required to identify the agenda item to be addressed by the testimony. Each person is allotted two minutes, or an amount of time otherwise designated by the Chair, to provide testimony to the Board.

ARTICLE 9

Executive Director

Section 9.1 Hire. The Authorizer Board may appoint an individual to serve as the executive director and general counsel of the board, according to state law.

Section 9.2 Duties. The executive director shall serve at the will and pleasure of the Board, shall devote their full time to the proper administration of the Board and the duties assigned by the Board and shall be paid a salary established by the Board, subject to the approval of the State Personnel Board. The executive director shall also serve as secretary and non-voting member of the Authorizer Board, house records of the Board's proceedings in the Board's office, and make records available upon request.

Section 9.3 Annual Evaluation. The Authorizer Board shall establish or modify the evaluation procedure of the executive director as needed. This evaluation should be conducted by the Board no earlier than one year after the job description or evaluation tool is established or modified. Subsequent to the evaluation, the Chair or a designee of the Chair will communicate the results to the executive director.

Section 9.4 Termination. The termination of the executive director shall be subject to majority votes.

ARTICLE 10

Amendments to the By-laws

Section 10.1 Notice Regarding Proposed Amendments. These bylaws may be amended or repealed and new bylaws may be adopted by vote of a majority of all of themembers; provided that notice of the proposed alteration, amendment or repeal is given to each member of the board of directors, in the manner for giving notice in writing of special meetings of the board of directors set forth in these bylaws, at least five (5) days prior to the meeting of the board of directors at which such proposed alteration, amendment or repeal is to be considered. Any amendment to the Authorizer Board's bylaws requires the concurrence of a majority.

ARTICLE 11

Legal Counsel

Section 11.1 Advice. The Board Chair, Executive Director, or their designee(s) may seek advice from the Attorney General's office. The Board Chair or Executive Director, with support from a majority of the Board, may submit a written request for a formal opinion to the Attorney General's Office.

Parliamentary Authority

Section 12.1 The rules contained in *Robert's Rules of Order*. The newly revised Robert's Rules of Order shall govern public meetings where they are not in conflict with the law, these bylaws, or other rules of the Authorizer Board. In making a ruling or interpretation of the rules, the order of determination shall be 1) the law, 2) these bylaws, 3) Board policy, and 4) *Robert's Rules of Order*, newly revised.

CERTIFIED as adopted and approved as the Bylaws of the Mississippi Charter School Authorizer Board, effective upon final filing with the Secretary of State under the Administrative Procedures Act.

By: /s/ Tommie S. Cardin
Tommie Cardin, Chair

Source: Miss. Code Ann. 37-28-7 & 37-28-9

PUBLIC COMMENT
to the
MS CHARTER SCHOOL AUTHORIZER BOARD
Re: BY-LAWS, ARTICLE 8
Public Testimony and Submission of Data, Views, or Arguments
Submitted by Mike Sayer, Southern Echo, Jackson, MS

Article 8 of the proposed By-Laws of the MS Charter School Authorizer Board states in full:

Section 8.1 Submission of Data, Views or Arguments. Any interested person may submit data, views, or arguments in writing to the Board on any agenda item no later than five (5) days in advance of a scheduled Board meeting. The written submittals shall be considered by members before taking action on any agenda item, subject to reasonable time for review.

Section 8.2 Public Testimony. All interested persons shall be provided an opportunity to present testimony on any agenda item. Any individual wishing to testify should register prior to the meeting, and testimony must be related to an item that is on the agenda and such person shall be required to identify the agenda item to be addressed by the testimony. Each person is allotted two minutes, or an amount of time otherwise designated by the Chair, to provide testimony to the Board.

1. Advance Notice of Meeting *Agendas* needed in easily accessible location

Section 8.1 of the proposed By-Laws provides that a person who wants to submit data, views or arguments *in writing* to the Board *on any agenda item* must do so “no later than five (5) days *in advance* of a scheduled Board meeting.

However, there is *no provision* for the Board to announce or publicize the Board’s agenda *in a timely manner in advance* of a Board meeting. Nor is there any provision for a specified, easily *accessible location* for the Board to publish the agenda where a member of the public can obtain such agenda.

Public access to the agenda *in a timely manner prior to the meeting* is critical so that a member of the public can review the Agenda to assess whether to submit views or seek testimony in advance of the meeting ... as required by the timeline set forth in Article 8 of the By-Laws.

As a practical matter, therefore, as the proposed By-Laws are currently drafted there is no way for a member of the public to access the Agenda in a timely manner in order to comply with the pre-meeting timeline requirements for submission of views or for signing up to testify.

Recommendation:

- a. Therefore, I would recommend that the By-Laws provide for public announcement of the Board Meeting Agenda at least 3 days prior to any deadline established for submitting written views. As long as the deadline for submitting written views falls prior to the deadline for signing up to testify, such public announcement will also accommodate those who want to testify.*

- b. That the public announcement of the Board Meeting Agenda be made available on the Board's website when it creates one, and also on the websites of the MS Dept. of Education and the MS Institutions of Higher Learning with easy-to-access links.*

2. Two minutes to testify at Board meeting just too brief

Also, having participated in the past 24 years in numerous public hearings on complex policy matters before legislative, administrative, county and municipal committees and boards, *two minutes* to testify is way too brief on matters as complicated as those that will be entertained by the Board on charter school issues.

In my experience, at legislative committee, gubernatorial commission meetings, county and municipal board meetings, for example, the time allotted is usually *five minutes*. Depending on the complexity of the issues this can be sufficient, but sometimes is too brief to flesh out the complexity of some issues.

I understand the need for the Board to control the length of meetings and that sometimes there is a need for the Board to utilize limits to control either excessively repetitive commentary or presentations that veer far from the subject at hand.

If public input is really valued then public testimony should not be confined to perfunctory courtesy.

Recommendation:

Therefore, I would recommend that the By-Laws establish five minutes to speak as the norm, with discretion in the Chair to extend the time when appropriate to ensure that the Board receives the input it ought to receive.

**Respectfully submitted
by Email and US Mail,**

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PUBLIC COMMENT
to the
MS CHARTER SCHOOL AUTHORIZER BOARD
Submitted by Mike Sayer, Southern Echo, Jackson, MS

Re:

- a. BY-LAWS, ARTICLE 8: Public Testimony and Submission of Data, Views, and Arguments,**
- b. Nov. 1, 2013 Public Notice Inviting Public Comment, and**
- c. Non-Compliance with the MS Administrative Procedures Act**

The MS Charter School Authorizer Board must comply with the MS Administrative Procedures Law.

The MS Charter School Authorizer Board is an “Agency” which is an “administrative unit of this state”, as defined by the MS Administrative Procedures Act. *MS Code Sec. 25-43-1.102(a)*.

The Administrative Procedures Law “applies to all agencies and all proceedings not expressly exempted” by this law. *MS Code Sec. 25-43-1.103(1)*. The MS Charter School Authorizer Board is not expressly exempted by any law from the requirements of the MS Administrative Procedures Law.

The charter school application Request for Proposals and the Evaluation Rubric constitute “rules” which “implement, interpret and prescribe law or policy”, as defined in the MS Administrative Procedures Act. *MS Code Sec. 25-43-1.102(i)*.

The process in which the MS Charter School Authorizer Board is now engaged in preparation for adoption of an application RFP and Evaluation Rubric constitutes “rule-making” as defined in the MS Administrative Procedures Act. *MS Code Sec. 25-43-1.102(j)*.

Among the purposes of the MS Administrative Procedures Law is to “increase public accountability of administrative agencies”, “increase public access to governmental information” and “to increase public participation in the formulation of administrative rules”. *MS Code Sec. 25-43-1.1-1*.

Board must provide Email address and Fax number for Public Comment process

In furtherance of these goals the MS Administrative Procedures Law provides multiple ways for the public to submit its views to a state agency, such as the Charter Board:

Whenever, under this chapter, a party or any person is permitted or required to file with an agency any pleading, motion or other document, filing must be made by delivery of the document to the agency, by mailing it to the agency or by transmitting it to the agency by electronic means, including, but not limited to, facsimile transfer or e-mail. [emphasis added.] *MS Code Sec. 25-43-1.106(1)(a)*.

The MS Charter School Authorizer Board on November 1, 2013 invited the public to comment on the Board’s proposed By-Laws, Application Request for Proposals and Evaluation Rubric. However, in the Notice the Board provided only a US mail address for submission of public comments. This is an unfortunate violation of the MS Administrative Procedures Law.

A Charter Board rule “is invalid unless adopted in substantial compliance with the provisions” of the MS Administrative Procedures Law. *MS Code Sec. 25-43-3.111.*

Remedy:

- a. The MS Charter School Authorizer Board, as mandated by the MS Administrative Procedures Law, must designate both an **email address** and a **fax number** that will enable members of the public to submit *electronically* their comments and views to the Board. This remedy must be available not only for the current situation, but also whenever the Board is designing, altering or modifying rules and regulations, or otherwise is engaged in a process that implicates the MS Administrative Procedures Law.
- b. The MS Charter School Authorizer Board **By-Laws, Article 8**, should be amended to include the mandate to provide **US mail, email and fax means of communication** for submission of public views and comments. The proposed By-Laws, Article 8, are silent on this point and the oversight is reflected in the Nov. 1 Public Notice that provides only a US mail address. Placing the mandate in the By-Laws should mitigate against this oversight in the future.

Respectfully submitted
by Email and US Mail,

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**PUBLIC COMMENT
to the
MS CHARTER SCHOOL AUTHORIZER BOARD**

Board members are without authority to act until ratified by MS Senate

Submitted by Mike Sayer, Southern Echo, Jackson, MS

The Mississippi Constitution, Section 103, provides that the Legislature has the authority to “determine the mode of filling all vacancies, in all offices...” The same section provides that the Governor has the authority “in emergency situations” to make interim appointments until the public office is filled.

To become a member of the MS Charter School Authorizer Board the Legislature determined that the appointed nominees must be ratified by the Mississippi Senate:

All appointments *must* be made with the advice and consent of the Senate.

[emphasis added.] *MS Code Sec. 37-28-7(3).*

There are no “ifs, ands or buts” about it. And no emergency exists or has been declared.

None of the nominated members of the Charter Board have been ratified with the advice and consent of the Senate. Therefore, at this time the nominated members of the Charter Board would appear to be without authority to act as sitting members of the Charter Board, or as agents of the state or collectively as an agency of the state, or to expend state or private funds or to promulgate charter rules, charter applications, charter evaluation rubrics or otherwise.

In raising this issue, there is nothing personal toward any board member or the agency as a whole. My expectation would be that the Board members will eventually be ratified by the Senate.

Nevertheless, there is a critical constitutional and legal issue involved that must not be overlooked: the ratification process has not taken place. While it may appear to be a benign situation now, it could set a terrible precedent for situations which may turn out to be anything but benign.

There were available solutions that could have avoided this legal and constitutional dilemma. The Governor could have called a special session to ratify the nominees at the beginning of September, 2013, but declined or neglected to do so. The Legislature could have put off the timeline and deadlines for the board until after ratification of its members, or until the beginning of the 2014 session, whichever came first. But the Legislature chose not to do so.

No municipal, county, school board, legislative or executive official has the authority to function in office without being duly appointed or elected, taking the oath of office when required, or awaiting ratification by a public body, such as the Senate, as a precondition to assuming the duties and responsibilities of public office. That is how we know that such person has the authority to act.

See, for example, Section 40 of the Mississippi Constitution, which requires that legislators take an oath of office *before* assuming the duties of office.

If compliance with state law is merely voluntary, then the Senate ratification process required by state statute would be essentially ineffective ... ornamental rather than substantive.

After a legislative session adjourns at the end of March, for example, a Governor could appoint an agency head, *without ratification*, who could run the agency for eight months before the Senate comes back into session. The Senate could not come back into session without the Governor calling a special session. But suppose the Senate had good reason to reject such a nominee, but would be unable to prevent the appointment because of a *custom and practice* to permit officials to take office *without ratification*.

Customs and practices are very powerful in our culture. They bring a lot of comfort and a sense of practicality and familiarity. So why be fussy about all this?

It's the law. It is expressly set forth in the charter law. We cannot pick and choose with which laws to comply. That would be a very bad precedent. It is illegal and unconstitutional. Proceeding without ratification sends the wrong message.

Worst of all – it brings into doubt whether the actions of the Charter Board taken prior to ratification will withstand a legal challenge if one is brought. Above all, potential applicants who will invest substantial time and money in their efforts to start a charter school need to know that the process on which they are relying is actually legal and constitutional, and that they will not have to start all over again at some point in the future.

Confidence and certainty ... regularity, if you will ... are essential to a stable economic process. Charters are in part an economic undertaking. However, if the legality of the Board's decisions is on shaky grounds, then the investment process is on shaky grounds.

Does raising this issue generate the specter of delay until Senate ratification? Unfortunately, yes. But doing it right the first time around removes the uncertainty and sets the correct precedent. The Governor and Legislature could have prevented this dilemma. I am only pointing it out because it is there. Failure to deal with it may have dire consequences for all interested parties.

The Board needs to protect the public on this issue by doing the right thing.

Respectfully submitted
by Email and US Mail,

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**REQUEST FOR PUBLIC HEARING on PUBLIC COMMENTS
before the MS CHARTER SCHOOL AUTHORIZER BOARD
pursuant to the MS Administrative Procedures Law**

The MS Charter School Authorizer Board invited Public Comment Nov. 1, 2013 regarding its proposed By-Laws, Application Request for Proposals and Evaluation Rubric. These items constitute proposed rules and rule-making under the Administrative Procedures Law. *MS Code Sec. 25-43-1.102(i),(j)*.


The MS Administrative Procedures Law (APA) provides for the public to request a public hearing to present oral and written argument:

An agency, in its discretion, may schedule an oral proceeding on any proposed rule. However, an agency shall schedule an oral proceeding on a proposed rule if, within twenty (20) days after the proper filing of the notice of proposed rule adoption, a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) persons. At that proceeding, persons may present oral or written argument, data and views on the proposed rule. [emphasis added.] *MS Code Sec. 25-43-3.104(2)(a)*.

(c) The agency, a member of the agency, or another presiding officer designated by the agency shall preside at a required oral proceeding on a proposed rule. Oral proceedings must be open to the public and may be recorded by stenographic or other means. *MS Code Sec. 25-43-3.104(2)(c)*.

Pursuant to the Administrative Procedures Law the undersigned citizens of the State of Mississippi, being 10 persons or more, respectfully request a public hearing in connection with the rule-making procedures for the Charter Board By-Laws, Application Request for Proposals, the Evaluation Rubric and the issue of ratification of the Charter Board nominees.

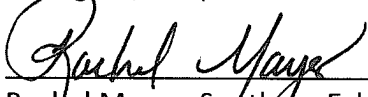
Respectfully Submitted to the MS Charter School Authorizer Board by the undersigned:



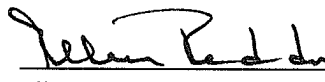
Leroy Johnson, Southern Echo
Lexington, MS (Holmes County)



Kahlil Johnson, Southern Echo
Lexington, MS (Holmes County)



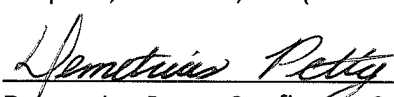
Rachel Mayes, Southern Echo
Jackson, MS (Hinds County)



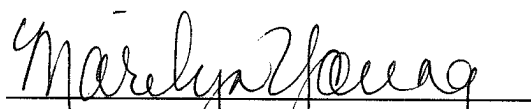
Ellen Reddy, Nollie Jenkins Family Center
Lexington, MS (Holmes County)




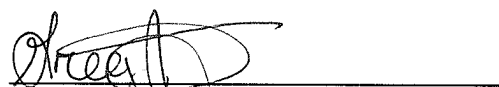
Dianne Freelon-Foster, Activists With A
Purpose, Grenada, MS (Grenada Cty.)

