

RENEWAL PROCEDURES

A charter may be renewed for successive terms. The board of trustees may grant renewal with specific written conditions for necessary improvements to a public charter school and a date by which the conditions must be met.

No later than September 1, the board of trustees will issue a public charter school performance report and charter renewal application guidance to any charter holder with a public charter school whose charter will expire the following year. The performance report will summarize the public charter school's performance record to date, based on the performance certificate, and shall provide notice of any weaknesses or concerns that may jeopardize renewal, if not timely rectified. The charter holder has thirty (30) days to respond to the performance report and submit any corrections or clarifications for the report.

The renewal application guidance provided by the board of trustees will, at a minimum, provide an opportunity for the public charter school to:

- a. Present additional evidence, beyond the data contained in the performance report, supporting its case for charter renewal;
- b. Describe the improvements undertaken or planned for the school; *and*
- c. Respond to any weaknesses, deficiencies or concerns identified by the board that may affect the public charter school's position in seeking renewal.

The renewal application guidance will also include or refer explicitly to the criteria that will guide the board of trustees' renewal decisions, which will be based on independent fiscal audits and the performance framework set forth in the performance certificate.

No later than December 15, the board of directors of the public charter school seeking renewal shall submit a renewal application to the board of trustees pursuant to the renewal application guidance issued by the board of trustees. The board of trustees will vote on the renewal application no later than March 15. If the board does not vote on the application by March 15, the application will be deemed approved.

In making a renewal decision, the board of trustees will:

- a. Ground its decisions in evidence of the school's performance over the term of the performance certificate;
- b. Ensure that data used in making renewal decisions are available to the school and the public;

- c. Take into consideration the actual and potential at-risk and economically disadvantaged makeup of the student body population as defined in Idaho Code §33-1001 for all grade levels; and
- d. Provide a public report summarizing the evidence basis for each decision.

The board of trustees will renew any charter in which the public charter school met all of the terms of its performance certificate at the time of renewal for a term of twelve (12) years or, in the case of a pilot charter, a renewal term of six (6) years. The board of trustees may either renew for a six (6) year term or choose not to renew any charter in which the public charter school failed to meet one (1) or more of the terms of its performance certificate. A decision not to renew a charter or to deny a revision of a charter may be appealed to the office of administrative hearings and is subject to judicial review as a contested case in accordance with Idaho law.

REVOCAION PROCEDURES

A charter may be revoked by the board of trustees if, after fair and specific notice from the board, the public charter school:

- a. Commits a material and substantial violation of any of the terms, conditions, standards, or procedures required by Idaho law or the performance certificate;
- b. Fails to meet generally accepted standards for fiscal management; or
- c. Substantially violates any material provision of law from which the public charter school was not exempted.

Revocation will not occur until the charter holder has been afforded a public hearing, unless the board of trustees determines that the continued operation of the public charter school presents an imminent public safety issue, in which case the charter may be revoked immediately. Public hearings will be conducted by the board of trustees. Notice and opportunity to reply shall include, at a minimum, written notice setting out the basis for consideration of revocation, a period of not less than thirty (30) days within which the charter holder can reply in writing, and a public hearing within thirty (30) days of the receipt of the written reply. If a charter holder does not reply by the date set in the notice, a public hearing shall be held no later than sixty (60) days after the date the notice was sent by the board of trustees. At the public hearing, charter holders will be permitted to (i) submit documents and give testimony challenging the rationale for closure and in support of continuation of the school; and (ii) be represented by counsel and call witnesses on their behalf.

In the event the charter is revoked, the board of trustees will adopt a resolution clearly stating the reasons for revocation. The board of trustees shall take into consideration the whether the charter school has been enrolled in the Idaho building capacity program and any progress reported by the state department of education. The board of trustees will report a decision revoking a charter to the state department of education within fourteen (14) days of the action revoking the charter. A copy of the report will be provided to the charter holder at the same

time. The report shall include a copy of the board’s resolution setting forth the action taken, the reasons for the decision, and assurances as to compliance with the requirements set forth in the Idaho charter school law. A decision to revoke a charter may be appealed to the office of administrative hearings and is subject to judicial review as a contested case.

SCHOOL CLOSURE AND DISSOLUTION

The superintendent or designee(s) shall develop a public charter school closure protocol to ensure timely notification to parents, orderly transition of students and student records to new schools, and proper disposition of school funds, property, and assets in accordance with the requirements of the Idaho charter school law. The protocol shall specify tasks, timelines, and responsible parties, including delineating the respective duties of the charter school and the district. The board, through the superintendent or designee, shall oversee and work with the closing charter school to ensure a smooth and orderly closure and transition for students and parents, as guided by the school closure protocol. The closing charter school’s charter holder is responsible for executing the school’s closure.

The assets of the public charter school remaining after all debts of the public charter school have been satisfied must be returned to the district for distribution in accordance with applicable law. The assets shall first be distributed to satisfy outstanding payroll obligations for employees of the public charter school, including any tax, PERSI and other employee benefit obligations, then to creditors of the school, and then to the district. If the assets of the public charter school are insufficient to pay all parties to whom the school owes compensation, the prioritization of the distribution of assets may be determined by decree of a court of law. Assets purchased using federal funds shall be returned to the district for redistribution among other public charter schools authorized by the board of trustees.



LEGAL REFERENCE:

Idaho Code Sections

33-5201 *et seq.* – Idaho Charter School Law

67-5201 *et seq.* – Idaho Administrative Procedures Act

ADOPTED: January 21, 2025

AMENDED: