



State Public Charter School Commission 2018 Request for Proposals

Conversion Charter Schools and Start-up Charter Schools (as defined by Chapter 302D, HRS) Opening in School Year 2020- 2021

Issued: March 12, 2018

Intent to Apply Packet Due:

March 19, 2018, 12:00 Noon, Hawaii Standard Time

Applications Due:

May 11, 2018, 12:00 Noon, Hawaii Standard Time

For questions, please contact:

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STATE OF HAWAII
BOARD OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

Message to prospective applicants from the Hawaii State Board of Education

The State of Hawai'i Board of Education appreciates this opportunity to join the State Public Charter School Commission in welcoming your interest in creating a new school to join our public school 'ohana.

Charter schools are uniquely positioned to demonstrate how empowerment can produce exceptional outcomes. The Board of Education believes that charter schools can provide working examples of what can be accomplished when educators and administrators are held to high academic standards and are empowered to reach or exceed these high standards. While there are ongoing challenges, your Board of Education is working closely with the Charter School Commission to improve the charter school environment and encourage innovative approaches to education.

Our public education system has made progress, but we must continue on this positive path and always find ways to improve. The Board of Education invites you to be a part of this journey by proposing an outstanding new school to serve Hawaii's children.

We look forward to welcoming the new public schools that come of this important process.

Aloha,

/S/

Lance A. Mizumoto
Chairperson

DAVID Y. IGE
GOVERNOR



CATHERINE PAYNE
CHAIRPERSON

STATE OF HAWAII
STATE PUBLIC CHARTER SCHOOL COMMISSION
(‘AHA KULA HO‘ĀMANA)

<http://CharterCommission.Hawaii.Gov>
1111 Bishop Street, Suite 516, Honolulu, Hawaii 96813
Tel: 586-3775 Fax: 586-3776

Message to prospective applicants from the State Public Charter School Commission

On behalf of students throughout Hawaii and the State Public Charter School Commission, thank you for your interest in applying to operate a high-performing public charter school. We understand that opening and running an exceptional school requires a tremendous amount of commitment, fortitude, and hard work.

Hawaii law charges the Commission with the mission of authorizing high-quality public charter schools throughout Hawaii. To that end, the Commission welcomes proposals for new public charter schools that will help provide Hawaii’s families with a range of high-quality and innovative educational options.

We are committed to quality in every aspect of chartering, and firmly believe that high-quality authorizing leads to high-quality schools. We want to be clear that the Commission is committed to approving only applicants that demonstrate the academic, financial, and organizational capacity and vision necessary to operate high-performing schools.

The Commission employs a rigorous and transparent application process, based on national best practices. The process is arduous and its rules stringently observed, but it has been carefully designed to be fair and to help ensure that any successful application results in a school of excellence. As you embark upon this endeavor, feel free to contact the Commission with any questions you might have regarding the application or the application review. Please direct all questions to Lauren Endo, Applications Performance and Accountability Specialist, at lauren.endo@spcsc.hawaii.gov.

We commend you for your dedication to providing Hawaii’s children with the quality education they deserve and will need in the 21st Century. We look forward to learning about your vision for the school that will do so.

Aloha,

A handwritten signature in cursive script that reads "Catherine Payne".

Catherine Payne
Chairperson

REQUEST FOR PROPOSALS

I. Introduction

In 2012, the Hawaii State Legislature passed Act 130, replacing the State's previous charter school law, Hawaii Revised Statutes ("**HRS**") Chapter 302B, with our new law, codified as HRS Chapter 302D. Act 130 instituted a rigorous, transparent accountability system that at the same time honors the autonomy and local decision-making of Hawaii's charter schools. The law created the State Public Charter School Commission ("**Commission**"), assigned it statewide chartering jurisdiction and authority, and directed it to enter into State Public Charter School Contracts ("**Charter Contract**") with every existing charter school and every newly approved charter school applicant.

Every public charter school in Hawaii is a State agency and enters into a Charter Contract with the Commission. As such, applicants should read the current Charter Contract template attached to the RFP (Exhibit 7) to better understand the requirements and obligations it will be subject to, should its application be conditionally approved. To ensure that it is prepared to begin operations as a charter school, following the conditional approval of a proposed charter school's application, pre-contracting criteria or pre-opening assurances will be set by the Commission as required by Section 302D-14.5, HRS. The newly approved charter school will enter into a charter contract, at which point the applicant will become a pre-opening charter school.

A pre-opening charter school is not yet a full-fledged charter school but is considered a State agency that may receive legal counsel from the Department of the Attorney General and enter into contracts and leases as a State entity. However, a pre-opening charter school is subject to certain restrictions in that it is not entitled to State per-pupil funds and shall not have employees. Only when the pre-opening assurances are met, will the restrictions on the pre-opening charter school be lifted and it can commence operations as a charter school.

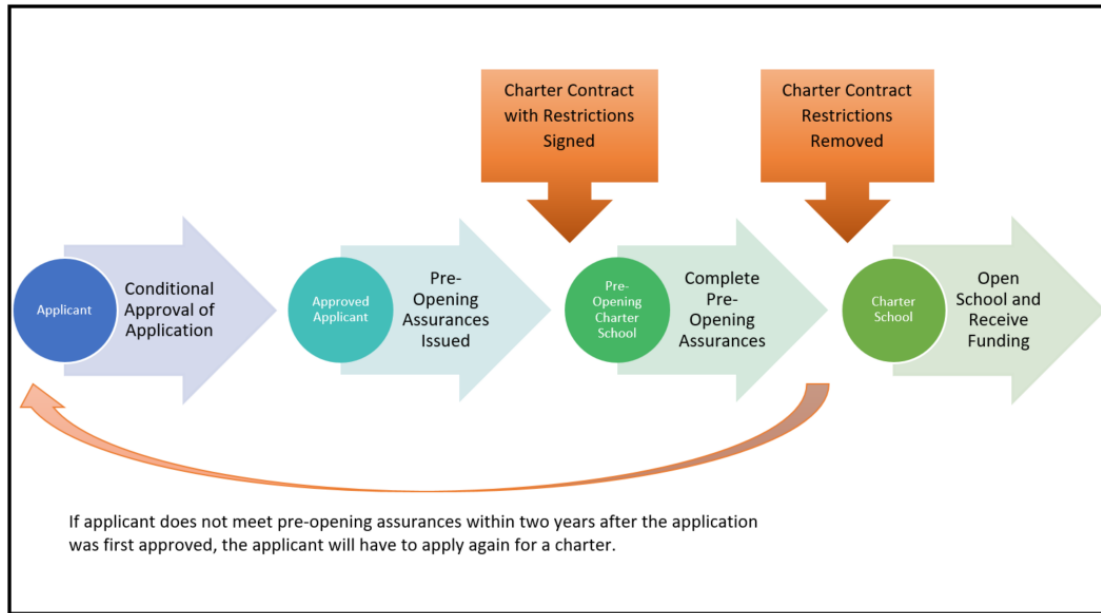


Figure 1: Charter School Start-up Process

A. Applicant Types

HRS Chapter 302D governs the establishment and operation of public charter schools. Applicants are expected to read HRS Chapter 302D to fully understand its requirements so that the application is consistent with the law.

Pursuant to HRS Chapter 302D, two types of public charter schools may be established:

- I. Start-up Charter School means a new charter school established under HRS §302D-13 that is not a Conversion Charter School.
- II. Conversion Charter School means:
 - Any existing school operated by the Department of Education (“DOE”) that converts to a charter school in accordance with HRS §302D-13; or
 - Any existing DOE school that converts to a charter school and is managed and operated by a nonprofit organization in accordance with HRS §302D-13.

Two narrative templates are issued for this application cycle: one for Start-up Charter Schools, and one for Conversion Charter Schools. Applicants shall ensure that they are using the correct template for the type of school that they would like to start.

B. Autonomy and Accountability

The key premise of charter schooling is sometimes referred to as “the Charter Bargain.” In exchange for relatively more rigorous accountability, a public charter school is granted relatively greater freedom and flexibility to innovate compared to traditional public schools.

A charter school has substantial operational autonomy over a number of areas, that include governance, design and delivery of its academic plan, school management and operations, finances, and, if applicable, Charter Management Organization (“**CMO**”), Educational Management Organization (“**EMO**”), or Education Service Provider (“**ESP**”) agreements. All charter schools in Hawaii are funded through a per-pupil allocation. Unlike other state agencies, Charter schools are the only state agencies that receive funding that is not restricted in its use. All other state agencies are restricted in the spending of the funds allocated to them by line item (i.e. personnel, equipment, travel, etc.). Although charter schools have autonomy in these areas, they are nevertheless state agencies that shall comply with applicable federal, state, and county laws, ordinances, codes, rules, and regulations. For example, charter schools are subject to collective bargaining agreements between the State and the Hawaii State Teacher’s Association (HSTA), the Hawaii Government Employees Association (HGEA), and the United Public Workers (UPW) union. As a result, the employees and teachers of a charter school are unionized state employees and shall belong to the same collective bargaining units as DOE employees in similar positions. Like all state employees, charter school employees and teachers have access to health and retirement benefits provided by the Hawaii Employer Union Health Benefits Trust Fund (EUTF) and the Employees Retirement System of the State of Hawaii (ERS).

With the autonomy that charter schools are given, comes strong accountability. The governing board of every charter school and its employees shall comply with Chapter 84, HRS the State Ethics Code. In addition, charter schools are accountable for meeting academic, financial, and organizational performance standards as described in HRS Chapter 302D and the charter contract:

Academic Performance. Charter schools are required to adhere to state academic standards and to comply with, and be evaluated under, the State’s Strive HI Performance System (“**Strive HI**”) and other academic standards and targets established by the performance framework in the Charter Contract. These can include Value-Added Measures proposed by the school itself in order to reflect the school’s distinct mission and philosophy. Charter schools are required to administer all student testing required by federal and state law, rules, policies, and procedures. Charter schools are also required to serve students with special needs.

Financial Performance. Charter schools must demonstrate the proper use of public funds, as evidenced by annual budgets, quarterly financial reports, annual financial statements, and independent audits.

Organizational Performance. A charter school’s governing board is responsible for ensuring that the charter school complies with all applicable laws. The governing board itself is required to adhere to the laws that apply to it, particularly as outlined in HRS §302D-12.

These three areas of performance correspond to three of the main sections of the application and to the three key areas of the Charter Contract, which every successful applicant will enter into with the Commission. All charter schools, including newly opened charter schools, are evaluated annually under the three areas of performance. All charter schools, including newly approved charter schools that are unable to demonstrate academic, financial, or organizational performance in accordance with the performance framework or is unable to comply with legal, contractual, or financial requirements may face nonrenewal or revocation of its Charter Contract.

C. Strategic Vision for Authorizing and Priority Needs

The Commission is statutorily tasked with authorizing “high-quality public charter schools throughout the State.” For purposes of applications, the emphasis here is on “high-quality.”

The Commission’s strategic vision for the chartering of these high-quality schools is that they not only provide excellent and diverse educational options for Hawaii’s families but that they also contribute meaningfully to the continued improvement of Hawaii’s public education system as a whole. This context is important for prospective applicants to bear in mind as they consider the kind of institution they envision creating. The Application Requirements and Criteria ask the applicant to articulate what contributions the new school is expected to make to public education in Hawaii.

For this year’s Request for Proposals, the Commission particularly welcomes proposals that would address the both Priority Needs:

- I. New schools that would provide additional school capacity in geographic areas where existing public schools are already exceeding, have already reached, or are projected to reach or exceed full enrollment capacity; and
- II. New schools that would serve communities where existing public schools are not performing well academically, as measured by the State’s Strive HI Performance System and other student outcomes, and that present a plan for improving these outcomes.

It is important to emphasize that every application, even one that proposes to address both of these Priority Needs, will be considered on its own substantive merits. The fact that an application proposes to address these Priority Needs will not compensate in the evaluation for substantive deficiencies in its proposed Academic, Financial, or Organizational Plans or the Applicant Governing Board’s capacity. Neither will applications that do not propose to address these Priority Needs be disfavored. Nonetheless, a plan to address these system challenges will be an additional positive consideration and could also be a compelling means for the Applicant Governing Board to garner the participation and support of high-capacity strategic partners.

D. Contract Period

The initial term of a charter contract awarded under this RFP will be five years. After the initial contract term, the Commission will review the charter school’s performance and may renew the Charter Contract for a subsequent term on the basis of the charter school’s performance.

Applicants awarded a charter contract under this RFP will plan to open during School Year 2020-2021.

E. Modification of Application

Following the due date, a change to any part of the application **is not allowed**, and will not be considered during the evaluation phase of the current 2018 application cycle. Applicants that would like to present changes to the application after the due date will be required to re-submit the application for evaluation in another application cycle.

During the start-up period, any changes to an application that has been conditionally approved by the Commission must receive Commission approval. If there are material changes to the application, i.e., loss of applicant board members, or a change in the implementation of the plan, the Commission reserves the right to reject the application and revoke the applicant's conditional approval. If the Commission does not approve the changes made, the applicant will be required to submit the application for evaluation in another application cycle.

F. Glossary of Terms

The following words and terms are used in the RFP as defined below:

Academic Performance Framework	The Academic Performance Framework described in the Charter Contract.
Academic Plan	The academic plan described in <u>Section II of the Application Requirements and Criteria</u> .
Applicant Governing Board	The founding board of a proposed charter school that is the entity that submits an application and, if approved, has authority to execute the initial Charter Contract, thereby becoming the governing board of the charter school.
Applicant Information Sheet	The cover page to the formal application that includes basic information about the applicant.
Application Requirements and Criteria	The formal requirements of the application that the Narrative Proposal and relevant attachments must address, as well as the evaluation criteria to which the Evaluation Team compares the Components of the Application.
Blended Learning Program	A program that combines a virtual learning model with face-to-face instruction in a manner such that virtual learning activities enhances and/or transforms the instructional model.
Board Member Information Sheet	The form attached as <u>Exhibit 4</u> .
BOE	The Hawaii State Board of Education.
Charter Contract	The State Public Charter School Contract between the Commission and a charter school.
CIPA	Children's Internet Protection Act.

CMO	Charter Management Organization, specifically a nonprofit organization that has started and/or provides administrative support to a group of charter schools that may have a shared vision and mission.
COPPA	Children's Online Privacy Protection Act.
Commission	The Hawaii State Public Charter School Commission.
Components of the Application	The elements listed in <u>Section IV.A.</u>
Conversion Charter School	A Conversion Charter School as such term is defined by HRS §§302D-1 and -13.
DES	District/Complex Area Special Education Office.
DOE	The Hawaii Department of Education.
Educationally Disadvantaged Students	Economically disadvantaged students, students with disabilities, migrant students, English language learners, neglected or delinquent students, or homeless students.
ELL	English Language Learners.
EMO	Educational Management Organization, specifically a for-profit organization that has started and/or provides administrative support to a group of charter schools that may have a shared vision and mission.
Enrollment Plan	The form attached as <u>Exhibit 1.</u>
Epicenter	The system that applicants must use to submit intent to apply packets and other components of the application.
ESP	Education Service Provider, specifically an organization, either nonprofit or for-profit, that provides educational design, implementation, or comprehensive management services.
ESSA	The federal Every Student Succeeds Act
Evaluation Team	An independent team of evaluators assembled by Commission staff.
FERPA	Family Educational Rights and Privacy Act.
FAPE	Free and Appropriate Public Education.
Financial Plan	The financial plan described in <u>Section IV of the Application Requirements and Criteria.</u>
Financial Plan Workbook	The forms attached as <u>Exhibits 5 and 5a.</u>
High Quality Charter School	<p>A charter school that shows evidence of strong academic results, based on the following factors:</p> <ul style="list-style-type: none"> a. Increased student academic achievement and attainment (including, if applicable and available, high school graduation rates and college and other postsecondary education enrollment rates) for all students,

	<p>including <i>educationally disadvantaged students</i> served by the charter school;</p> <p>b. Either—</p> <p>i. Demonstrated success in closing historic achievement gaps for the following subgroups of students at the charter school:</p> <ol style="list-style-type: none"> 1. Economically disadvantaged students; 2. Students from major racial and ethnic groups; 3. Students with disabilities; and 4. English language learners; or <p>ii. No significant achievement gaps between any of the above subgroups of students at the charter school and significant gains in student academic achievement for all populations of students served by the charter school;</p> <p>c. Results (including, if applicable and available, performance on statewide tests, annual student attendance and retention rates, high school graduation rates, college and other postsecondary education attendance rates, and college and other postsecondary education persistence rates) for low-income and other <i>educationally disadvantaged students</i> served by the charter school that are above the average academic achievement results for such students in Hawaii;</p> <p>d. Results on the Academic Performance Framework that meet or surpass the average performance of public schools statewide; and</p> <p>e. No significant compliance issues (<i>i.e.</i>, no violation that could, if not addressed or if it represents a pattern of repeated misconduct or material non-compliance, lead to the revocation of a school's charter contract), particularly in the areas of student safety, financial management, and equitable treatment of students.</p>
HRS	Hawaii Revised Statutes.
IEP	Individualized Education Program defining the learning objectives of a student who has been found to have a disability, as defined by federal law.
Intent to Apply Packet	The completed and signed Intent to Apply School Summary together with all applicable documentation listed on the Intent to Apply Packet Cover Sheet.
Master Collective Bargaining Agreements	The master agreement between the Hawaii State Teachers Association and BOE, and any agreements between the DOE or BOE and United Public Workers and Hawaii Government Employees Association and any other unions.
MOU	Memorandum of Understanding.
NACSA	National Association of Charter School Authorizers.
Narrative Proposal	An applicant's formal application to the Commission.
Organizational Plan	The organizational plan described in <u>Section III of the Application Requirements and Criteria</u> .

Pre-Opening Assurances	The criteria a Pre-Opening Charter School must satisfactorily fulfill before its Charter Contract is fully effectuated, thereby establishing it as a charter school.
Pre-Opening Charter School	A charter school that has restricted rights and obligations, such as not being allowed to hire employees or eligible to receive state funding, until it satisfactorily fulfills its Pre-Opening Assurances.
Priority Need	The Commission's strategic priorities for authorizing new charter schools as described in <u>Section I.C.</u>
Recommendation Report	A report recommending approval or denial of the application, which is generated by the Evaluation Team. The report evaluates the Components of the Application on its own merits against the published evaluation criteria.
Service Provider	The term used to collectively refer to CMOs, EMOs, and ESPs.
Staffing Chart Template	The form attached as <u>Exhibit 2.</u>
Start-up Charter School	A new school established under HRS §302D-13 that is not a Conversion Charter School.
Statement of Assurances Form	The form attached as <u>Exhibit 3.</u>
Strive HI	Hawaii's Strive HI Performance System.
UIPA	Uniform Information Practices Act, HRS Chapter 92F.
Virtual Learning Program	A form of distance education that uses the Internet and computer technologies to connect teachers and students and deliver curriculum with students typically receiving fewer than five hours per week of face-to-face instruction.

