Adding Grade Levels to Charter Amendment Request – Information and Instructions

As charter holders and their schools may evolve and mature over the charter contract term, the charter contract may be modified by mutual agreement of the charter holder and the Board through the amendment and notification process. The *Adding Grade Levels to Charter Amendment Request* is used to expand the grade levels the charter holder is approved to serve, and may only be submitted by:

- A charter holder currently providing instruction, or
- A charter holder with Associated Schools currently providing instruction.

The request must be submitted timely so that it may be processed within the timeframe provided in Rule and implemented before the beginning of the school year.

The Board has approved amendment processes that reduce the charter holder's submission requirements when the charter holder meets the Board's academic performance expectations, described in the *Academic Performance Framework and Guidance* document ("*Guidance*"), available on the ASBCS webpage (http://asbcs.az.gov). The following section uses definitions and criteria as adopted by the Board in the *Guidance*.

Academic Performance Eligibility and Submission Requirements

See options sheet for eligibility requirement options

A charter holder that does not meet these criteria must include curriculum samples for each grade level being requested, as described in the instructions on the *Curriculum Sample Template*.

Demonstration of Sufficient Progress: A charter holder that does not meet the above criteria will also need to submit a Demonstration of Sufficient Progress (DSP), as described in Appendix D of the *Guidance*, for:

- Each school operated under the charter eligible to receive an Overall Rating that did not receive an Overall Rating of "Meets Standard" or "Exceeds Standard" on the most recent Academic Dashboard, including any school operated under the charter which received an Overall Rating of "NR".
- Any school operated under the charter which is in its first year of operation:
    - Unless all other schools operated under the charter eligible to receive an Overall Rating received an Overall Rating of "Meets Standard" or "Exceeds Standard" on the most recent Academic Dashboard, or
    - If it is the only school operating under the charter.

See options sheet for DSP submission requirement options for Associated Schools

Special Exclusions for Associated Schools: Under certain conditions, an Associated School serving the grades requested may be excluded from consideration for expansion requests. To request consideration for an Associated School to receive a special exclusion from the eligibility consideration for an expansion request, complete and submit both pages of the *Expansion Eligibility/Exclusions Form* with the amendment request.

For the Adding Grade Levels to Charter Amendment Request, the following special exclusions may apply:

1. An Associated School serving the grades requested is in its 2nd year of operation, serving grades K-3 and received a "No Rating" on its Academic Dashboard because the school was serving only grades K-2 in its first year.

2. An Associated School serving the grades requested received a “No Rating” in its most current Academic Dashboard because it was too small and the combined weight of rated measures was less than 65%, but their current student enrollment is within 10% of the projected site enrollment and they received an A or B letter grade in the current year.
3. An Associated School serving the grades requested is in its 2nd or 3rd year of operation, and received a “Does Not Meet” in their most current Academic Dashboard but received a “Meets” score in all SGP measures for Math and Reading.
4. An Associated School serving the grades requested has a distinct learning environment (philosophy, population, program of instruction, schedule) that is clearly documented in its charter which is significantly different from the schools operated by the charter holder requesting expansion.

As part of the administrative review, if an *Expansion Eligibility/Exclusions Form* is submitted, staff will confirm the eligibility for reduced submission, and evaluate the exclusion of Associated Schools. If the charter holder does not meet the academic performance eligibility requirements, or the Associated School does not qualify for Special Exclusion, the request will be deemed administratively incomplete and closed. The charter holder may resubmit the request by including a Demonstration of Sufficient Progress document for each school not meeting the requirements, and curriculum samples for each grade level being requested.

Consideration of Operational Compliance

As described in the Board's policy for conducting compliance checks, Board staff will review the areas listed below to ensure the charter holder meets the level of compliance specified. The following areas will be considered in the compliance check:

- Currently not be having 10% withheld for failure to timely submit its most recent annual audit.
- Be in "good standing" with the Arizona Corporation Commission. This is determined by accessing information available through the Commission's website.
- Not have a repeat corrective action plan issue identified through the most recent annual audit as defined by the Board's Audit & Compliance Questionnaire Follow-up Matrix. The amendment hold remains in place until compliance is demonstrated through the next annual audit or agreed-upon procedures, if the procedures have already been developed by the Board.
- If applicable, have received notification from the Board that the current fiscal year audit corrective action plan has been completed.
- If a special education corrective action plan is in place, be in compliance with the plan's requirements. This is determined by information provided by the Arizona Department of Education's (ADE) Exceptional Student Services Division.
- If applicable, have a "compliant" status reflected on the ADE's Grants Management website for each grant for the past four years.
- If applicable, be in compliance with No Child Left Behind requirements. This is determined by information provided by the ADE's Academic Achievement Division.
- If applicable, be in compliance with National School Lunch and Breakfast Programs requirements. This is determined by information provided by the ADE's Health and Nutrition Services Division.

- If applicable, be current in submitting employer and employee contributions and reports to the Arizona State Retirement System (ASRS). This is determined by information provided to the Board by ASRS.

A finding that the charter holder is not in compliance in one or more of these areas will result in the request being pulled from consideration on the consent agenda, and may result in a delay in consideration of the request by the Board.

Consideration by the Board

All substantively complete amendment requests will be placed on the agenda of a regular Board meeting within 60 days of submission. Amendment requests submitted by charter holders that meet the academic performance eligibility requirements and are in current operational compliance may be placed on the consent agenda. The most current academic data will be provided to the Board for its consideration of the application, as well as information regarding compliance matters for the charter holder of Associated Schools including:

- Whether any portion of an Associated School's state funding is currently being withheld pursuant to action taken by the Board;
- Whether a Notice of Intent to Revoke the Charter is pending for the charter holder of any Associated School;
- Whether the charter holder of any Associated School is currently scheduled for action by the Board regarding potential withholding of state funding or the issuance of a Notice of Intent to Revoke the Charter.

Completing the Request Form

Work through the form, filling in all required fields and uploads (denoted by "*"). Follow the instructions for each upload field. Be sure to save your work, even if you aren't prepared to submit your form, so that you do not lose your data. For detailed step-by-step instructions, see the Help File for the *Adding Grade Levels to Charter Amendment Request.*