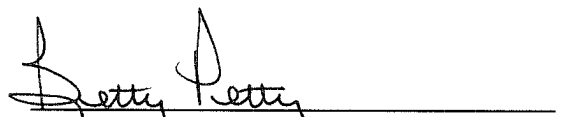


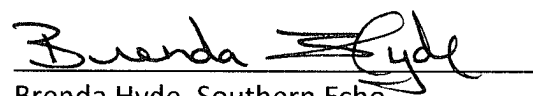
Demetrius Petty, Sunflower County
Parents & Students Organization,
Indianola, MS (Sunflower County)

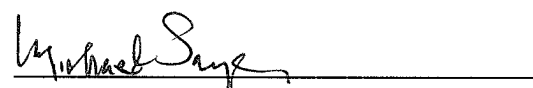

Marilyn Young, Concerned Citizens
For a Better Tunica County,
Tunica, MS (Tunica County)


Melvin Young, Concerned Citizens
For a Better Tunica County
Tunica, MS (Tunica County)


Gregory Johnson, Southern Echo
Lexington, MS (Holmes County)


Betty Petty, Sunflower County Parents &
Students Organization, Indianola, MS
(Sunflower County)


Brenda Hyde, Southern Echo
Jackson, MS (Hinds County)


Mike Sayer, Southern Echo
Jackson, MS (Hinds County)

**MISSISSIPPI CHARTER SCHOOLS:
PART OF A ZERO-SUM GAME TO THE
DETIMENT OF TRADITIONAL PUBLIC SCHOOLS
By Mike Sayer, Southern Echo
11-04-13**

WHO WILL BE SERVED?

Some people say that they want to enable charter schools because they want a quality educational opportunity for *all children*, which underperforming school districts and schools are not providing.

All children, regardless of race, ethnicity, class, gender, national origin, disability, location or status, ought to be entitled to obtain an effective, quality, first-rate education from early childhood through college. That ought to be our *moral center*. As a value system it is fair and just.

However, many legislators, the Governor, the Lt. Governor, the Speaker of the House, out-of-state and in-state corporate charter entrepreneurs and some, but not all, local charter advocacy organizations are *opposed* to or *unwilling* to stand up publicly to support appropriating sufficient revenues to traditional public school districts and schools to secure a quality public education for *all children*.

They would prefer a corporate takeover of underperforming schools ... i.e. low-wealth underperforming districts. Rather than provide the supports necessary to enable these districts to become successful they would prefer to shut them down and privatize these public schools by turning them over to privately-owned, privately-governed, publicly-funded corporate entrepreneurs ... who will never serve *all children*.

This is especially galling because the charter proponents willingly concede that the percentage of students who may go to charters in the foreseeable future will be very small. 1%? 2%? 5%? Even 10%? That means that 90% to 99% of our children will still be in traditional non-charter public schools into the foreseeable future.

Traditional public schools *choose all students*. Charters will *choose which students*!

MONEY MATTERS

It is simply untrue that “money doesn’t matter”. Otherwise, the proponents of charter schools wouldn’t fight so hard to ensure that state, local and federal dollars follow the child from the traditional schools to the charter schools. That money matters is why the charter organizations will work hard to raise foundation grants to underwrite the new charters. It is why the US Dept. of Education, which is actively promoting charters, is providing billions of dollars through Race to the Top and other programs to encourage and subsidize the development of charters. It is why the Gates, Walton and Beard foundations are providing billions of dollars to fund charter enterprises.

When some of the charter proponents say “It is all about the children”, it has a disingenuous ring. Here is why:

1. At present the operating expenses of public education are funded through a combination of state, local and federal dollars. This is a “fixed pot of money” set each year by the state, county and federal entities, which is divided among the public school districts. In Mississippi approximately 65% of the local school districts’ operating capital comes from the state-appropriated MS Adequate Education Program (MAEP).
2. But MAEP has been under-funded by the legislature and the Governor by more than one billion dollars over the past 5 years, according to analyses provided by the MS Economic Policy Center.
3. ***This is where the zero sum game kicks in:*** In 2013 the legislature and Governor approved the charter law (HB 369), which will now further divide the *under-funded* pot of state, local and federal dollars *between traditional public schools and charters*. Instead of increasing the “funding pot” to ensure sufficient funding for both traditional and charter schools, the Legislature and the Governor have chose to take necessary funds from the traditional schools to provide to the charters. As a direct consequence, the funding needed to operate the already-underfunded traditional schools will be *further reduced*.
4. This strategy will make it more difficult for the underperforming school districts and schools to turn around their circumstance to become successful.
5. The legislators and Governor who support this fiscal strategy are not blind to its impact on underperforming schools. House Education Chair John Moore (R – Rankin) said to me during the 2013 legislative session, “The underperforming schools cannot succeed and putting more money into them is a waste of time.”
6. *We have to conclude that undercutting the traditional school districts and schools by underfunding them is the intended consequence of conscious policies.*
7. There is more evidence to this effect. Two examples:
 - a. In 2013 the Legislature passed the *Literacy-Based Promotion Act* (SB 2347 – 2013), which provides for retaining students in the 3rd grade who do not pass a high-stakes reading test to demonstrate that they have moved from “learning to read” to “reading to learn”. At the heart of this law is the mandate that all students from pre-K, or K, or 1st grade through the 4th grade, be assessed for reading skills and barriers, and be provided intervention and supports needed to enable them to be on grade level in reading skills.

But here is the kicker: the statute expressly provides that even if the Legislature fails or refuses to provide funding for the assessments, interventions and supports that are the heart of the literacy strategy, students must be retained in the 3rd grade if they do not pass the 3rd grade reading test (unless they qualify for an exemption).

Florida put up one billion dollars to support their literacy program. Governor Bryant asked for a modest \$15 million, but the Legislature cut the appropriation to \$9 million. The MS Dept. of Education announced this summer that they only had sufficient funding to employ 75 reading mentors to train teachers to teach reading effectively, an essential feature of the legislature.

There are 149 school districts. Worse, the Dept. of Education has only been able to attract 25 “qualified mentors”.

Another critical, but under-funded program! The rate of retained students in the 3rd grade will be treated as another grave mark against under-performing districts and schools to justify the move away from traditional schools to privatized education.

- b. Teacher *under-pay* is another piece of the puzzle. Mississippi grossly underpays its teachers when compared to each of the states which border our state, or when compared to the southern region. The low-wealth underperforming districts have the greatest *critical teacher shortages*, according to data provided by the MS Dept. of Education, and also have the *least experienced* teachers. Under-pay makes it harder for underperforming schools to compete for the best teachers.

THE ZERO-SUM GAME IS FAILING: WE NEED TO INCREASE THE SIZE OF THE POT!

Many of those who oppose increased funding for public education hide behind the notion that the state cannot afford to do so because the state does not have sufficient revenues. Further, they say, public education must compete with Medicaid, higher education, community colleges, health and human services and corrections. *But many of these are the same people who successfully fought to cut between \$60 and \$85 million in business taxes during the 2013 legislative session alone.*

Their mantra is “No new taxes”. Having made the conscious choice to cut taxes rather than provide additional funding to public education, they contend that any attempt to restore the tax cuts will constitute an increase in taxation. This is the policy *shibboleth* they hide behind.

Some of them complain that people who receive a variety of benefits just to survive, such as Medicaid, Medicare, SNAP or Social Security are “takers”. But they don’t complain that many of the wealthiest corporations doing business in Mississippi, using Mississippi resources funded by hard-working Mississippi people paying taxes out of what is left in their Mississippi pockets, actually pay no or nearly no taxes to the State of Mississippi. *Who are the real “takers”?*

They talk about running education on a business model. Okay. A successful business model aligns its budget priorities with the goals of the business. If the budget does not support the goals, it is a bad or insufficient business model. Mississippi’s stated goal is to turn around underperforming districts, but the Legislature and Governor do not provide underperforming school districts with sufficient resources or supports to turn them around. *That’s a bad business model.*

Our moral center is focused on a quality education for *all children*. However, if the design and content of our education policies are rooted in a failing *zero-sum game* that works counter to the interests of all children, then we have to question whether these education policies are rooted in a fair and just moral center.