II. Eligibility and Legal Requirements

1. Applicant Governing Boards must have members with strong academic management, financial management, human resources, and fundraising expertise. All Applicant Governing Board members should provide the Applicant Governing Board with a diversity of perspective and a level of objectivity that accurately represents the interests of the anticipated students and demonstrate an understanding of best practices of nonprofit governance.
2. Applicant Governing Boards must represent that they meet all requirements listed in the Intent to Apply Packet by submitting a signed copy of the forms.
3. Applicant Governing Boards must meet the eligibility requirements, as evidenced by their Intent to Apply Packet, in order to submit an application and continue with the application process.
4. Non Profit organizations that establish an Applicant Governing Board must be registered with the State of Hawaii Department of Commerce and Consumer Affairs and in good standing and recognized as a tax exempt entity under the Internal Revenue Code.
5. Applicant Governing Boards proposing a Conversion Charter School must submit all documentation required by HRS Chapter 302D.
6. No charter school may begin operations before obtaining Commission approval of its charter application and execution of a Charter Contract and fulfilling any pre-opening requirements that may be imposed by the Commission.

III. Application Process Overview and Timeline

The applications process is conducted in two phases. **Phase I** commences with the release of the RFP and will end with either the conditional approval or denial of the application. Applicants that receive conditional approval of the application will then move to **Phase II** which will require the completion of pre-opening assurances in order to open the new charter school. Dates are approximate and are subject to change.

Phase I: Application	
March 12, 2018	Release of RFP
March 16, 2018	RFP Orientation (mandatory attendance for applicants) Commission staff to conduct a mandatory orientation to interested applicants on the RFP and its requirements.
March 19, 2018 12:00 Noon, Hawaii Standard Time	Intent to Apply Packets Due As required by Section 302D-13(c)(2), HRS, applicants are required to submit the intent to apply packet to the Commission. Applicants must meet the requirements defined in Section 302D-13(b), HRS in order to be eligible to submit a charter application.
March 21, 2018	Prospective applicants are notified of their eligibility to submit an application Based on the intent to apply packet that was submitted by the applicant, Commission staff will determine whether the applicant meets the requirements in Section 302D- 13(b), HRS to submit a charter application. Applicants will be notified on their eligibility to proceed with submitting a charter application.
May 11, 2018 12:00 Noon, Hawaii Standard Time	Deadline for eligible applicants to submit applications
May 17, 2018	Applicants receive notifications of completeness as determined by Applications Committee
May 17 through June 19, 2018	Application evaluation window
Week of June 4-8, 2018	Clarification Interview with Evaluation Team As required by Section 302D-13(c)(5)(A), HRS the evaluation team will

	conduct an in- person interview with representatives from the applicant governing board.
June 14, 2018	Commission Public Hearing Section 302D-13(c)(5)(B), HRS, requires the opportunity in a public forum for the public to provide input on each charter application.
June 15, 18, or 19, 2018	Capacity Interview Applicants are interviewed by those with experience in leading a school to determine applicant capacity. Capacity interview date and time will be emailed to applicants at a later date.
June 22, 2018	Applicants receive Recommendation Reports
June 28, 2018	Applications Committee Meeting on application decisions The Applications Committee will deliberate and make recommendations to the Commission on the approval or denial of charter applications. Section 302D-13(c)(6), HRS requires the approval or denial of a charter application to be made in a meeting open to the public.
July 12, 2018	Commission General Business Meeting on final application decisions The Commission makes its final decision on the conditional approval or denial of charter applications. Section 302D-13(c)(7), HRS requires the authorizer to set a final date to approve or deny a charter application. Section 302D-13(c)(6), HRS requires the approval or denial of a charter application to be made in a meeting open to the public.
July 13, 2018	Applicants are notified of the Commission's decision Applications that are approved by the Commission will receive conditional approval and will move on Phase II where the satisfactory completion of pre-opening assurances will be required. Applications that are not approved in Phase I must reapply with a new application in another application cycle.
Phase II: Start-Up	
July 2018-July 2020	New charter school start-up period for approved applications The start-up period encompasses the approximate two-year period between an application being conditionally approved in July 2018 and the new charter school opening its doors during School Year 2020-2021. Applications approved under this RFP will not be allowed to open a school prior to School Year 2020-2021. During the start-up period, the applicant will be responsible for completing various pre-opening assurance tasks such as securing a school facility, recruiting personnel, finalizing the academic plan and finalizing needed policies and

	procedures. Should an approved charter applicant be unable to satisfactorily complete the pre-opening assurances set by the Commission for opening during School Year 2020-2021, the applicant will not receive final approval to open and must reapply as a new applicant.
September 2019	Final Approval of Charter Application Applicants that have satisfactorily completed the pre-opening assurances will be granted final approval of the application to open the new charter school. Applicants that are not granted approval from the Commission will not be allowed to open during School Year 2020-2021.
August 2020	Opening of new charter school

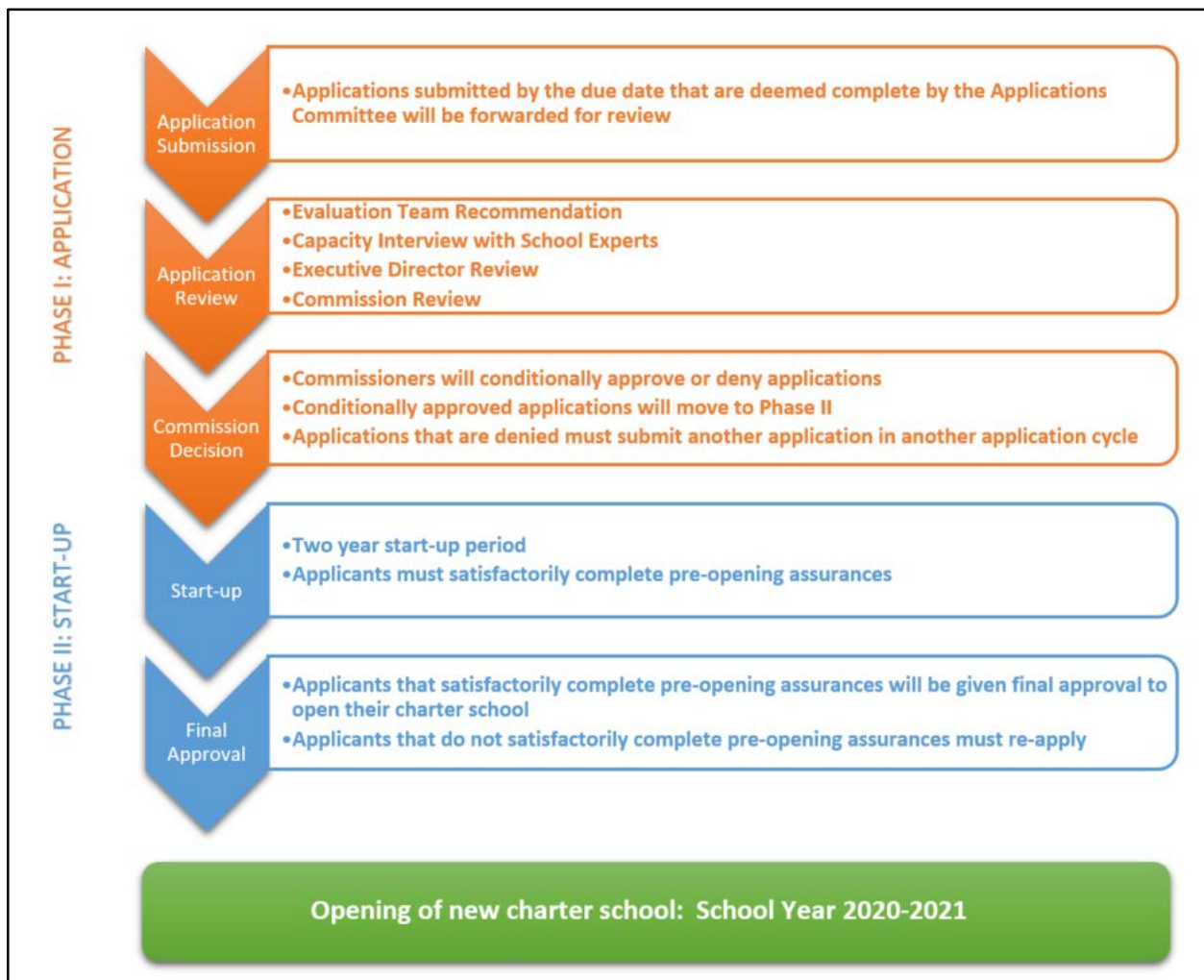


Figure 2: Application Process

IV. Application Guidelines

The Commission is pleased to invite proposals for new high-quality public charter schools. Prior to developing your application, please be sure to read this entire document.

A. Components of the Application

Note: All information that an applicant plans to submit for evaluation must be contained within the Components of the Application, as described below.

Public hearing testimony on the application and DOE comments will not be evaluated by the Evaluation Team. However, these elements may be considered by the Commission as described in [Section IV.G](#). How all of these components fit into the Commission's Evaluation Process is set forth in [Figure 3](#).

The following will be evaluated by the Evaluation Team:

1. **Intent to Apply Packet.** All applicants are required by Section 302D-13(c)(5)(A), HRS to submit the Intent to Apply Packet, including all applicable documentation listed on the Intent to Apply Packet Cover Sheet.
2. **Narrative Proposal.** The Narrative Proposal is the formal application to the Commission and is a comprehensive description of the proposed school's academic, organizational, and financial plans.
3. **Attachments.** Throughout the application, specific documents are requested in addition to narrative answers. Attachments shall not contain additional narrative unless requested. A list of the mandatory attachments is provided in these guidelines. No additional attachments to those listed are permitted.
4. **Interviews.** As required by Section 302D-13 (c)(5)(A), HRS, the review and evaluation of the charter application will include an in-person interview with representatives from the applicant governing board. Representatives of the applicant governing board, the proposed school director, and proposed key school personnel are required to attend **two** in-person interviews: a clarification interview and a capacity interview. The clarification interview will be conducted by the Evaluation Team regarding the application. The capacity interview will be conducted by the Hawaii school experts who will evaluate the applicant's capacity to carry out the plan proposed in the application.

B. Epicenter Submission Instructions

1. The Intent to Apply Packet, Applicant Information Sheet, Narrative Proposal, and attachments shall be submitted through Epicenter. To submit these documents, the **primary contact** of the applicant governing board shall request access to the Commission's Epicenter account. Applicants shall contact Lauren Endo, by email at lauren.endo@spcsc.hawaii.gov by March 16, 2018 to receive access to Epicenter.
2. The Intent to Apply Packet, Applicant Information Sheet, Narrative Proposal and attachments are individual files that must be uploaded to Epicenter in the specified file format. **If a confirmation message does not appear on your screen after attempting to submit the Intent to Apply Packet, Applicant Information Sheet, Narrative Proposal and attachments, it may not have been submitted.** You should also save a copy of every document submitted as part of this applications process for your own records.
3. The Intent to Apply Packet must be completed and submitted along with all of its required elements through the Commission's Epicenter site by 12:00 Noon, Hawaii Standard Time, on March 19, 2018. **Late or incomplete submissions will be rejected. If you do not submit your Intent to Apply Packet by this deadline, you will not be able to apply for this cycle. No exceptions will be made.**
4. If you are deemed eligible to apply, ensure all required fields within the Applicant Information Sheet and the Narrative Proposal are completed and all required attachments are uploaded in the specified file format, and submit the application through the Commission's Epicenter site by 12:00 Noon, Hawaii Standard Time, on May 11, 2018. **Late submissions will be rejected. Incomplete applications will be rejected. No exceptions will be made. Once the application is submitted, no changes may be made to the application.**

C. Specifications

Applicants shall use the applicable templates to submit the Intent to Apply Packet, Applicant Information Sheet, Narrative Proposal and attachments, through Epicenter. Please keep in mind that your application is a professional document. The quality of the document that you submit should reflect the quality of the school that you propose to open. The members of the Evaluation Team will be able to navigate well-organized, effectively-edited documents more easily, enabling them to focus their energy on reviewing the content of the application. Grammar, spelling, and formatting all make an impression on an evaluator. Applications that are not clear and concise or are not easily discernible risk denial.

Intent to Apply Packet

1. The Intent to Apply Packet must be submitted in PDF format using the applicable template. **An Intent to Apply Packet that contains any handwritten parts other than signatures shall be rejected.**

Narrative Proposal

1. All elements of the Narrative Proposal and Applicant Information Sheet must be submitted in PDF format using the applicable template unless otherwise specified. **An application that contains any handwritten parts other than signatures shall be rejected. This includes labels for attachments.**
2. Adhere to page and word limits where applicable. The Narrative Proposal without attachments is limited to 100 pages. Pages in excess of the page limit for the Narrative Proposal or any attachment will be redacted and will not be reviewed by the Evaluation Team. The Narrative Proposal may contain a table of contents and/or a bibliography/references section without penalty toward the maximum page limit. The use of hyperlinks to websites to explain the Narrative Proposal and Attachments, will not be reviewed.
3. Every page of the Narrative Proposal must have a page number and the full name of the proposed school in the footer of the document. All attachments must have the full name of the proposed school and a page number that specifically identifies the attachment (*e.g.*, "Attachment A, Page 3" or "A-3"). **It is the responsibility of the applicants to meet the formatting requirements. Applications that do not meet these formatting requirements shall be rejected.**

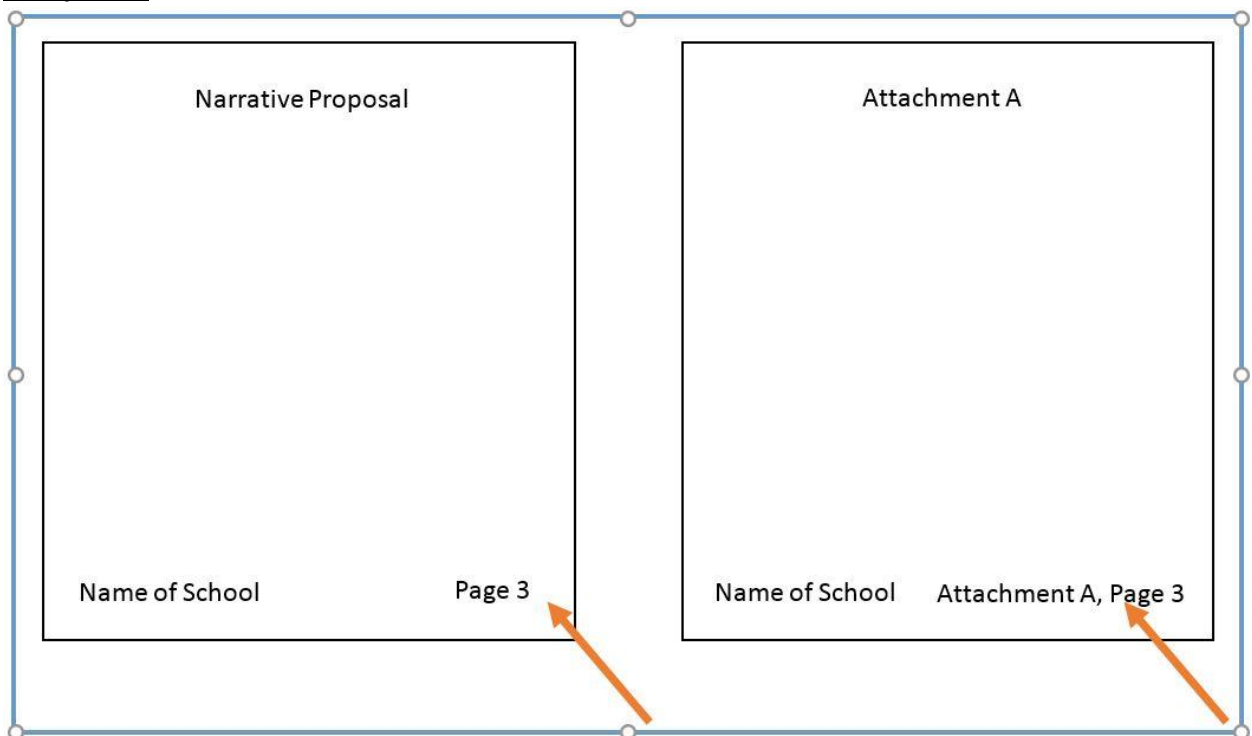


Figure 3: Labeling Format

4. Applicants shall answer the question that appears at the beginning of each template section.
5. If a particular requirement or criterion does not apply to your proposed school or plan, do not leave the section blank. Instead, respond “Not Applicable” **and** state the reason this requirement or criterion is not applicable to the proposed school or plan.
6. When submitting resumes, label each document with the individual’s affiliation with the proposed school (*e.g.*, board member, school director, teacher).
7. Review all elements of your application for completeness using the final review checklist (be sure to initial each box) before submitting. **Late, incomplete, or incorrectly formatted submissions will be rejected.** Applicants will not be permitted to submit new information, as detailed in Section IV.H.
8. Complete all sheets (tabs) in the Financial Plan Workbook.
9. The following is a list of **mandatory** attachments that shall be submitted with each application. It is the responsibility of the applicant to ensure it submits all of the required attachments. The items in bold print are Commission forms that must be used and submitted with each application and appear as exhibit to this RFP. The Applicant shall be responsible for creating the format of the remaining mandatory attachments. The section of the application where the attachment is described is in parentheses. All attachments must be clearly labeled.

Attachment A.	Enrollment Plan (Exhibit 1) (<u>Criterion I.B.1</u>)
Attachment B.	Description, citations, or copies of data sources justifying Enrollment Plan (<u>Criterion I.B.3</u>)
Attachment C.	Listing of DOE complex areas and public and private schools (<u>Criterion II.A.3</u>)
Attachment D.	Student’s school day (<u>Criterion II.F.2.m</u>)
Attachment E.	Teacher’s school day (<u>Criterion II.F.2.n</u>)
Attachment F.	Staffing Chart Template (Exhibit 2) (<u>Criterion II.E.3.a</u>)
Attachment G.	Leadership evaluation tool (<u>Criterion II.E.4.d</u>)
Attachment H.	Teacher evaluation tool (<u>Criterion II.E.4.d</u>)
Attachment I.	Proposed First year school calendar (<u>Criterion II.F.2.l</u>)
Attachment J.	Sample weekly student schedule (<u>Criterion II.F.2.i</u>)
Attachment K.	Sample weekly teacher schedule (<u>Criterion II.F.2.k</u>)
Attachment L.	Statement of Assurances (Exhibit 3)
Attachment M.	School governance, management, and staffing organizational charts (<u>Criterion III.A.3</u>)
Attachment N.	Board Member Information Forms for each member (Exhibit 4) (<u>Criterion III.A.7.c</u>)

- Attachment O.** Admission and enrollment policy ([Criterion III.D.3](#))
- Attachment P.** Evidence of community support ([Criterion I.C.4](#))
- Attachment Q.** Start-up project management plan ([Criterion III.F.1](#))
- Attachment R.** Nonprofit organization's bylaws or policies (business and conflict of interest) ([Criterion III.G.4.b](#))
- Attachment S.** **Financial Plan Workbook (Exhibit 5 and 5a)** ([Criterion IV.B.1](#)) All schools should report in the same way.
- Attachment T.** Evidence of commitment for funds ([Criterion IV.B.2.a](#))
- Attachment U.** Evidence of support from essential planning and implementation partners ([Criterion V.A.3](#))
- Attachment V.** School director's resume ([Criterion V.A.4.c](#))
- Attachment W.** School director's job description or qualifications ([Criterion V.A.4.a-b](#))
- Attachment X.** School leadership and management team's resumes ([Criterion V.A.5.c](#))
- Attachment Y.** School leadership and management team's job descriptions or qualifications ([Section V.A.5.a-b](#))
- Attachment Z.** **Final Review Checklist (Exhibit 6)**

10. In addition to the mandatory attachments noted in item 10, the following is a list of attachments that shall accompany the Narrative Proposal for applicants that are proposing to use a **service provider**. The Applicant shall be responsible for creating the format of these attachments. The section of the application where the attachment is described is in parentheses. All attachments must be clearly labeled.

- Attachment AA.** Academic performance data for each charter school client of Service Provider ([Criterion II.H.1.c](#))
- Attachment BB.** List of charter schools operated or managed by Service Provider ([Criterion II.H.1.d](#))
- Attachment CC.** Accreditation report from one school operated or managed by Service Provider ([Criterion II.H.1.e](#))
- Attachment DD.** Proposed Service Provider agreement ([Criterion II.H.2.d](#))

11. In addition to the mandatory attachment noted in item 10, the following is a list of mandatory attachments that shall accompany the Narrative Proposal for applicants that are proposing a **conversion charter school**. The Applicant shall be responsible for creating the format of the mandatory attachments. The section of the application where the attachment is described is in parentheses. All attachments must be clearly labeled.

- Attachment EE.** Certification and supporting documentation for conversion application approval ([Criterion III.G.1.a](#))
- Attachment FF.** Additional evidence of support of or opposition to conversion ([Criterion III.G.1.c](#))

D. Public Documents Notification

All information submitted to the Commission is public and subject to HRS Chapter 92F, also known as the Uniform Information Practices Act (“**UIPA**”), and is a public record. Information that is submitted to the Commission may be redacted from public record in accordance with exemptions provided under UIPA, provided that the applicant specifically identifies the information it believes should be redacted and provides an explanation justifying each redaction.

The Applicant Information Sheet will be posted to the Commission’s website for public review. The information contained in the Applicant Information Sheet will be the only publicly released information during the course of the applications process.

E. Applicant Code of Conduct

Commissioners and the Evaluation Team are obligated to make decisions and recommendations in the best interests of the students and the public, free from personal or political influences. Similarly, applicants have the responsibility of respecting and upholding the integrity of the charter school application process. **Specifically, applicants shall not:**

1. Direct any communications, including application documents, to any Commissioner or Evaluation Team member, or Commission staff. All communications from applicants should be directed to the Applications and Performance and Accountability Specialist.
2. Initiate, or attempt to initiate, any activity with any Commissioner or member of the Evaluation Team that may be prohibited by HRS Chapter 84, Standards of Conduct.

If the Commission determines that an applicant has violated any of these requirements, the applicant’s application may be deemed ineligible for further consideration, and the application may be disqualified or denied. If the Commission determines that any individual associated with any applicant has violated any of these requirements, including operating through third-parties with the intent of circumventing these requirements, the associated applicant’s application may be deemed ineligible for further consideration, and the application may be disqualified or denied.

F. Academic Integrity of the Application

The Commission defines plagiarism as copying words, concepts, or ideas from any source and submitting the material as one’s own without acknowledging the source by the use of footnotes, quotation marks, and/or parenthetical references.¹ Individuals and groups seeking the responsibility to educate public school children with public funds should be accountable to the highest standards of academic integrity. The Commission considers plagiarism, including the copying of language from any other charter application without proper attribution and citation, as grounds for disqualification or denial.

¹ Definition adapted from the University of Southern Mississippi’s Academic Integrity Policy and quoted in the Mississippi Charter School Authorizer Board’s (“MCSAB”) Fall 2014 Request for Proposals.

The Commission is cognizant that in order to implement an existing curriculum, instructional framework, or educational model (*e.g.*, Montessori, project-based learning, blended learning) with fidelity, key concepts must be discussed. However, a high-quality applicant group with the capacity to operate a high-quality school should be able to explain thoughtfully in their own words how they intend to educate children. The Commission also understands that CMOs, EMOs, and ESPs may use their own intellectual property, which is appropriate and acceptable.²

G. Application Evaluation Process

Note: *The Commission shall disregard any new information, as described in [Section IV.H](#).*

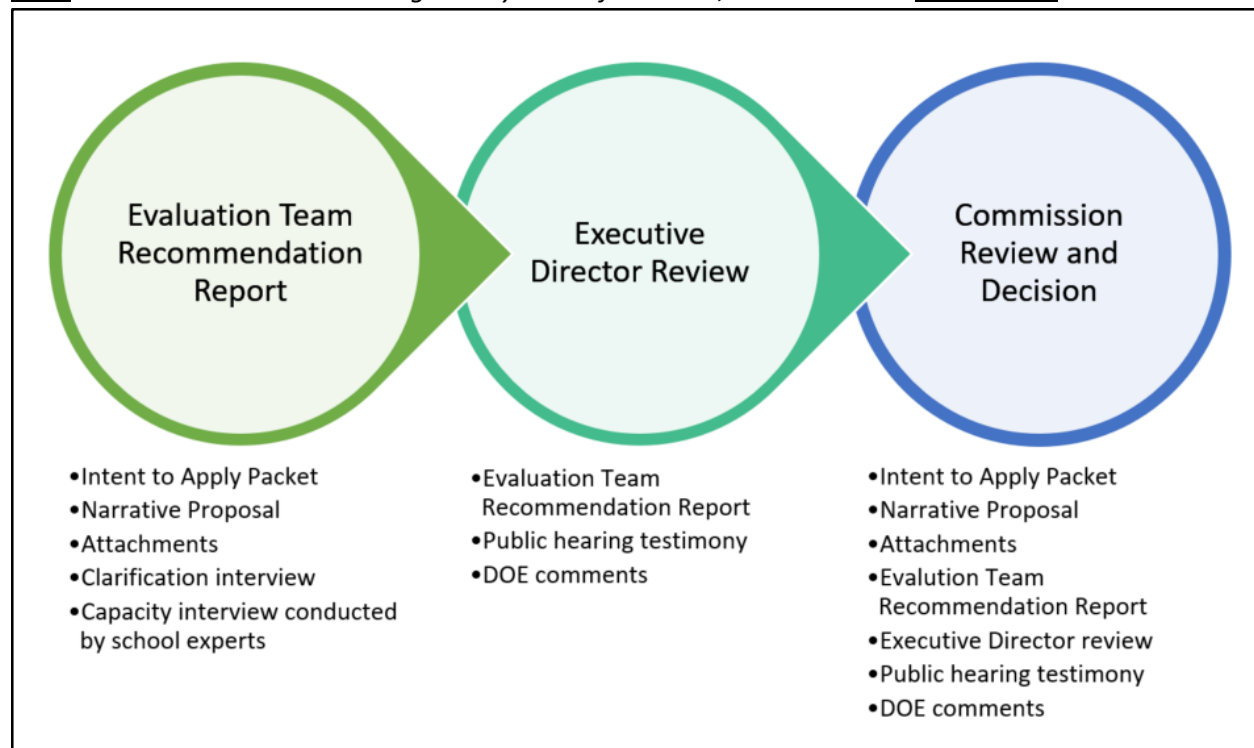


Figure 4: Commission's Evaluation Process

The evaluation period within the applications process consists of an assessment of the application by various individuals: The Evaluation Team, school experts, the Executive Director, and the Commission

Evaluation Team Review

The Evaluation Team is tasked with assessing the application against the stated evaluation criteria and providing its recommendation to the Commission to approve or deny an application through its Recommendation Report. The Commission will assemble an Evaluation Team that may include Commission staff, external national charter school evaluators, and external local evaluators. Commission staff may also observe the Evaluation Team as it conducts its evaluation and interview of applicants. In formulating its recommendation to approve or deny an application, the Evaluation Team

² Adapted from MCSAB's Fall 2014 Request for Proposals (page 10).

will assess the Intent to Apply Packet, Narrative Proposal, and Attachments against the published evaluation criteria, and will take into consideration the applicant's performance in the clarification interview with the Evaluation Team and capacity interview. The Evaluation Team will then issue a Recommendation Report which details the Evaluation Team's recommendation to approve or deny the application.

Capacity Interview

The capacity interview will be conducted by the Hawaii school experts who will evaluate the applicant's capacity to carry out the plan proposed in the application. The school experts will provide their assessment of the capacity of the applicants to the Evaluation Team to be incorporated into the Recommendation Report.

Executive Director Review

The Executive Director will have the opportunity to present to the Commission a recommendation to approve or deny each application. The Executive Director will consider the Evaluation Team's Recommendation Report, along with the public hearing testimony, and any comments submitted by DOE.

Commission Decision

The Commission has the ultimate decision making authority to approve or deny each application. The Commissioners will have access to all applications materials submitted and will conduct their own review of the application. After considering the recommendations made by the Evaluation Team, the Executive Director review, comments submitted by the DOE, and public hearing testimony, the Commissioners will vote to approve or deny each application.

The Commission's Application Committee will make a recommendation to the full Commission regarding approval or denial of each application.

At its General Business Meeting, the Commission will make a final determination to conditionally approve or deny each application.

Debrief

Applicants who do not receive a charter may request a debriefing from the Evaluation Team to understand the basis for the denial of the application. If an applicant appeals the Commission's decision to deny a charter application to the BOE, a debrief will not be available until the BOE has rendered its final decision. If the BOE renders its decision and the next application cycle has commenced, a debrief will not be available. Applicants who are interested in a debrief must submit a written request for a debrief within three working days to lauren.endo@spcsc.hawaii.gov after the Commission's final decision on the applications.

H. New Information

Pursuant to national standards for charter school authorizers, the purpose of a rigorous application process is to "[grant] charters only to applicants that have demonstrated competence and capacity to

succeed in **all aspects of the school**, consistent with the stated approval criteria.”³ Further, HRS Chapter 302D prohibits the Commission from providing technical support to charter applicants. As such, the application process is not intended to help applicants refine and finalize their applications. Applicants must be able to acquire the necessary expertise, competency, and capacity needed to develop a high-quality application on their own, and the information contained within the Narrative Proposal and attachments should be a complete and accurate depiction of the proposed plan.

After the application due date, the applicant shall not change any information provided in the Narrative Proposal, Applicant Information Sheet and Attachments, as the Evaluation Team would not have had an opportunity to holistically evaluate such changes. Therefore, the Commission shall disregard any new information that was not available to the Evaluation Team prior to the issuance of the Recommendation Report. “New information” means any information that substantially differs from what is provided in the Narrative Proposal, Applicant Information Sheet and Attachments and is revisionary in nature. Removal or addition of significant elements of curriculum that substantially change the academic plan, submittal of a substantially revised policy, or changing the geographic location or grades served are all examples of new information that the Commission will not consider in making its decision. Commission staff and the Evaluation Team will provide the Commission with guidance on what information is considered new or different.

I. Evaluation Criteria Overview

The Application Requirements and Criteria are the essential tools for the Evaluation Team, used in both their individual and team assessments of each application. The Evaluation Team presents both ratings on a scale and narrative analysis of each section of the application as compared to the Application Requirements and Criteria. Throughout the application evaluation process, evaluators will update their analysis to include additional information (due diligence, capacity interview, etc.) as it is presented. Within each section and subsection, specific criteria define the expectations for a response that “Meets the Standard.” In addition to meeting the criteria that are specific to that section, each part of the application should align with the other sections of the application. In general, the following definitions guide evaluator ratings:

³ Excerpt from the National Association of Charter School Authorizers’ *Principles & Standards for Quality Charter School Authorizing, 2012 Edition* (page 13).

Rating	Characteristics
Meets the Standard	The response reflects a thorough understanding of key issues. It addresses the topic with specific and accurate information that shows thorough preparation; presents a clear, realistic picture of how the proposed school expects to operate; and inspires confidence in the applicant's capacity to carry out the plan effectively.
Does Not Meet the Standard	The response meets the criteria in some respects but has substantial gaps, lacks detail and/or requires additional information in one or more areas and does not reflect a thorough understanding of key issues. It does not provide enough accurate, specific information to show thorough preparation; fails to present a clear, realistic picture of how the school expects to operate; and does not inspire confidence in the applicant's capacity to carry out the plan effectively.

Opening a successful, high-performing charter school depends on having a complete, coherent plan. It is not an endeavor for which strength in one area can compensate for material weakness in another. Therefore, in order to receive a recommendation for approval, the application must demonstrate evidence of capacity to implement the proposed plan, meet the criteria for all main sections of the application (Academic Plan, Organizational Plan, Financial Plan, Applicant Capacity), and present an overall proposal that is likely to result in the successful opening of a *high-quality charter school*, as defined in Section I.E.

The complete evaluation criteria are incorporated into the Application Requirements and Criteria document.



State Public Charter School Commission 2018 Intent to Apply Packet

INTENT TO APPLY PACKET

I. Cover Sheet

Proposed School Name	
Name:	
Primary Contact Information	
Name:	
Mailing Address:	
Phone:	
Email:	

Type of charter school (select one)

<input type="checkbox"/>	1. Start-up charter school, as defined in HRS Chapter 302D
<input type="checkbox"/>	2. Conversion charter school, as defined in HRS Chapter 302D Name of DOE school to be converted: _____

Type of applicant group to establish an Applicant Governing Board (select one)*

<input type="checkbox"/>	2. Community group
<input type="checkbox"/>	3. Group of teachers
<input type="checkbox"/>	4. Group of teachers and administrators
<input type="checkbox"/>	5. DOE school (<i>conversion charter school applications only</i>)
<input type="checkbox"/>	6. School community council (<i>conversion charter school applications only</i>)
<input type="checkbox"/>	7. Nonprofit organization (<i>components 4-7 of the Intent to Apply Packet listed below are required</i>)** Name of nonprofit organization: _____

Submit the following mandatory components of the Intent to Apply Packet:

<input type="checkbox"/>	1. Completed Intent to Apply Packet Cover Sheet
<input type="checkbox"/>	2. Completed and executed Intent to Apply School Summary form
<input type="checkbox"/>	3. A resolution from the Applicant Governing Board approving the execution of the Intent to Apply Packet
<input type="checkbox"/>	4. Proof of nonprofit registration with the Hawaii Department of Commerce and Consumer Affairs and a Certificate of Good Standing (<i>applicable only if applicant type is nonprofit organization</i>)
<input type="checkbox"/>	5. Copy of the Articles of Incorporation for the nonprofit (<i>applicable only if applicant type is nonprofit organization</i>)
<input type="checkbox"/>	6. Copy of IRS tax-exempt certification - OR - acknowledgement letter from the IRS regarding the tax status of the nonprofit (<i>applicable only if applicant type is nonprofit organization</i>)
<input type="checkbox"/>	7. A resolution from the nonprofit's board approving the establishment of an Applicant Governing Board (<i>applicable only if applicant type is nonprofit organization</i>)

*Only applicant group types listed are eligible to establish an Applicant Governing Board.

**Only nonprofit organizations that provide components 4-7 are eligible to establish an Applicant Governing Board.

II. Intent to Apply School Summary

Describe the Applicant Governing Board, proposed school, and the nature of the plan to be presented in this application. The Applicant Governing Board must have members with academic management, financial management, human resources, and fundraising expertise to be eligible to submit an application.

Proposed School			
Name:			
Geographic Location:			
Location(s) of Anticipated Student Population:			
Grades Served Year 1 (SY 2020-2021):			
Grades Served at Capacity:			
School Director			
Name (if identified):			
Current job/position:			
Applicant Governing Board Members			
Name:	Email:	Academic management expertise	
Name:	Email:	Financial management expertise	
Name:	Email:	Human resources expertise	
Name:	Email:	Fundraising expertise	
Name:	Email:	Other governance expertise (specify):	
Name:	Email:	Other governance expertise (specify):	
Name:	Email:	Other governance expertise (specify):	
Name:	Email:	Other governance expertise (specify):	
Name:	Email:	Other governance expertise (specify):	
Name:	Email:	Other governance expertise (specify):	
Name:	Email:	Other governance expertise (specify):	
Name:	Email:	Other governance expertise (specify):	
Anticipated Student Population			
Describe the student population you anticipate serving.	%FRL:	% SpEd:	% ELL:
Other:			
Proposed School Description			
School Model Specialty (check all that apply)	<input type="checkbox"/> Alternative <input type="checkbox"/> Arts <input type="checkbox"/> Career and Technical Education <input type="checkbox"/> Cultural Focus (specify): <input type="checkbox"/> Disability (specify):	<input type="checkbox"/> Language Immersion (specify): <input type="checkbox"/> Montessori <input type="checkbox"/> STEM <input type="checkbox"/> Virtual or Blended Learning <input type="checkbox"/> Other (specify):	

In 100 words or less, describe the mission and vision of your proposed school	
---	--

School Enrollment Projection

Academic Year	Projected # of Students	Grade Levels Served
Year 1 (2020-2021)		
Year 2 (2021-2022)		
Year 3 (2022-2023)		
Year 4 (2023-2024)		
Year 5 (2024-2025)		
At Capacity (specify year): _____		

Do any of the following describe the applicant governing board or the school to be proposed in the application?

- ☐ Will contract or partner with an Education Service Provider, Charter Management Organization, or other organization to provide school management services.
- ☐ Already operates schools in Hawaii.
- ☐ Already operates schools elsewhere in the United States.

If any of the boxes above are checked, fill out the table below.

Partner Information (if applicable)	
Education Service Provider or Charter Management Organization (includes existing charter school operators)	Name: Primary Contact: Mailing Address: Phone: Email:

Does the applicant, any members of the applicant governing board, or any partners of the applicant have charter school applications under consideration by any other authorizer(s) in the U.S.?

- ☐ Yes (if so, complete this table, adding lines as needed) ☐ No

State	Authorizer	Proposed School Name	Application Due Date	Decision Date

Does the applicant, any members of the applicant governing board, or any partners of the applicant have any new schools scheduled to open in the U.S. in the next five years?

☐Yes (if so, complete this table, adding lines as needed) ☐No

State	Authorizer	Proposed School Name	Grades Served	Opening Date

Certification

I certify that I have the authority granted by the Applicant Governing Board to submit this application and that all information contained herein is complete and accurate, and that a copy of the governing board resolution approving the execution of the Intent to Apply Packet is attached. I recognize that any misrepresentation could result in disqualification from the application process or revocation after award. The person named as the contact person for the application is so authorized to serve as the primary contact for this application on behalf of the Applicant Governing Board.

Signature of Application Primary Contact

Date

Title



State Public Charter School Commission 2018 Applicant Information Sheet

APPLICANT INFORMATION SHEET

I. Applicant Summary

Proposed School		
Name:		
School Type:		
<input type="checkbox"/> Start-Up Charter School <input type="checkbox"/> Conversion Charter School, Name of DOE school to be converted:		
Geographic Location:		
Grades Served Year 1 (SY 2020-2021):		
Grades Served at Capacity:		
Mission:		
Vision:		
What unique educational opportunities will your school provide?		
Describe the key components of the educational model, including a brief explanation of how it will drive success for the identified student population.		
Describe the expected outcomes for the students in both the short run—after they graduate from your school—and in the long run as adults.		
Primary Contact Information		
Name:		
Phone:		
Email:		
Proposed School Description		
School Model Specialty (check all that apply)	<input type="checkbox"/> Alternative <input type="checkbox"/> Arts <input type="checkbox"/> Career and Technical Education <input type="checkbox"/> Cultural Focus (<i>specify</i>): <input type="checkbox"/> Disability (<i>specify</i>):	<input type="checkbox"/> Language Immersion (<i>specify</i>): <input type="checkbox"/> Montessori <input type="checkbox"/> STEM <input type="checkbox"/> Virtual or Blended Learning <input type="checkbox"/> Other (<i>specify</i>):

If the applicant is contracting or partnering with a Service Provider, fill out the table below.

Service Provider Information (<i>if applicable</i>)	
Service Provider (includes existing charter school operators)	Name:
	Primary Contact:
	Mailing Address:
	Phone:
	Email:

Does the applicant currently operate charter schools in Hawaii or any other state?

☐ Yes (if so, complete this table, adding lines as needed)

☐ No

State	Authorizer	School Name	Grades Served	Opening Date

Does the applicant, any members of the Applicant Governing Board, or any Service Providers of the applicant have charter school applications under consideration by any other authorizer(s) in the U.S.?

☐ Yes (if so, complete this table, adding lines as needed)

☐ No

State	Authorizer	Proposed School Name	Application Due Date	Decision Date

Does the applicant, any members of the Applicant Governing Board, or any Service Providers of the applicant have any new schools scheduled to open in the U.S. in the next five years?

☐ Yes (if so, complete this table, adding lines as needed)

☐ No

State	Authorizer	Proposed School Name	Grades Served	Opening Date



State Public Charter School Commission 2018 Application Requirements and Criteria

APPLICATION REQUIREMENTS AND CRITERIA

I. School Overview

A. Executive Summary

Include following elements in your executive summary:

1. Mission. A mission describes the fundamental purpose of the school. The proposed school's mission statement should:
 - a. Describe the core school design components, what the proposed school will accomplish in concrete terms, and what methods it will use;
 - b. Be attainable and consistent with high academic standards;
 - c. Reflect the key values that teachers, administrators, and students know and support;
 - d. Be concise and clearly describe the proposed school's purpose for the entire school community, external stakeholders, and individuals who may not be familiar with the proposed school; and
 - e. Be able to operationalize and guide the work and school culture.
2. Vision. The vision statement describes the proposed school's highest priorities and long-term goals, identifying what will be accomplished when the school is successful in executing its mission over the long term. The vision statement should explain what success looks like in terms of students' life outcomes and the impact on the community and society. A vision statement is a broad, powerful goal whose scope is bigger than daily activities and should indicate the school's valued measures of success.
3. Geographic Location and Anticipated Student Population. Briefly describe the geographic location and, if known, the address of the facility the proposed school plans to use. Describe the anticipated student population of the area, the students' anticipated educational needs, and the non-academic challenges the proposed school is likely to encounter. Describe what contribution the school will bring to the area.
4. What unique educational opportunities will your school provide?
5. The key components of the educational model, including a brief explanation of how it will drive success for the identified student population.
6. The expected outcomes for the students in both the short run—after they graduate from your school—and in the long run as adults.
7. Community Engagement. Briefly describe how the applicant has assessed the demand and solicited support for the proposed school within the community that the school will be located.

Include a description of any significant relationships or local community partnerships that have been established to generate community engagement and support for the proposed school. Applicants shall discuss their knowledge of the community in which the school will be located, and include in this discussion their understanding of the cultural and historical elements of the area as a whole.

8. Contribution to Public Education System. Describe any anticipated contribution the proposed school would make to Hawaii's public education system as a whole, including, if applicable, the Priority Needs identified in Section I.C of the RFP. If the proposed school would address either or both Priority Needs, provide an analysis, with relevant data, about that Priority Need and how the school would help address it. In addition to the Priority Needs, the examples of contributions to the public education system could include things like serving student demographic groups that the existing system has had challenges serving, meeting a particular curricular or instructional need or challenge in a way that has system-wide benefits, and forming partnerships or feeder-school relationships with existing public schools. Where the proposed school would model innovation in ways valuable to the system as a whole, describe any specific plans to disseminate the knowledge gained at the school to other public schools.
9. Reason for Conversion (**Conversion applicants only**). Explain the rationale for applying to convert to a charter school.
 - a. How will the charter school model lead to improved academic outcomes and non-academic operations?
 - b. Describe the stakeholder groups that were engaged in the conversion decision making process, and explain their roles in the transition process.
10. Conversion Transition (**Conversion applicants only**). Explain if and how any programmatic elements of the school design will change or evolve with the transition to operation as a charter school, as opposed to the current school model.

B. Enrollment Summary

1. Enrollment Plan. Complete the Enrollment Plan (Exhibit 1), and include it as **Attachment A (required form)**, illustrating the proposed school's five-year enrollment plan. Include a breakdown between students receiving a primarily on-site, face-to-face learning experience (brick-and-mortar) or *blended learning* and students receiving a primarily *virtual learning* experience. These terms are defined in Section I.F of the RFP and depicted in **Figure 5** below.
2. Enrollment Plan Rationale. Describe the rationale for the number of students and grade levels served in each year and the basis for the enrollment plan illustrated in the attachment. Include a discussion of the rationale for including non-entry level grades. Entry level grades are generally kindergarten, sixth grade, and ninth grade.
3. Enrollment Plan Justification. Provide evidence justifying the enrollment plan described above. Include the estimated number of students in the geographic area(s) the proposed school plans to serve, including the number of students that currently attend existing schools (both public and

private) in the geographic area for the grades the proposed school plans to serve. If research data, censuses, surveys, or other data sources were used, please describe these sources and provide a citation or attach copies of the sources, as **Attachment B (no page limit)**.

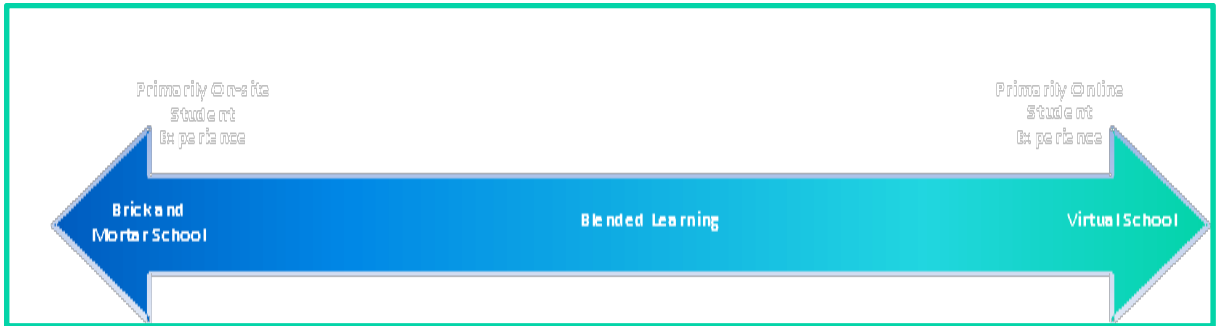


Figure 5: Virtual and Blended Learning Continuum

C. Parent Involvement and Community Outreach

1. This section should include the following elements: A clear description of the proposed school's philosophy on parent and community involvement and the role of parents or guardians and the community in the proposed school, including a summary of what has been done to assess and build parent and community interest in the proposed school and the results achieved.
2. Sound parent engagement plans that are welcoming and accessible to all parents or guardians from the time that the proposed school is approved through opening and after the proposed school is opened, including plans for building family-school partnerships that strengthen support for learning and encourage parental involvement and any commitments or volunteer activities the proposed school will seek from or offer to parents or guardians.
3. Effective strategies describing how the proposed school will inform and engage parents or guardians and the community about the proposed school's development.
4. A description of any community resources and partnerships the proposed school has established with community organizations, businesses, or other educational institutions that will benefit students and parents or guardians, including the nature, purposes, terms, and scope of services of any partnerships. Provide existing evidence of commitment and support from identified community partners as **Attachment P (no page limit)**, such as letters of intent or commitment, memoranda of understanding, and/or contracts.
5. Discuss and provide details of all outreach efforts utilized to solicit input and feedback on the proposed school from community stakeholders. Provide the following as **Attachment P (no page limit)**:
 - a. A list of all community meetings held, including the date, time, location and number of attendees at each meeting.

- b. Dates and number of recipients of flyers or advertising that were sent out to the community via mail and email.
- c. Details on other forms of community outreach that was used by the proposed school.
- d. Evidence of the proposed school's outreach efforts such as advertisements, flyers, and written communication to community stakeholders, presentations, sign-in sheets, and local media coverage, provided as Attachment.
- e. Provide a log of comments received from community stakeholders on the proposed school, provided as Attachment. If no comments from the community were received, indicate "none received" on the attachment.
- f. Discuss and indicate how each of the following community stakeholders were solicited for feedback on the proposed schools: Parents/students, educators, elected officials, community leaders. If a particular group was not solicited for feedback, indicate "not solicited for feedback."

II. Academic Plan

A strong Academic Plan is coherent overall and aligned internally with the proposed school's mission and vision; Organizational Plan; and Financial Plan.

What are the key components of the educational model?

A. Academic Plan Overview, Academic Philosophy, and Student Population

1. Academic Plan Overview. Provide a overview of the academic plan of the proposed school, including instructional methods, the school model indicated in the applicant information sheet, assessment strategies, and any non-negotiable elements of the proposed school's academic plan. Include a brief description of any *virtual or blended learning programs*, as defined in Section I.F of the RFP. Describe any evidence that promises success for this academic plan with the anticipated student population.
2. Academic Philosophy. Provide a description of the applicant's core beliefs and academic values and how those beliefs and values inform the design of key elements of the proposed school.
3. Anticipated Student Population. Describe the anticipated student population the proposed school plans to serve, including, among other things, the projected percentage of students eligible for free and reduced lunch. Explain why the proposed school anticipates that the student population described above will enroll in the proposed school. Include, as **Attachment C (5 page limit)**, a listing of the DOE complex area(s) that these students will most likely come from and a listing of both public and private schools with the grades the proposed school plans to offer that are located in the same areas that the proposed school plans to pull its student population from.

B. Curriculum and Instructional Design

The components of this section should culminate in a comprehensive framework for rigorous, high-quality instructional design that reflects both the needs of the proposed school's anticipated population and its alignment to academic standards.

An application that meets the standard for approval will have the following elements:

1. A clear description of course outcomes for each course at each grade level that if achieved at the high school level, will ensure a student graduates with the competencies, skills and content knowledge to be successful in any post-secondary education opportunities he or she may seek to pursue, and if achieved at the elementary or middle school level, will situate the student to achieve academic success at the next level of his or her academic career.
2. A clear description of the rigorous academic standards that will be used at the proposed school including:

- a. A rationale for inclusion each set of standards that the proposed school plans to adopt that demonstrates an understanding of how each set of standards will contribute to the success of student learning under the Academic Plan; and
 - b. A clear articulation of how the standards based curriculum will be aligned to standards-based instruction, standards-aligned formative and summative assessments and standards-based grading and reporting of student progress.
3. A reasonable and sound timeline and description of how instructional materials will be developed or selected and a list of individuals that will be involved in the development or selection process. If the instructional materials have been selected, a description and explanation that clearly demonstrates how the materials support the Academic Plan. If the proposed Academic Plan includes a *virtual or blended learning program*, include a clear description of the virtual learning curriculum program(s) and a reasonable rationale for the selection of the curriculum program(s).
4. A clear list of academic goals and targets and a description of how the proposed school assesses the progress of individual students, student cohorts, and the school as a whole on the identified goals and targets. The description must clearly explain how the identified assessments will accurately measure progress toward the identified goals and targets.
5. A clear and comprehensive description for how instructional leaders and teachers will use student data to administer, collect, and analyze the results of diagnostic, formative, benchmark/interim, and summative assessments to inform programmatic and instructional planning decisions and make adjustments to curricula, professional development, and other school components. The description must clearly explain the roles and responsibilities of the instructional leadership team in overseeing teachers' progress toward helping students meet their identified goals and targets and clearly describe the formalized process and supports that will enable teachers to reflect on student progress and adjust their instruction accordingly.
6. A clear description of the instructional strategies that the proposed school will use that adequately explains how these strategies support the mission, vision, and academic philosophy of the proposed school and are well-suited to the anticipated student population. The description must also include the interventions and modifications that will be made to instructional strategies if students are not meeting identified goals and targets. If the proposed school's Academic Plan contains a *virtual or blended learning program*, the description must adequately explain how the proposed instructional strategies will work with the virtual learning components to result in a coherent instructional program.
7. Graduation Requirements.

Note: High schools will be expected to meet the BOE's graduation requirements in accordance with BOE Policy 4540. High schools may be able to deviate from such graduation requirements if a waiver is obtained from BOE. Any deviation from BOE Policy 4540 requires a waiver from BOE, and Commission approval of an application does not constitute approval of any deviation from BOE's graduation requirements. If the application is approved, it will be incumbent on the

applicant either to: (1) obtain a waiver; or (2) if it cannot obtain a waiver, adjust its graduation requirements to meet BOE Policy 4540.

- a. A clear description of the course and credit requirements for graduation, including a description of how GPA will be calculated, that meets BOE's graduation requirements.
 - b. If graduation requirements for the proposed school will differ in any way from BOE Policy 4540, an explanation of how they will differ (including exceeding BOE graduation requirements), including compelling reasons and justification for the differences, and a reasonable and sound plan for adjusting graduation requirements (including any necessary adjustments to other components of the Academic Plan) in the event the BOE does not grant a waiver from its policy.
8. Virtual and Blended Learning. If the proposed school's plan contains a *virtual* or *blended learning program*, as defined in the RFP:
- a. A clear overview of any *virtual* or *blended learning program* that is appropriate for the anticipated student population and clearly demonstrates that all students receive adequate support, including:
 - i. State the number of anticipated students that will access either a blended model, and/or a virtual program at your proposed school.
 - 1. For students accessing the virtual program, indicate the number of hours per month the student will access the virtual or distance learning program outside of your school's site.
 - ii. A description of the general organization of the *virtual learning* schedule (e.g., fixed daily schedule, modified schedule, open entry/open exit), including an adequate explanation of how schedules will be modified, if at all, for students that fail to meet learning goals;
 - iii. For *blended learning programs*, an explanation of whether and how the program enhances or supports classroom instruction;
 - iv. A description of the teacher's role, the role of any non-teacher faculty members (paraprofessionals, counselors, parent instructional coaches), the student's role and the parents' role in any virtual learning program.
 - v. Describe what, if any, additional responsibilities will be required of teachers in the virtual environment (course development/design, research, website maintenance) and describe how the school will communicate these responsibilities to teachers. Describe how the school will provide professional development appropriate to the delivery method used.
 - vi. A plan for orientation for prospective and enrolled students, their parents, and their instructional coaches on the course delivery model prior to the beginning of the school year.

- vii. A description of the degree of support provided to students using any *virtual learning* program (e.g., little or no support, school based mentoring support, school or home mentoring support).
 - viii. Describe whether a student enrolled in the virtual school can be enrolled in credit bearing instructional activities at another institution.
 - ix. A description of the student to teacher ratio in the *virtual learning* program (e.g., traditional classroom ratio, 2-3 times traditional classroom ratio, instructional helpdesk model).
- b. A video demonstration, as a URL to a video on a browser-viewable platform (like YouTube), of the proposed *virtual or blended learning program* curriculum that clearly portrays the student and teacher experience with the *virtual learning* curriculum, including both the student and teacher user interfaces.
- c. Describe whether students will be required to regularly or periodically attend your school facility. Specify such requirements and describe the facility.
- d. Describe how the school will ensure or facilitate student attendance at in-person school activities.
- e. An explanation of how the proposed school will define, monitor, verify, and report student attendance, student participation in a full course load, credit accrual, and course completion that provides sufficient evidence that all students will be accounted for and engaged in a complete and rigorous educational program.
- f. A description of the proposed school's virtual attendance policy.
- g. Describe the virtual and blended learning program's policies regarding truancy, absence, withdrawal, credit recovery, and dual enrollment.
- h. Describe the intervention the school will take when students are not logging in and/or completing coursework as required.
- i. A sound plan for administering and proctoring mandated assessments, including a reasonable budget that is reflected in the Financial Plan Workbook.
- j. Describe the plan and method for the administration of all required state assessments.
- k. A reasonable plan to uphold the academic integrity of the *virtual or blended learning program* that describes the systems and procedures for validating the authenticity of student work. Describe procedures to ensure the integrity and authenticity of student work product and assessment scores, including the use of an academic honesty and computer acceptable use policy. Describe the intervention to be used when students fail to provide authentic work product or assessment responses. Describe the role that parents will have in promoting accountability.

- l.** Describe the data retention, security, acceptable use, electronic communication, and confidentiality policies.
- m.** An adequate explanation of measures the proposed school will take to ensure student safety, both technologically and educationally, that are compliant with applicable federal privacy laws (FERPA, CIPPA, and COPPA).
- n.** Describe how the school will provide for the health and safety of students in both online and offline activities.
- o.** Describe how the school will administer required health screenings to students in virtual programs.
- p.** An adequate explanation of how the proposed model ensures that there are minimal interruptions to learning, should technological challenges arise, including a description of the plan for technical support and troubleshooting for students, teachers, parents or guardians, and administrators. Describe the scope of technical support that will be provided, including where support staff will be located, and the hours (including weekends and holidays) and manner in which support will be accessible to students and school employees.
- q.** Describe procedures to deliver instruction when equipment, software, or connectivity at any location is lost or impaired. Specify who will pay for internet connectivity, and address minimum bandwidth and a course of action for any areas of the state that do not have the minimum bandwidth.
- r.** Describe data protection and recovery procedures in event of catastrophic system failure (including offsite system backup).
- s.** Describe all technological equipment and services that the school will provide, including hardware, software, connectivity, and media storage devices, and property controls and equipment tagging that will be in place. Specify any equipment or technological support that students or families will be responsible for purchasing or obtaining.
- t.** A clear description of the platform dependencies for the proposed curricular materials and instructional strategies and an adequate explanation of how the proposed technology selection supports those dependencies. (For example, the proposed curriculum runs a Microsoft Windows-based application, and therefore requires Windows-compatible laptops and tablets rather than iPads.)
- u.** Describe how the virtual program will provide services to all enrolled students with exceptionalities, regardless of where the student resides.
- v.** Describe the virtual program's procedures for Individual Education Plan (IEP) meetings, including determining where such meetings will occur.
- w.** Describe how the virtual program will implement ADA and Rehabilitation Act standards for accessibility to web-based curricula.

- x. Indicate the nature, frequency, and location of all required in-person meetings between parents and school faculty/administration, such as parent-teacher conferences, parent-teacher meetings, field trips, etc.
- y. Indicate the nature and frequency of all optional opportunities for in-person meetings and interactions such as open houses and school community meetings.
- z. Describe the procedures for parents to contact virtual charter school faculty and administrators with concerns of any nature and the procedures and required timelines for prompt and helpful responsiveness to such communications.
- aa. Describe how the school will provide adequate, timely, and appropriate technical support to students, teachers, facilitators, and instructional coaches.
- bb. Describe whether training opportunities to parents and guardians will be available.
- cc. Describe how parents access student grades and understand student progress.

C. Special Populations and At-Risk Students

Note: The proposed school will be linked to the District/Complex Area Special Education Office (“DES”) in the proposed school’s geographic area. Special education services will be coordinated out of the district office, as they are for all public schools. The charter school must ensure that each of its students with an individualized education program (“IEP”) receives all special education supports identified in the student’s IEP. The range of services may include related services, such as occupational and physical therapy, orientation and mobility training, adapted physical education, or assistive technology. Special education eligibility or the existence of an IEP is not a factor that a charter school can take into account when considering students for enrollment.

All charter schools must ensure that a Free and Appropriate Public Education (“FAPE”) can be provided for all enrolled students with disabilities. Once formed, the proposed school will consult with its DES to explore options for meeting the requirements of the offer of FAPE. The DES will review all of the current IEPs of special education students enrolled in the school and may offer staff, funding, or both to the school based upon the same per-pupil weighted formula used to allocate resources for special education students in DOE-operated schools. Applicants are expected to be familiar with and comply with all special education laws and requirements.

An application that meets the standard for approval will have the following elements:

1. An outline of the overall plan to serve *educationally disadvantaged students* and students with special needs that demonstrates an understanding of, and capacity to fulfill, state and federal obligations and requirements pertaining to *educationally disadvantaged students* and students with special needs, including but not limited to the following subgroups: students with IEPs or Section 504 plans; ELL students; students performing below grade level; students identified as intellectually gifted; homeless students; and students at risk of academic failure or dropping out. The plan must identify any other special needs populations and at-risk subgroups that the

proposed school expects to serve, whether through data related to a specifically targeted school or geographic area or more generalized analysis of the population to be served, and describe the evidence or data that was used to determine that the proposed school should anticipate serving the population.

2. For each of the aforementioned subgroups of students with special needs (and any other subgroups the applicant identifies), a comprehensive and compelling plan or explanation for:
 - a. The percentage of the anticipated student population that will likely have special needs and how the evidence or data that was used to make this determination was derived;
 - b. The curriculum, daily schedule, staffing plans, instructional strategies, and resources that will be designed to meet the diverse needs of all students;
 - c. Methods for appropriate identification of potential students with special needs, how these methods will be funded, and how misidentification will be avoided;
 - d. Specific instructional programs, practices, and strategies the proposed school will employ to do things like provide a continuum of services; ensure students' equitable access to general education curriculum; ensure academic success; and opportunities the proposed school will employ or provide to enhance students' abilities;
 - e. Monitoring, assessing, and evaluating the progress and success of students with special needs, including plans for ensuring each student with special education needs attains IEP goals and for exiting ELL students from ELL services;
 - f. For proposed schools that have a high school division, plans for promoting graduation;
 - g. Plans to have qualified staff adequate for the anticipated special needs population, especially during the beginning of the first year; and
 - h. If the proposed school's plan contains a *virtual or blended learning program*, a clear description of how the virtual component addresses students with special needs, which may include IEP meetings and modifications, as necessary, for transitioning to or from a fully or partially virtual learning program.
3. A clear illustration of how the proposed curriculum and Academic Plan will accommodate the academic needs of students performing below grade level and a clear description of the supports and instructional strategies beyond special education that will support underperforming students in meeting and exceeding standards.
4. A clear description of how the proposed school will identify students who would benefit from accelerated learning opportunities through its assessment of students' needs, a clear illustration of how the proposed curriculum will accommodate those performing above grade level, and a comprehensive description of the supports and instructional strategies that will ensure these students are challenged and able to access the level of rigor that aligns with students' individualized needs.

D. School Culture

This section of the proposal should describe the systems, traditions, and policies that will promote high expectations and a positive academic and social environment that fosters students' intellectual, social, and emotional development.

An application that meets the standard for approval will have the following elements:

1. A clear and coherent description of the shared beliefs, attitudes, traditions, and behaviors of the proposed school community, and a detailed plan describing how these shared beliefs, attitudes, customs, and behaviors will be developed and implemented and create a school culture that will promote high expectations and a positive academic and social environment that fosters intellectual, social, and emotional development for all students.
2. A sound plan for developing a proposed school culture that is conducive to a safe learning environment for all students and how the proposed school will adequately identify, assess, monitor, and address the social, emotional, behavioral, and physical health needs of all students on an ongoing basis. The plan should explain the types of activities that the proposed school will engage in to create the school culture.
3. A reasonable and sound plan for the school culture and staff that will intentionally expose students to post-secondary educational and career opportunities at all grade levels. The plan must identify the curricular or extracurricular programs that will provide students with access to college or career preparation and include research-based evidence that these programs increase educational aspirations for the anticipated student population.
4. Student Discipline.
 - a. A clear description of the proposed school's philosophy on cultivating positive student behavior and a student discipline policy that provides for appropriate, effective strategies to support a safe, orderly school climate and fulfillment of academic goals, promoting a strong school culture while respecting student rights.
 - b. Legally sound policies for student discipline, suspension, dismissal, and crisis removal, including the proposed school's code of conduct and procedural due process for all students, including students afforded additional due process measures under IDEA.
 - c. Appropriate plan for including teachers, students, and parents or guardians in the development and/or modification of the proposed school's policies for discipline, suspension, dismissal, and crisis removal.
 - d. Legally sound list and definitions of offenses for which students in the school must (where non-discretionary) or may (where discretionary) be suspended or dismissed.

E. Professional Culture and Staffing

Note: Charter schools are subject to collective bargaining pursuant to HRS Chapter 89, Collective Bargaining in Public Employment. Applicants must ensure that their proposed plan will comply with collective bargaining requirements. Applicants proposing staffing plans that deviate from any Master

Collective Bargaining Agreement must negotiate supplemental agreements with the respective exclusive representatives and should be cognizant of possible limitations of these agreements.

An application that meets the standard for approval will have the following elements:

1. Professional Culture

- a. A sound plan for the creation, implementation, and maintenance of a professional culture and clear explanation of how the professional culture will contribute to staff retention, how faculty and staff will be involved in school level decisions and in developing new initiatives, and how success will be assessed. Professional development and evaluation is covered in Criteria II.F.2 and should not be discussed here.
- b. If a high proportion of economically disadvantaged students is a part of the anticipated student population, a clear description of how the proposed school will address the anticipated academic challenges posed by the lack of socioeconomic diversity and the concentration of poverty among its students.

2. Professional Development

- a. A clear description of the appropriate goals and data-driven strategy of the proposed school for ongoing professional development, including whole staff development, grade/level/course teams, and instructional coaching. The description must explain how professional development topics will be identified and how the professional development plan will be driven by data to improve teaching and learning as well as school performance. The description must also include the process for evaluating the efficacy of the professional development.
- b. A description of professional development opportunities, leadership, and scheduling that effectively support the Academic Plan and are likely to maximize success in improving student achievement, including an adequate induction program. The description must explain what will be covered during the induction period and how teachers will be prepared to deliver any unique or particularly challenging aspects of the curriculum and instructional framework and methods.
- c. A clear description of the expected number of days or hours for regular professional development throughout the school year that includes an explanation of how the proposed school's calendar, daily schedule, and staffing structure accommodate this plan; the time scheduled for common planning or collaboration; and an explanation for how such time will typically be used. The description must identify ways the professional development scheduling conflicts with Master Collective Bargaining Agreements, explain any specific amendments that may be needed through supplemental agreements, and provide an adequate contingency plan in the event such amendments cannot be negotiated under supplemental agreements.
- d. A description identifying the person or position with the time, capacity, and responsibility for coordinating professional development and a reasonable plan for identifying ongoing

professional development needs, including sufficient funds and resources (Title II funds, etc.) for implementing the professional development plan.

3. Staff Structure

- a. A complete staffing chart for the proposed school, using the Staffing Chart Template (Exhibit 2) and provided as **Attachment F**, that clearly indicates all positions, is aligned with the Academic Plan, and proposes a salary structure that is in alignment with the proposed school's budget.
- b. A description of a reasonable rationale for the staffing plan, as demonstrated in the staffing chart, that clearly explains how the relationship between the proposed school's leadership or management team and the rest of the staff will be managed and includes justifiable teacher-student and total adult-student ratios for the proposed school.
- c. If the proposed school has a *virtual or blended learning program*, a clear description for the identification of the position(s) dedicated to IT support and a reasonable plan that clearly ensures sufficient capacity for deploying and managing technology inventory and network needs with minimal interruptions to teaching and learning, including troubleshooting support for school staff and students.

4. Staffing Plans, Hiring, Management, and Evaluation

- a. A clear description of the proposed school's recruitment and hiring strategy, criteria, timeline, and procedures that are likely to result in a strong teaching staff that is highly effective in accordance with the state's plan under the Every Student Succeeds Act ("ESSA") and are well-suited to the proposed school, including other key selection criteria and any special considerations relevant to the proposed school's design. The description must also explain strategies, including compensation packages, that are likely to attract and retain high-performing teachers.
- b. If the proposed school offers a *virtual or blended learning program*, a clear description of the proposed school's recruitment and hiring strategy, criteria, timeline, and procedures that are likely to result in strong virtual learning teachers that have the requisite subject-matter knowledge, technological proficiency, communication skills, and other capabilities necessary to teach effectively in the virtual learning environment.
- c. A clear description of realistic and legally sound procedures for hiring and dismissing school personnel, including procedures for conducting criminal history record checks.
- d. A thoughtful plan for supporting, developing, and annually evaluating school leadership and teachers that is likely to produce and retain a successful staff, including a description of the processes, protocols, framework, criteria, and/or tools that will be used for conducting evaluations, delivering feedback, and coaching. The plan must cite any evidence or existing research supporting the effectiveness of utilizing the specified approach. If already developed, the plan should provide any leadership evaluation tool(s) as **Attachment G** and any teacher evaluation tool(s) as **Attachment H** that are likely to be effective. Evaluation

tools must align with the criteria outlined in BOE Policy 2055 and related provisions of any Master Collective Bargaining Agreements, unless specific amendments are executed in a supplemental agreement. If amendments will be needed, the plan must describe the specific amendments that would be necessary to implement the evaluation tool(s), demonstrate an understanding of the employment environment, and include a reasonable plan for contingencies if the amendments cannot be negotiated under a supplemental agreement.

- e. An effective plan that explains how the proposed school intends to promote or incentivize satisfactory and exceptional school director, management team, and teacher performance and handle unsatisfactory school director, management team, or teacher performance, including effective planning for turnover.
- f. A satisfactory explanation of any deviations in staffing plans, including salaries, from Master Collective Bargaining Agreements, including identification of amendments that would be needed in a supplemental agreement and a reasonable plan for contingencies if such amendments cannot be negotiated under a supplemental agreement.

F. School Calendar and Schedule

Note: While charter schools are exempted from HRS §302A-251, regarding instructional time, charter schools are subject to collective bargaining pursuant to HRS Chapter 89, Collective Bargaining in Public Employment. Applicants must ensure that their proposed plan will comply with collective bargaining requirements. Applicants proposing school calendars and schedules outside of the parameters of HRS §302A-251, must negotiate agreements that supplement any Master Collective Bargaining Agreements and should be cognizant of possible limitations of these agreements.

An application that meets the standard for approval will have the following elements:

1. A school calendar for the proposed school's first year of operation, including total number of days school is in session, hours of instruction, holidays, days off and half days, professional development days, summer programming and/or instruction, first and last days of class and organization of the school year (quarters, semesters, trimesters,) including the beginning and ending of each segment provided as **Attachment I**, and a satisfactory explanation of how the calendar aligns with and clearly reflects the needs of the Academic Plan.
2. A clear description of the structure of the proposed school's day and week that aligns with and clearly reflects the needs of the Academic Plan, including the following:
 - a. A description of the length and schedule of the school week.
 - b. A description of the length and schedule of the school day including start and dismissal times.
 - c. The minimum number of hours or minutes per day and week that the proposed school will devote to academic instruction in each grade.
 - d. The number of instructional hours or minutes in a day for core subjects.

- e. A satisfactory explanation of why the proposed school's daily and weekly schedule will be optimal for student learning.
- f. Clear information about how teachers' work will be organized on a weekly or annual basis, including teacher planning time and professional development. The number of hours or minutes in a day for teacher planning time.
- g. Clear information about the length of the school day and year, including summer school and time allocated for teacher professional development.
- h. A school calendar and student schedule which provides at least as much core instructional time during a school year as required of other public schools.
- i. Explain any aspects of the school year that are not evident on the calendar or would benefit from further elaboration.
- j. Provide as **Attachment J**, a sample weekly student schedule for at least one grade that is representative of each level the school intends to operate (lower elementary, upper elementary, middle, and/or high school). If scheduling structures are unique to each grade, please provide a sample schedule for each grade.
- k. Provide as **Attachment K**, a sample weekly teacher schedule for at least one grade that is representative of each level the school intends to operate. If scheduling structures are unique to each grade, please provide a sample for each grade. Present a typical week of instruction, including: length of the teacher's work day, supervisory time, planning periods, professional development, and any other duties the teacher performs in a given day.
- l. Provide as **Attachment I**, a copy of the proposed school calendar for year one of the school's operations that clearly demonstrates: days that school is in session, holidays, days off and half days, professional development days, summer programming and/or instruction, first and last days of class and organization of the school year (quarters, semesters, trimesters,) including the beginning and ending of each segment.
- m. A clear description, provided as **Attachment D (required attachment, 1 page limit)**, of a school day from the perspective of a student (from their entry into the building to their exit) in a grade that will be served in the proposed school's first year of operation that aligns with the proposed school's vision and plan for school culture.
- n. A clear description, provided as **Attachment E (required attachment, 1 page limit)**, of a school day from the perspective of a teacher in a grade that will be served in the proposed school's first year of operation that aligns with the proposed school's vision and plan for professional culture.

G. Supplemental Programs

This section should describe any supplemental programs that are integral to the proposed school's academic plan. These supplemental programs can be a part of the proposed school's growth plan if they will not be implemented immediately.

An application that meets the standard for approval will have the following elements:

1. If applicable, a description of a sound plan for any summer school programs the proposed school will offer that will meet anticipated student needs, including a clear explanation for how the programs are integral to the proposed school's academic plan, a reasonable schedule and length of the program, and sound funding plan for the programs. If the programs will not be implemented in the first year of operation, the plan must describe the timeline for implementation.
2. If applicable, well-designed plans and identified funding for any extracurricular or co-curricular activities or programs the proposed school will offer that will meet anticipated student needs and provide enrichment experiences that are in alignment with the Academic Plan. The plans must describe how the activities and programs are integral to the proposed school's academic plan, how often they will occur, how they will meet anticipated student needs, and how they will be funded. If the activities or programs will not be implemented in the first year of operation, the plans must describe the timeline for implementation.
 - a. A comprehensive and adequate plan for the operation of the proposed school in the event of termination of the management agreement.

H. Conversion Charter School Additional Academic Information

Note: Any applicant planning to open a Conversion Charter School, as described in HRS Chapter 302D, must complete this section. The Commission will consider Strive HI data reported through the DOE to assess the proposed school's track record.

If an applicant believes that a particular criterion in this section is not applicable to its proposal, the applicant should so state and explain why the applicant believes the particular criterion does not apply. If an applicant believes that a particular criterion in this section has been addressed thoroughly in other parts of the Narrative Proposal, reference those sections.

An application that meets the standard for approval will have the following elements:

1. Performance Record. A clear explanation of the track record, under Strive HI, of the DOE school to be converted and its bearing on the decision to apply for conversion to the charter school model. The explanation must satisfactorily demonstrate that the applicant adequately considered the DOE school's track record and how converting to a charter school would improve academic performance and increase student achievement outcomes for student population currently being served by the DOE school.

III. Organizational Plan

A strong Organizational Plan is coherent overall and aligned internally with the school's mission and vision, Academic Plan, and Financial Plan.

Describe an organizational plan that will incorporate a strong governance and oversight model that will facilitate both your academic and financial plans.

A. Governance

The governing board's mission, vision, and philosophy are not separately rated by the evaluators. However, these mission and vision statements should align with the proposed school's mission and vision and other parts of the application. Proposed schools are strongly encouraged to designate or establish an associated nonprofit organization to assist with fundraising and other support activities, especially during the start-up period, but this is not a requirement.

An application that meets the standard for approval will have the following elements:

1. A clear description of the mission and vision of the proposed school governing board that is aligned with the proposed school's mission and vision. If different from the proposed school's mission and vision, a clear and concise description of the governance philosophy that will guide the proposed school governing board.
2. A description of the responsibilities of the governing board as a whole, its working relationship with the proposed school, and a description of the roles and responsibilities that each member of the governing board will have (i.e. Chairperson, Vice Chairperson, Treasurer, Secretary).
3. Organizational charts, provided as **Attachment M (required attachment, no page limit)**, that clearly indicate all positions and illustrate the proposed school governance, management, and staffing structure in: a) Year 1; and b) all subsequent years until full capacity is reached. The organizational charts must clearly delineate the roles and responsibilities of (and lines of authority and reporting among) the proposed school governing board, staff, any related bodies (such as the proposed school's supporting nonprofit organization, advisory bodies, or parent/teacher councils), and any external organizations that will play a role in managing the proposed school. The organization charts must also document clear lines of authority and reporting between the proposed school governing board and proposed school and within the proposed school.
4. A description of an effective governance structure of the proposed school, including the primary roles of the proposed school governing board and how it will interact with the school director, any school management teams, any essential partners, and any advisory bodies. The description must include the size, current and desired composition, powers, and duties of the proposed school governing board that will foster the proposed school's success; identify key skills or areas of diverse expertise that are or will be effectively represented on the proposed

school governing board; and adequately explain how this governance structure and composition will help ensure that: a) the proposed school will be an academic and operational success; b) the proposed school governing board will effectively evaluate the success of the proposed school and school director; and c) there will be active and effective representation of key stakeholders, including parents or guardians.

5. If the proposed school has a *virtual or blended learning program*, a clear description of the role the governing board will play in the virtual learning program that ensures the effective oversight of the virtual learning program, including a clear and realistic description of the requisite knowledge of virtual learning that the proposed governing board currently possesses or will endeavor to possess.
6. If the membership of Applicant Governing Board has changed from the time it submitted its Intent to Apply Packet, a reasonable explanation justifying the membership changes;
7. Demonstrated will, capacity, and commitment of current and proposed governing board members to govern the proposed school effectively by providing the following:
 - a. A list of all current and identified proposed school governing board members and their intended roles;
 - b. A clear summary of members' qualifications for serving on the proposed school governing board, including an adequate explanation of how each member meets any of the considerations in HRS §302D-12 and will contribute a wide range of knowledge, skills, and commitment needed to oversee a *high-quality charter school*, including academic, financial, legal, and community experience and expertise;
 - c. Completed and signed Board Member Information Sheets (Exhibit 4) and resumes for each proposed governing board member, provided as **Attachment N (required form; no page limit)**, that demonstrates board members share a vision, purpose, and expectations for the proposed school;
 - d. If not all board members have been identified, a comprehensive and sound plan and timeline for identifying and recruiting governing board members with the necessary skills and qualifications, including a description of such skills and qualifications; and
 - e. If the current Applicant Governing Board will transition to a more permanent governing board, a comprehensive and sound plan for such a transition, including a reasonable timeline for recruiting and adding new members; a brief description of the individual and/or collective skills sets the anticipated board members are expected to bring, with specific reference to the skill sets described in HRS §302D-12; a description of the priorities for recruitment of additional or replacement proposed school governing board members and the kinds of orientation or training new members will receive; and identification of any bylaws, policies, or procedures changes that will be necessary for such a transition.
8. A clear description of effective governance procedures, including an explanation of the procedure by which current proposed school governing board members were selected and how

any vacancies will be filled; an explanation of how often the board will meet both during start-up and during the school year; any plans for a committee structure and identification of chairs for any proposed committee(s); and a description of the governing board meetings, including how and where meetings will be conducted, how the governing board will provide meaningful access to the public, and if board meetings are to be conducted virtually (such as through conference calls, videoconference, or web conference).

9. A clear description of any existing relationships, including financial interests, that could pose actual or perceived conflicts if the application is approved, the specific steps that the proposed school governing board will take to avoid any actual conflicts and to mitigate perceived conflicts.
10. A clear description of sound plans for increasing the capacity of the proposed school governing board, orientation of new members, and ongoing training and development for members, including reasonable timelines, specific and thoughtful topics and capacities to be addressed, and requirements for participation.
11. If applicable, a clear and comprehensive description of the proposed school's associated nonprofit organization, including its current tax status and/or the plan and timeline for obtaining tax exempt status and the nonprofit's mission and purpose. The description must specifically identify ways that the proposed school's associated nonprofit organization will support the proposed school (such as community fundraising, developing partnerships, finding alternative funding sources, writing grants, and finding other ways to leverage existing resources) and specify any grants or programs that the nonprofit is planning to use. If the nonprofit's mission is not to solely support the proposed school, the description must also adequately explain any competing interests for the nonprofit's time and resources and how the proposed school will ensure such competing interests will not hinder the school's ability to operate and obtain outside supports.
12. A list of all current and identified nonprofit board members that is in compliance with the State Ethics Code and their intended roles and a description demonstrating that the nonprofit board members have the necessary experience and qualifications relevant to the above means of supporting the proposed school. If none of the current nonprofit board members have the requisite experience or capacity, the description must explain a comprehensive plan to identify and recruit individuals with the necessary experience and capacity.
13. Discuss the procedures to be followed in the event of closure or dissolution of the school. Identify procedures to be followed in the case of the closure or dissolution of the charter school, including provisions for the transfer of students and student records to the complex area in which the charter school is located and for the disposition of the school's assets to the State Public Charter School Commission (SPCSC). Provide assurance that the school will follow any additional procedures required by SPCSC to ensure an orderly closure and dissolution process, including compliance with the applicable requirements of Hawaii Revised Statutes [§302D-19](#).

B. Academic, Financial, and Organizational Performance Management

The Commission will evaluate the performance of every charter school annually and for renewal purposes according to academic, financial, and organizational performance standards that are incorporated in the Charter Contract. The academic performance standard considerations include, but are not limited to: Strive HI performance, growth, and comparative performance based on federal and state requirements. The financial performance standards are based on standard accounting and industry standards for sound financial operation. The organizational performance standards are based primarily on compliance with legal obligations, including fulfillment of the governing board's fiduciary obligations related to sound governance.

An application that meets the standard for approval will have the following elements:

1. Comprehensive and effective plans for evaluating and monitoring academic, financial, and organizational performance that explain how the proposed school will measure and evaluate performance data, including:
 - a. Academic Performance Data Evaluation Plan. A comprehensive and effective plan and system for:
 - i. Collecting, measuring, and analyzing student academic achievement data of individual students, student cohorts, and the school as a whole—throughout the school year, at the end of each academic year, and for the term of the Charter Contract—including identification of the student information system to be used;
 - ii. Using the data to refine and improve instruction, including descriptions of training and support that school directors, any management team, teachers, and governing board members will receive in analyzing, interpreting, and using academic performance data to improve student learning; the qualified person(s), position(s), and/or entities that will be responsible for managing the data, interpreting it for teachers, and leading or coordinating data-driven professional development to improve student achievement; and how the person(s), position(s), and/or entities will be provided time to complete the aforementioned collection, analysis, management, interpretation, and coordination of data-driven professional development; and
 - iii. Reporting the data to the school community.
 - b. Financial Performance Data Evaluation Plan. A comprehensive and effective plan and system for maintaining, managing, compiling, and interpreting financial data monthly, quarterly, annually, and for the term of the Charter Contract, including descriptions of the qualified person(s), position(s), and/or entities that will be responsible for maintaining the data, managing the data, compiling it, and interpreting it for the school director and governing board and how the person(s), position(s), and/or entities will be provided time to complete the aforementioned maintenance, management, compiling, and interpretation.

- c. Organizational Performance Data Evaluation Plan. A comprehensive and effective plan and system for maintaining, managing, compiling, and interpreting organizational performance data monthly, quarterly, annually and for the term of the Charter Contract, including descriptions of the qualified person(s), position(s), and/or entities that will be responsible for compiling data on performance and interpreting it for the school director and governing board and how the person(s), position(s), and/or entities will be provided time to complete the aforementioned compiling and interpretation.
- 2. A clear description of thoughtful, appropriate corrective actions the proposed school will take if it falls short of:
 - a. Student academic achievement expectations or goals at the school-wide, classroom, or individual student level, including an explanation of what would trigger such corrective actions and the person(s), position(s), and/or entities that would be responsible for implementing them.
 - b. Financial performance standards set in the Financial Performance Framework, including an explanation of the actions that would be taken if the proposed school is issued Notices of Concern or Deficiency under the terms of the Charter Contract, if the independent auditor issues findings, or if the proposed school encounters financial difficulties.
 - c. Organizational performance standards set in the Organizational Performance Framework, including an explanation of the actions that would be taken if the proposed school is issued Notices of Concern or Deficiency under the terms of the Charter Contract or if the proposed school has a corrective action plan approved by the Commission.

C. Ongoing Operations

An application that meets the standard for approval will have the following elements:

1. If the proposed school will provide daily transportation, a sound plan describing the transportation arrangements for prospective students, including a description of how the proposed school plans to meet transportation needs for field trips and athletic events. If the proposed school will not provide daily transportation, what were the factors that led to this decision and what was the impact of not providing transportation?
2. Sound plans for safety and security for students, the facility, and property, including descriptions of policies and the types of security personnel, technology, and equipment that the proposed school will employ. If the proposed school has a *virtual or blended learning program*, the description must include physical or virtual security features to deter theft.
3. If the proposed school will provide food service, a sound plan describing the proposed school's plan for providing food to its students, including plans for a facility with a certified kitchen,

transporting food from a certified kitchen, or other means of providing food service that is in compliance with applicable laws. If the proposed school will not provide food service, what were the factors that led to this decision and what will be the impact of not providing food service?

D. Student Recruitment, Admission, and Enrollment

All student recruitment, admissions, and enrollment decisions must be made in a nondiscriminatory manner and without regard to race, color, ethnicity, national origin, religion, sex, sexual orientation, marital status, income level, academic or athletic ability, disability, need for special education services, or lack of proficiency in the English language. The Commission may grant enrollment preferences in accordance with HRS §302D-34.

An application that meets the standard for approval will have the following elements:

1. A sound, thoughtful, and comprehensive plan for student recruitment and marketing that will provide equal access to interested students and families and specifically describes plans for outreach to families in poverty, academically low-achieving students, students with disabilities, and other youth at risk of academic failure, as well as plans for promoting socioeconomic and/or demographic diversity, including a description of how the proposed school will attempt to make itself attractive to families with relatively higher incomes and/or levels of formal education if the proposed school is projecting a high percentage of free and reduced lunch and intends to achieve socioeconomic and/or demographic diversity.
2. If applicable, the identification and description of any enrollment preferences that the proposed school would request that are in compliance with federal and state law and any Commission policies or guidelines, including a reasonable justification for the enrollment preference request.
3. An admission and enrollment policy, provided as **Attachment O (no page limit)**, that complies with applicable laws and any Commission policies or guidelines, ensures the proposed school will be open to all eligible students, and includes:
 - a. A reasonable timeline and comprehensive plan for the application period, including admission and enrollment deadlines and procedures and an explanation of how the school will receive and process applications;
 - b. A reasonable timeline and comprehensive plan for student recruitment or engagement and enrollment;
 - c. Effective procedures for lotteries, waiting lists, withdrawals, re-enrollment, and transfers in accordance with state and Commission requirements;
 - d. Descriptions of reasonable pre-admission activities for students and parents or guardians, including an explanation of the purpose of such activities;
 - e. A description of how the school will ensure that it will meet its enrollment targets; and
 - f. A contingency plan if enrollment targets are not met.

E. Geographic Location and Facilities

The proposed school's geographic location will determine things such as the DOE complex area(s) in which the proposed school is included and the DES that the proposed school will be assigned to for special education purposes. Charter school facilities must comply with applicable state and county health and safety requirements. In addition, charter school applicants must be prepared to follow applicable county planning review procedures and obtain all necessary certifications, permits, and inspections.

An application that meets the standard for approval will have the following elements:

1. Geographic Location.

- a. A description, with reasonable specificity, of the geographic location of the proposed school's facility, including the DOE complex area(s) in which the proposed school will be located.
- b. A reasonable rationale for selecting the geographic location and a comprehensive description of the research conducted, if any, to support that rationale.

2. Facilities.

- a. If the proposed school has obtained a facility, a description of the facility—including address, square footage, square footage rent, amenities, previous use, and what needs to be done in order for the facility to be in compliance and meet requirements to serve as a school—demonstrating that the facility is reasonably adequate for the intended purposes, has a sound plan and timeline for renovating and bringing the facility into compliance with applicable building codes, and will meet the requirements of the Academic Plan, including the needs of the anticipated student population. If the proposed school has a *virtual or blended learning program*, or relies heavily on technology, the description must adequately explain how the facility will support the proposed technology model, including electrical capacity and access to sufficient network capacity.

OR

If the proposed school has not obtained a facility, a comprehensive, reasonable, and sound plan and timeline for identifying, securing, renovating, and financing a facility—including identification any brokers or consultants the applicant is employing—that will be in compliance with applicable building codes and meet the requirements of the Academic Plan, including the needs of the anticipated student population. The plan must briefly describe possible facilities within the geographic area in Criterion III.E.1, including addresses, square footage, square footage rent, amenities, previous use, and a general assessment of what needs to be done to bring each possible facility into compliance. If the proposed school has a *virtual or blended learning program*, or relies heavily on technology, the description must adequately explain how each possible facility will support the proposed technology model, including electrical capacity and access to sufficient network capacity.

- b. If the proposed school plans to add students or grade levels during the first five years, a reasonable and sound facility growth plan that shows how the school will accommodate the additional square footage necessary for additional students, faculty, and staff and sufficiently identifies any permits or rezoning that might be necessary to implement the facility growth plan.

F. Start-Up Period

*In accordance with the start-up charter school process, as shown in **Figure 6**, an approved applicant will not be able to hire employees who receive state benefits or receive funding until it completes its Pre-Opening Assurances. Generally, a Pre-Opening Charter School will not complete its Pre-Opening Assurances until a month or two before the school actually opens because these assurances include elements with practical limitations, such as proof of enrollment of the projected student body and facility compliance. The soonest that the first allocation of state per-pupil funding can be released to a charter school, once it has completed its Pre-Opening Assurances, is July 20th.*

Note: The management plan for the start-up year presented in the application will serve as the basis for the Pre-Opening Assurances.

An application that meets the standard for approval will have the following elements:

1. A comprehensive, reasonable, and sound management plan for the start-up period, provided as **Attachment Q (no page limit)**, that aligns with the Academic, Organizational, and Financial Plans (including the start-up year (Year 0) budget in the Financial Plan Workbook). The management plan must detail the start-up plan for the proposed school, including specific tasks, timelines, milestones, and responsible individuals for each of the following areas
 - a. Plans to obtain financing for the proposed school's facility, highlighting the alignment of the financing plan with the timing of obtaining and renovating the facility, as described in Criterion III.E.2;
 - b. Plans to fund the start-up period, including all plans for fundraising and grant writing and a description of any specific fundraising opportunities and grants the applicant has identified;
 - c. Plans to market the proposed school to the school's anticipated student population and develop partnerships with other charter schools, DOE schools, and private schools to identify possible students and achieve the proposed school's projected enrollment, including any other ways the applicant plans to achieve its projected enrollment;
 - d. Plans to hire teachers, administrative staff, and support staff during the start-up period, if any, incorporating the timelines for hiring teachers, described in Criteria II.F.4, and delivering the professional development, described in Criteria II.F.2;
 - e. Plans to identify, recruit, select, and add or replace new governing board members that align with the recruitment plan described in Criterion III.A.7.d, the governing board transition plan described in Criterion III.A.7.e, and any governing board training described in Criterion III.A.10, as applicable; and
 - f. Any other plans for activities that will need to be completed during the start-up period, such as the selection of curriculum materials, as applicable.

2. A sound plan for leading the development of the school during its pre-opening phase, including identification of capable individuals who will work on a full-time or nearly full-time basis following approval of the application to lead development and implementation of the plan to open the proposed school and a description of a viable plan to obtain the funding necessary to compensate these individuals that is aligned with the budget.

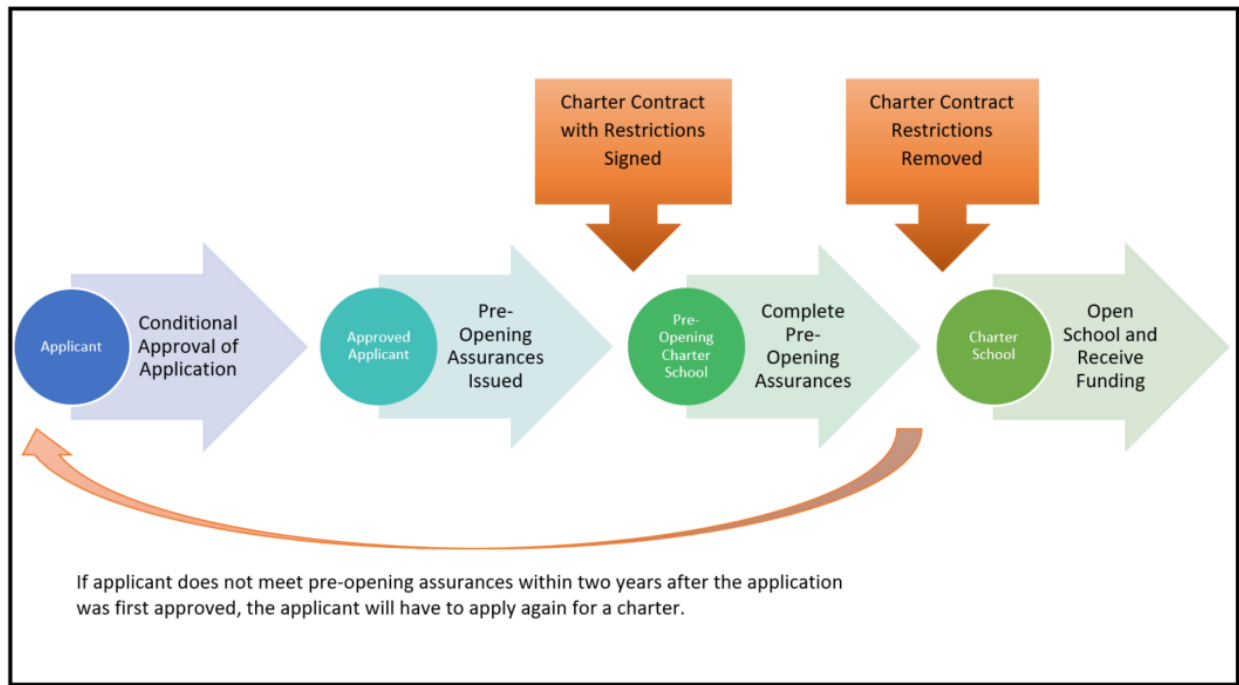


Figure 6: Start-Up Charter School Process

G. Conversion Charter School Additional Organizational Information

Note: Any applicant planning to open a Conversion Charter School, as described in HRS Chapter 302D, must complete this section. Conversion Charter Schools, even after they convert to a charter school, continue to serve as the home school for the former DOE school's designated DOE geographic area. A Conversion Charter School must accept students living within its DOE geographic area regardless of space or capacity considerations. Students from outside the DOE geographic area may enroll at a Conversion Charter School in accordance with the school's admission and enrollment policy.

If an applicant believes that a particular criterion in this section is not applicable to its proposal, the applicant should so state and explain why the applicant believes the particular criterion does not apply. If an applicant believes that a particular criterion in this section has been answered thoroughly in other parts of the Narrative Proposal, reference those sections.

An application that meets the standard for approval will have the following elements:

1. School Community

- a. A certification and supporting documentation, provided as **Attachment EE (no page limit)**, as verifiable evidence that this application was approved by a majority of the votes cast by existing administrative, support, and teaching personnel and parents or guardians of students at the existing DOE school. The documentation must include a breakdown of the number of administrative, support, and teaching personnel and parents or guardians of students who constitute the existing DOE school and the number of each of the aforementioned groups who actually participated in the vote.
- b. A clear explanation of the process used to engage various stakeholder groups and collect evidence of support that demonstrates that there was reasonable effort to encourage engagement from all stakeholders, especially faculty and families, in discussing and deciding to apply for a Conversion Charter School.
- c. A clear description and explanation of the degree of opposition to the conversion, the reasons for opposition, and any other community stakeholders that support conversion, including, provided as **Attachment FF (no page limit)**, any additional evidence of community support for the conversion and opposition to the conversion. The description must adequately explain how the proposed school and governing board will address any opposition to ensure there are no negative impacts to student learning and the operations of the school.

2. Staff Plans and Evaluation

- a. A clear description of the rights and management issues of employees at the existing DOE school, and a detailed framework that addresses any issues and protects the rights of such employees.

3. Facilities

- a. A sound plan for the use of the existing DOE school facilities that is aligned with the proposed budget, including a reasonable timeline for negotiating a lease or memorandum of agreement with the DOE, a plan for ongoing upkeep and maintenance, and any plans for renovation.

4. Nonprofit Organization as Applicant. *Note: Only applicants proposing a Conversion Charter School where a nonprofit organization will operate and manage the proposed school and the nonprofit organization's board of directors will serve as the Conversion Charter School's governing board need to complete this section.*

- a. A clear description of the organizational structure of the nonprofit organization and reasonable and legally sound plans for how it will also serve as the governing board of the Conversion Charter School and how governing board members will be selected. If the nonprofit organization is going to appoint advisory groups of community representatives for each school managed by the nonprofit organization, the description must include the organizational structure and scope of jurisdiction for each advisory group.

- b. The nonprofit organization's bylaws or policies, provided as **Attachment R (required attachment, no page limit)**, that are legally sound and describe the manner in which business is conducted and policies that relate to the management of potential conflict of interest situations.
- c. A clear description that demonstrates that the nonprofit organization possess sufficient experience in the management and operation of public or private schools or plans to enter into an agreement to obtain services from another entity or entities possessing such experience.
- d. A reasonable explanation of how the nonprofit organization will execute and implement its start-up plan without interfering in the operations of the existing DOE school until authorized to do so by the Commission.
- e. A description of any licensure or accreditation requirements, such as registration with the Department of Commerce and Consumer Affairs, the nonprofit organization must comply with and the status of any such licenses or accreditations that demonstrates the nonprofit is in good standing with all such requirements.

H. Third-Party Service Providers

Note: This section is required of any applicant intending to contract with a Service Provider. A Service Provider is any third-party entity, whether nonprofit or for-profit (including CMOs, EMOs, and ESPs), that provides comprehensive education management services to a school via contract with the school's governing board. If the proposed school plans to contract with more than one Service Provider, the application must address the criteria below for each Service Provider, as applicable.

An application that meets the standard for approval will have the following elements:

1. Service Provider Selection and Track Record

- a. A reasonable explanation of why the applicant is seeking to contract with a Service Provider rather than operate the proposed school(s) directly.
- b. A description of a thorough process that the applicant used to identify, vet, and select the Service Provider. The description must explain how and why the Service Provider was selected, including when and how the applicant learned of the Service Provider, which other Service Providers were considered, why the Service Provider was selected over other Service Providers, and what due diligence was conducted, including a summary of the findings of the reference checks conducted by the applicant.
- c. If the Service Provider is providing academic services, evidence demonstrating academic success, especially in the grade levels the proposed school intends to serve, including academic performance data of all clients of the Service Provider that demonstrates the provider's services lead to *high-quality charter schools*, as defined in the RFP. Provide, as **Attachment AA (no page limit)**, academic performance data for each of the Service Provider's charter school clients that shows evidence of strong academic results for the past

three years (or over the life of the charter school, if the school has been open for fewer than three years), based on the following factors:

- i. Increased student academic achievement and attainment (including, if applicable and available, high school graduation rates and college and other postsecondary education enrollment rates) for all students, including, as applicable, *educationally disadvantaged students*, as defined in the RFP, served by the charter school;
 - ii. Either—
 - 1. Demonstrated success in closing historic achievement gaps for the following subgroups of students at the charter school: low-income students, students from major racial and ethnic groups, students with disabilities, and English language learners; or
 - 2. No significant achievement gaps between any of those subgroups of students at the charter school and significant gains in student academic achievement for all populations of students served by the charter school; and
 - iii. Results (including, if applicable and available, performance on statewide tests, annual student attendance and retention rates, high school graduation rates, college and other postsecondary education attendance rates, and college and other postsecondary education persistence rates) for low-income and other *educationally disadvantaged students* served by the charter school that are above the average academic achievement results for such students in the state.
- d. A listing and explanation of any management contract terminations, charter revocations, non-renewals, or withdrawals or non-openings that the proposed Service Provider has experienced in the past five years that does not indicate that the Service Provider lacks the necessary capacity or display inconsistencies in its academic, organizational, or financial performance. The explanation must reference the other jurisdictions where the Service Provider operates or services other charter schools and provide, as **Attachment BB (no page limit)**, a list of all the charter schools operated or managed by the Service Provider, the respective authorizer for each of those charter schools, and contact information for each authorizer.
 - e. A list or description of all charter schools operated or managed by the Service Provider that are accredited, if any, including a list or description of the accrediting organization for each accredited school and a current accreditation report from one of those schools, provided as **Attachment CC (no page limit)**, that demonstrates strong organizational health attributable to the Service Provider.

2. Legal Relationships

- a. Full disclosure of any existing or potential conflicts of interest between the proposed school governing board, proposed school's employees, proposed Service Provider, and any affiliated business entities and a satisfactory explanation as to how such existing or potential conflicts of interest will be addressed.
- b. A list of all subsidiaries or related entities that are affiliated or owned in whole or in part by the Service Provider, a description of the nature of those entities' business activities, an explanation as to whether the proposed school has or will have any relationship with or receive any services from any of those entities, and a reasonable justification for any such relationship.
- c. If the Service Provider will have supervisory responsibilities, a description of the supervision of the proposed school employees by the Service Provider that is reasonable, legally sound, and aligns to Master Collective Bargaining Agreements and gives the proposed school governing board oversight over the Service Provider's supervisory responsibilities. The description must explain the supervisory responsibilities of the Service Provider, including which school employees the Service Provider will supervise, how the Service Provider will supervise these employees, and how the proposed school governing board will oversee the Service Provider's supervisory responsibilities.
- d. If the proposed school governing board intends to enter into any type of lease, lease-purchase agreement, or any other facility or financing relationships with the Service Provider, draft facility or financing agreements, or other evidence, provided as **Attachment DD (no page limit)**, that:
 - i. Demonstrate such agreements are separately documented and not part of or incorporated in the proposed school's management contract; and
 - ii. Ensure any agreements are consistent with the proposed school governing board's authority and practical ability to terminate the management agreement and continue operation of the proposed school.
- e. A description of any loans, grants, or investments made between the Service Provider and the proposed school or the proposed school's associated nonprofit organization, including a legally sound explanation of how any such loans, grants, or investments may be initiated, repaid, and refused by the proposed school or the proposed school's associated nonprofit, as applicable.

3. Service Provider's Organizational Structure

- a. A detailed description of the roles and responsibilities of the Service Provider that adequately and accurately describes how the Service Provider fits into the proposed school's organizational structure and how the organizational structure ensures the proposed school governing board is independent from the Service Provider and self-governing, including a satisfactory description of independent legal representation and arm's-length negotiating.

- b. A satisfactory business plan that demonstrates the Service Provider will be able to provide the services in the management agreement. The business plan must explain how the Service Provider will grow, scale, or adjust its operations to ensure quality service to the proposed school.
- c. An effective and comprehensive oversight and evaluation plan for overseeing the Service Provider. The oversight and evaluation plan must include the school-wide and student achievement results that the management organization is responsible for achieving, the methods the proposed school governing board will use to review and evaluate the Service Provider's progress toward achieving agreed-upon goals, the frequency of such reviews and evaluations, an explanation whether there will be an external evaluator to assess the Service Provider's performance, and the conditions, standards, and procedures for the proposed school governing board intervention, if the Service Provider's performance is deemed unsatisfactory.
- d. A comprehensive description of the respective financial responsibilities of the proposed school governing board and the Service Provider that allows for reasonable financial controls from the proposed school governing board. The description must include details about who will own property purchased with public funds, which operating and capital expenditures each party be responsible for, the types of spending decisions the Service Provider can make without obtaining board approval, the reports the Service Provider must submit to the proposed school governing board on financial performance and the schedule for reporting, and how the proposed school governing board will provide financial oversight.

IV. Financial Plan

A strong Financial Plan is coherent overall and aligned internally with the school's mission and vision, Academic Plan, and Organizational Plan.

Describe a financial plan that will sustain your academic plan and operations.

A. Financial Oversight and Management

An application that meets the standard for approval will have the following elements:

1. A clear description that gives reasonable assurance that the proposed school will have sound systems, policies, and processes for financial planning, accounting, purchasing, and payroll, including an adequate explanation of how the proposed school will establish and maintain strong internal controls and ensure compliance with all financial reporting requirements. The description must also explain the plans and procedures for conducting an annual audit of the financial and administrative operations of the proposed school that is in accordance with state law, including a reasonable annual cost estimate of the audit that is included in the Financial Plan Workbook.
2. A clear description of the roles and responsibilities that demonstrates a strong understanding of the appropriate delineation of such roles and responsibilities among the proposed school leadership team or management team and proposed school governing board regarding school financial oversight and management.
3. A description of sound criteria and procedures for selecting vendors or contractors for any administrative services, such as business services, payroll, and auditing services, including reasonable anticipated costs that are reflected in the Financial Plan Workbook.

B. Operating Budget

Charter schools are subject to HRS Chapter 37D and, as agencies of the State, may not enter into financing agreements or take out lines of credit without the approval of the Department of Budget and Finance as to fiscal responsibility and approval from the Department of the Attorney General as to form and legality.

*Note: In developing the proposed school's budget, use the following per-pupil annual funding projection: **\$7,292.00**. This amount is the current projected per-pupil funding amount for the 2018-2019 school year.*

An application that meets the standard for approval will have the following elements:

1. Complete, realistic, and viable start-up and three-year operating budgets, provided through the Financial Plan Workbook (Exhibit 5 and 5a) as **Attachment S**, that align to the Academic and Organizational Plans.

2. Budget Narrative. A detailed budget narrative that clearly explains reasonable, well-supported cost assumptions and funding estimates, including but not limited to the basis for funding projections, staffing levels, and costs. The narrative must specifically address the degree to which the school budget will rely on variable income (especially for grants, donations, and fundraising) and must include the following:
- a. A description indicating the amount and sources of funds, property, or other resources expected to be available not only via per-pupil funding but also through corporations, foundations, grants, donations, and any other potential funding sources. The description must note which are secured and which are anticipated; explain evidence of commitment, and provide such evidence as **Attachment T (no page limit)**, for any funds on which the proposed school's core operation depends (*e.g.*, grant award letters, MOUs); and describe any restrictions on any of the aforementioned funds.
 - b. A sound contingency plan to meet financial needs if anticipated funding is not received or is lower than estimated, including contingencies for scenarios where the official enrollment of the proposed school is substantially lower than projected and/or anticipated variable income is not received. The contingency plan must also include a Year 1 cash flow contingency, in the event that funding projections are not met in advance of opening.
 - c. If the proposed school has a *virtual or blended learning program*, a clear and comprehensive description of the necessary costs for delivery of such program, including costs associated with hardware, software, peripheral needs (cases, headphones, chargers, etc.), storage, and network infrastructure needs, as applicable.

V. Applicant Capacity

The applicant's capacity is evaluated based on the applicant's individual and collective qualifications (including, but not limited to, documented and relevant credentials and experience reflected in the resumes of all members) and the applicant's demonstrated understanding of challenges, issues, and requirements associated with running a high-quality charter school (including, but not limited to, the application and Capacity Interview responses).

How do the qualifications and accomplishments of your school's leadership team and governing board members demonstrate an ability to open and manage a high quality school?

A. Academic Plan Capacity

An application that meets the standard for approval will have the following elements:

1. Evidence that the key members of the proposed school's academic team have the collective qualifications and capacity (which may include, but is not limited to, documented and relevant credentials and experience reflected in the resumes of all members and an understanding, as demonstrated by the application responses, of challenges, issues, and requirements associated with running a *high-quality charter school*) to implement the school's Academic Plan successfully. The evidence must include a description that:
 - a. Clearly identifies the key members of the applicant's academic team that will play a substantial role in the successful implementation of the Academic Plan, including current or proposed governing board members, school leadership or management, and any essential partners who will play an important ongoing role in the proposed school's development and operation; and
 - b. Describes the academic team's individual and collective qualifications for implementing the proposed school's Academic Plan successfully, including sufficient capacity in areas such as school leadership, administration, and governance; curriculum, instruction, and assessment; performance management; and parent or guardian and community engagement.
2. A description of the academic team's clear ties to and/or knowledge of the community in the geographic area where the facility is or will be and/or areas where the anticipated student population will come from.
3. A description that identifies any organizations, agencies, or consultants that are essential partners to the successful planning and establishing of the proposed school and/or implementation of the Academic Plan; explains the current and planned roles of such essential partners and any resources they have contributed or plan to contribute to the proposed school's development; and includes evidence of support, provided as **Attachment U (no page limit)** (such as letters of intent or commitment, memoranda of understanding, and/or contracts), from

such essential partners demonstrating these partners are committed to an ongoing role with the proposed school, if applicable.

4. School Director.

Submit a position description for the school director. The applicant is required to provide the position description as **Attachment W (required attachment, no page limit)**. The position description shall include:

- a. The job description, responsibilities, characteristics, and qualifications for the school director. The position description shall include rigorous criteria that is designed to recruit a school director with the experience and ability to design, launch, and lead a *high-quality charter school* that will effectively serve the anticipated student population and implement the Academic Plan; and
- b. A timeline that aligns with the proposed school's start-up plan and a comprehensive plan for a thorough recruiting and selection process where candidates will be screened using rigorous criteria.

Submit **Attachment V** to indicate that the school director is known or unknown at the time of the application.

- c. If known, identify the school director, and provide as **Attachment V (required attachment, no page limit)** the school director's resume including their academic and organizational leadership record.

5. Management Team.

Submit position descriptions for a business manager and registrar (or positions that will carry out the duties of a business manager and registrar). These positions will make up the proposed school's leadership or management team beyond the school director. The applicant is required to provide the position descriptions as **Attachment Y (required attachment, no page limit)**. The description must include:

- a. The job description, responsibilities, characteristics, and qualifications for the business manager and registrar. The position description shall include rigorous criteria that is designed to recruit individuals for these positions that have the experience and ability to perform the duties of each position.
- b. A timeline that aligns with the proposed school's start-up plan and a comprehensive plan for a thorough recruiting and selection process where candidates will be screened using rigorous criteria.

Submit **Attachment X (required attachment, no page limit)** to indicate that the business manager and registrar is known or unknown at the time of the application.

- c. If known, identify the individuals who will fill these positions and provide, as **Attachment X (required attachment, no page limit)**, the resumes for these individuals as evidence that the individuals demonstrate the qualifications, capacities, and commitment to carry out their designated roles to ensure the success of the proposed school.

B. Organizational Plan Capacity

An application that meets the standard for approval will have the following elements:

1. Evidence that the key members of the proposed school's organization team have the collective qualifications and capacity (which may include, but is not limited to, documented and relevant credentials and experience reflected in the resumes of all members and an understanding, as demonstrated by the application responses, of challenges, issues, and requirements associated with running a *high-quality charter school*) to implement the school's Organizational Plan successfully. The evidence must include a description that:
 - a. Clearly identifies the key members of the applicant's organization team that will play a substantial role in the successful implementation of the Organizational Plan, including current or proposed governing board members, school leadership or management, and any essential partners who will play an important ongoing role in the Organizational Plan; and
 - b. Describes the organization team's individual and collective qualifications for implementing the proposed school's Organizational Plan successfully, including sufficient capacity in areas such as staffing, professional development, performance management, general operations, facilities acquisition, development (such as build-out or renovations), and management.
2. A description that identifies any organizations, agencies, or consultants that are essential partners in planning, establishing, or implementing the proposed school's Organizational Plan; explains the current and planned roles of such partners and any resources they have contributed or plan to contribute to the proposed school's development of its Organizational Plan; and includes evidence of support, included in **Attachment U** (as referenced in Criterion V.A.3), from such essential partners demonstrating these partners are committed to planning, establishing, and/or implementing the Organizational Plan.

C. Financial Management Capacity

An application that meets the standard for approval will have the following elements:

1. Evidence that the key members of the proposed school's financial team have the collective qualifications and capacity (which may include, but is not limited to, documented and relevant credentials and experience reflected in the resumes of all members and an understanding, as demonstrated by the application responses, of challenges, issues, and requirements associated with running a *high-quality charter school*) to implement the school's Financial Plan successfully. The evidence must include a description that:
 - a. Clearly identifies the key members of the applicant's financial team that will play a substantial role in the successful implementation of the Financial Plan, including current or proposed governing board members, school leadership or management, and any essential

partners who will play an important ongoing role in the proposed school's Financial Plan;
and

- b. Describes the financial team's individual and collective qualifications for implementing the proposed school's Financial Plan successfully, including sufficient capacity in areas such as financial management, fundraising and development, accounting, and internal controls.
2. A description that identifies any organizations, agencies, or consultants that are essential partners in planning, establishing, or implementing the proposed school's Financial Plan; explains the current and planned roles of such partners and any resources they have contributed or plan to contribute to the proposed school's development of its Financial Plan; and includes evidence of support, included in **Attachment U** (as referenced in Criterion V.A.3), from such essential partners demonstrating these partners are committed to planning, establishing, and/or implementing the Financial Plan.

Exhibits

- | | |
|-------------------|-------------------------------|
| Exhibit 1. | Enrollment Plan |
| Exhibit 2. | Staffing Chart Template |
| Exhibit 3. | Statement of Assurances Form |
| Exhibit 4. | Board Member Information Form |
| Exhibit 5. | Financial Plan Workbook |
| Exhibit 6. | Final Review Checklist |
| Exhibit 7. | Charter Contract Template |

Exhibit 1: Enrollment Plan

Enrollment Plan

Grade Level	Number of Students											
	Year 1		Year 2		Year 3		Year 4		Year 5		Capacity	
	2020-2021		2021-2022		2022-2023		2023-2024		2024-2025		20__	
Brick & Mortar/ Blended vs. Virtual	B&M/ Blended	Virtual	B&M/ Blended	Virtual	B&M/ Blended	Virtual	B&M/ Blended	Virtual	B&M/ Blended	Virtual	B&M/ Blended	Virtual
K												
1												
2												
3												
4												
5												
6												
7												
8												
9												
10												
11												
12												
Subtotals												
Totals												

Exhibit 2: Staffing Chart Template

Staffing Chart

Use the appropriate table below to outline the staffing plan for the proposed school. Adjust or add functions and titles and add or delete rows as needed. Include the salary and full-time employee (“FTE”) equivalency (*e.g.*, 1.0 FTE, 0.5 FTE, etc.) for each position for each year.

Elementary School Staffing Model and Rollout

Title	Salary and FTE Per Position Per Year					Capacity 20__
	Year 1 2020	Year 2 2021	Year 3 2022	Year 4 2023	Year 5 2024	
School Director						
Assistant School Director						
Add'l School Leadership Position 1 [specify]						
Add'l School Leadership Position 2 [specify]						
Add'l School Leadership Position 3 [specify]						
Classroom Teachers (Core Subjects)						
Classroom Teachers (Specials)						
Student Support Position 1 [specify: <i>e.g.</i> , Social Worker]						
Student Support Position 2 [specify]						
Specialized School Staff 1 [specify]						
Specialized School Staff 2 [specify]						
Teacher Aides and Assistants						
School Operations Support Staff						
Total FTEs						
Total Salaries						

Middle School Staffing Model and Rollout

Title	Salary and FTE Per Position Per Year					Capacity 20__
	Year 1 2020	Year 2 2021	Year 3 2022	Year 4 2023	Year 5 2024	
School Director						
Assistant School Director						
Add'l School Leadership Position 1 [specify]						
Add'l School Leadership Position 2 [specify]						
Add'l School Leadership Position 3 [specify]						
Classroom Teachers (Core Subjects)						
Classroom Teachers (Specials)						
Student Support Position 1 [specify: <i>e.g.</i> , Social Worker]						

Student Support Position 2 [specify]						
Specialized School Staff 1 [specify]						
Specialized School Staff 2 [specify]						
Teacher Aides and Assistants						
School Operations Support Staff						
Total FTEs						
Total Salaries						

High School Staffing Model and Rollout

Title	Salary and FTE Per Position Per Year					Capacity 20__
	Year 1 2020	Year 2 2021	Year 3 2022	Year 4 2023	Year 5 2024	
School Director						
Assistant School Director						
Dean(s)						
Add'l School Leadership Position 1 [specify]						
Add'l School Leadership Position 2 [specify]						
Add'l School Leadership Position 3 [specify]						
Classroom Teachers (Core Subjects)						
Classroom Teachers (Specials)						
Student Support Position 1 [specify: <i>e.g.</i> , Social Worker]						
Student Support Position 2 [specify]						
Specialized School Staff 1 [specify]						
Specialized School Staff 2 [specify]						
Teacher Aides and Assistants						
School Operations Support Staff						
Total FTEs						
Total Salary						

Exhibit 3: Statement of Assurances Form

Statement of Assurances

Please print this form, and initial each item in the box provided. The form must be SIGNED by an authorized representative of the Applicant Governing Board.

The Applicant Governing Board agrees to comply with all of the following provisions, specifically, if approved the governing board and school:

- ☐ will operate in compliance with all applicable state and federal laws, including, but not limited to, HRS Chapter 302D;
- ☐ will operate as a public, nonsectarian, non-religious public school with control of instruction vested in the governing board of the school under the general supervision of the Commission and in compliance with the Charter Contract and HRS Chapter 302D;
- ☐ will operate in accordance with and comply with all of the requirements of Master Collective Bargaining Agreements, pursuant to HRS Chapter 89, and negotiate any supplemental agreements necessary;
- ☐ will, for the life of the Charter Contract, participate in all data reporting and evaluation activities as requested by the U.S. Department of Education and the Hawaii Department of Education, including participation in any federal or state funded charter school evaluations or studies, final grant report documentation, and financial statements;
- ☐ will provide special education services for students as provided in Title 49, Chapter 10, and Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, and Part B of the Individuals with Disabilities Education Act;
- ☐ will ensure that a student's records and, if applicable, a student's individualized education program, as defined in Section 602(11) of the Individuals with Disabilities Act, will follow the student, in accordance with applicable law (P.L. 107-110, section 5208);
- ☐ will comply with all provisions of Every Student Succeeds Act, including, but not limited to, provisions on school prayer, the Boy Scouts of America Equal Access Act, the Armed Forces Recruiter Access to Students and Student Recruiting Information, the Unsafe School Choice Option, the Family Educational Rights and Privacy Act, and assessments [P.L. 107-110];
- ☐ will follow all federal and state laws and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, national origin, religion, ancestry, or need for special education services, including, but not limited to, the Age Discrimination Act of 1975, Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and Part B of the Individuals with Disabilities Education Act;
- ☐ will adhere to all provisions of federal law relating to students who are limited English proficient, including Title VI of the Civil Rights Act of 1964 and the Equal Educational Opportunities Act of 1974, that are applicable to it;

- ☐ will ensure equitable program participation, as required under Section 427 of the General Education Provision Act;
- ☐ will follow any federal and state court orders in place in the local school district;
- ☐ will comply with federal and state applicable health and safety standards;
- ☐ will permit the Commission to audit, review, and inspect the operator's activities, books, documents, papers, and other records;
- ☐ will comply with all federal and state audit requirements and ensure that arrangements have been made to finance those mandatory audits;
 - (1) will employ individuals to teach who hold a license to teach in a public school in Hawaii or meet the minimum requirements for licensure as defined by the State Board of Education;
- ☐ will operate on a July 1 to June 30 fiscal year and will adopt and operate under an annual budget for such fiscal year;
- ☐ will maintain its accounts and records in accordance with generally accepted accounting principles;
- ☐ will prepare and publish an annual financial report that encompasses all funds and includes the audited financial statements of the charter school; and
- ☐ will read, understand, and agree to comply with all parts of the Charter Contract, including, but not limited to, the performance standards and requirements established by the Charter Contract and attached performance framework.

Certification

Name of Proposed

School: _____

Name of Authorized

Representative: _____

I, the undersigned, do hereby agree to the assurances contained above.

Signature of Authorized Representative

Date

Exhibit 4: Board Member Information Form

Board Member Information

To be completed individually by each Applicant Governing Board member.

All forms must be signed by hand.

Serving on a public charter school governing board is a position of public trust and fiduciary responsibility. As a governing board member of a public school, you are responsible for ensuring the quality of the school's plans, competent stewardship of public funds, and the school's fulfillment of its public obligations and all terms of its Charter Contract.

As part of the application for a new charter school, the Commission requires that each prospective governing board member respond individually to this questionnaire. Where narrative responses are required, brief responses are sufficient.

The purpose of this questionnaire is twofold: 1) to give application reviewers a clearer introduction to the team behind each school proposal in advance of the applicant interview; and 2) to encourage governing board members to reflect individually, as well as collectively, on their common mission, purposes, and obligations at the earliest stage of school development. Please add the full name of your school to the footer of this document so that it appears on all pages.

Background- describe your role and time commitment

1. Name of charter school on whose governing board you intend to serve:

2. Contact information:

Name:

Phone:

E-mail:

Describe your role and indicate your position on the governing board.

Describe your educational and employment history. No narrative response is required if a resume and professional biography are attached.

☐ Resume and professional bio are attached to this form.

Indicate whether you currently or have previously served on a board of a school district, another charter school, a non-public school, or any nonprofit organization.

☐ Does not apply to me ☐ Yes

Why do you wish to serve on the governing board of the proposed charter school?

What is your understanding of the appropriate role of a public charter school governing board member?

Describe any previous experience you have that is relevant to serving on the charter school's governing 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.

Describe the specific knowledge and experience that you would bring to the governing board.

School Mission and Plan

1. What is your understanding of the school's mission and guiding beliefs?
2. What is your understanding of the school's proposed academic plan?
3. What do you believe to be the characteristics of a successful school?
4. How will you know that the school is succeeding or is not succeeding in its mission?

Governance

1. Describe the role that the governing board will play in the school's operation.
2. How will you know if the school is successful at the end of the first year of operation?
3. How will you know at the end of five years if the school is successful?
4. What specific steps do you think the governing board will need to take to ensure that the school is successful?
5. How would you handle a situation in which you believe one or more members of the governing board were acting unethically or not in the best interests of the school?

Disclosures

1. Indicate whether you or your spouse knows the other prospective governing board members for the proposed school. If so, please indicate the precise nature of your relationship.
☐ I/we do not know these individuals ☐ Yes
2. Indicate whether you or your spouse knows any person who will be a school employee. If so, indicate the precise nature of your relationship.
☐ I/we do not know any such employees ☐ Yes
3. Indicate whether you or your spouse knows anyone who is doing, or plans to do, business with the charter school (whether as an individual or as a director, officer, employee, or agent of an entity). If so, indicate and describe the precise nature of your relationship and the nature of the business that such person or entity is transacting or will be transacting with the school.
☐ I/we do not know any such persons ☐ Yes
4. Indicate if you, your spouse, or other immediate family members anticipate conducting, or are conducting, any business with the school. If so, indicate the precise nature of the business that is being or will be conducted.
☐ I/we do not anticipate conducting any such business ☐ Yes

5. Indicate if you, your spouse, or other immediate family members have a financial interest in the school or a financial interest with a vendor or education service provider to the school. If so, indicate the precise nature of the financial interest that you have.
☐ I/we do not have a financial interest ☐ Yes
6. If the school intends to contract with an education service provider or management organization, indicate whether you or your spouse knows any employees, officers, owners, directors, or agents of that provider. If the answer is in the affirmative, please describe any such relationship.
☐ Not applicable because the school does not intend to contact with an education service provider or school management organization.
☐ I/we do not know any such persons ☐ Yes
7. If the school contracts with an education service provider, please indicate whether you, your spouse, or other immediate family members have a direct or indirect ownership, employment, contractual, or management interest in the provider. For any interest indicated, provide a detailed description.
☐ N/A. ☐ I/we have no such interest ☐ Yes
8. If the school plans to contract with an education service provider, indicate if you, your spouse, or other immediate family member anticipate conducting, or are conducting, any business with the provider. If so, indicate the precise nature of the business that is being or will be conducted.
☐ N/A ☐ I/we or my family do not anticipate conducting any such business ☐ Yes
9. Indicate whether you, your spouse, or other immediate family members are a director, officer, employee, partner, or member of, or are otherwise associated with, any organization that is partnering with the charter school. To the extent you have provided this information in response to prior items, you may so indicate.
☐ Does not apply to me, my spouse or family ☐ Yes
10. Indicate any potential ethical or legal conflicts of interests that would or are likely to exist should you serve on the school's governing board.
☐ None ☐ Yes

Certification

I, _____, certify to the best of my knowledge and ability that the information I am providing to the State Public Charter School Commission as a prospective governing board member is true and correct in every respect. I agree to notify the Commission if there are any changes to the above disclosures.

Signature

Date

Exhibits 5 and 5a: Financial Plan Workbook

Exhibit 6: Final Review Checklist

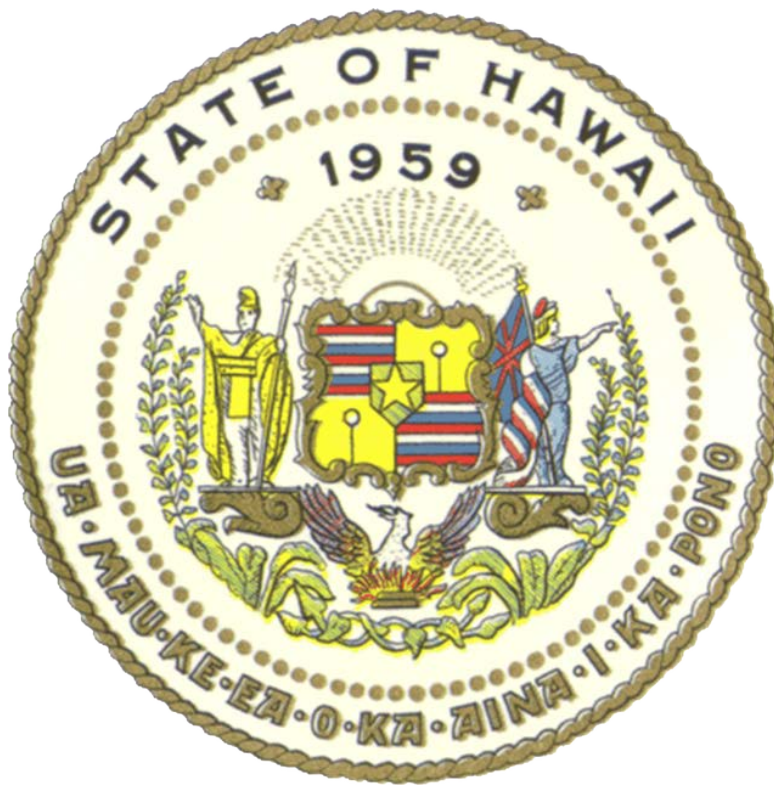
Final Review Checklist

Initial each item to indicate that it has been completed.

- ☐ A copy of the application and all of its attachments has been saved for your records.
- ☐ All required attachments have been submitted.
- ☐ The application adheres to all applicable page and word limits.
- ☐ All elements of the application have been converted to proper format for submission.
- ☐ Application does not contain handwritten parts (other than signatures).
- ☐ Every page of the narrative proposal is properly labeled with a page number and name of the proposed school in the footer.

Exhibit 7: Charter Contract Template

State Public Charter School Commission



Public Charter School Contract

[*school name*]

Effective July 1, 2017

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PARTIES

This Contract is executed by and between the STATE PUBLIC CHARTER SCHOOL COMMISSION (“Commission”), a commission established under the laws of the State of Hawaii, whose mailing address is 1111 Bishop Street, Suite 516, Honolulu, Hawaii, 96813, and [School Name] (“School”), whose mailing address is [School Mailing Address], singularly “Party” and collectively “Parties.”

SECTION I. PURPOSE, TERM AND CONDITIONS

Charter school contracts are the operational legal agreements between the authorizer who approves charter applications and renewals, provide ongoing accountability oversight, and, if necessary, closures of public charter schools. The Commission authorizes public charter schools in accordance with the Hawaii State Legislature enacted Act 130, Session Laws of Hawaii 2012, effective June 19, 2012 and codified as Chapter 302D, Hawaii Revised Statutes (HRS), which sets forth the laws under which charter schools are created and governed.

Mission – [§302D-3] State public charter school commission; establishment; appointment.

(a) There is established the state public charter school commission with statewide chartering jurisdiction and authority. The commission shall be placed within the department for administrative purposes only. Notwithstanding section 302D-25 and any law to the contrary, the commission shall be subject to chapter 92.

(b) The mission of the commission shall be to authorize high-quality public charter schools throughout the State.

Hawaii State Legislature enacted Act 130, Session Laws of Hawaii 2012, effective June 19, 2012 and codified as Chapter 302D, HRS, which sets forth the laws under which charter schools are created and governed.

Pursuant to Chapter 302D, HRS, the Commission has statewide chartering jurisdiction and authority and is empowered to authorize public charter schools and enter into a charter contract with approved public charter schools. Section 302D-1, HRS, defines the “charter contract” as a fixed-term, bilateral, renewable contract between a public charter school and a charter school authorizer that outlines the role, powers, responsibilities, and performance expectations for each party to the contract. Through this Charter Contract, the Parties are desirous of ensuring clear requirements for accountability while preserving the autonomy of the School to support new, innovative approaches to education and contribute to the development of high quality public charter schools throughout the State.

The Commission is committed to support new approaches to education that accommodate the individual needs of students and provide the State with successful templates that can dramatically improve Hawaii's educational standards for the twenty-first century, and that ACT 130 will create genuine opportunities for communities to implement innovative models of community-based education.

The Commission is committed to the innovative nature and potential of dual language and cultural pathways in Hawaii public education system and affirms a commitment to develop a sensitive and appropriate evaluation framework for schools instructing in dual language and cultural contexts. The Commission is committed in engaging with the State Board of Education (BOE), the Hawaii Department of Education (DOE), charter schools, and other stakeholders in efforts, initiatives, and aspirations for

Hawaiian education programs as reflected in Article X Section IV of the Hawaii State Constitution and BOE policies, including BOE policies E3 and 105-8.

The Commission shall operate ethically and comply with ethical standards of conduct, federal and state laws, rules, regulations, policies, procedures, and guidance to promote public trust and confidence in public education. The Commission will adhere to the Hawaii State Code of Ethics and the Code of Ethics for public employees of the state as prescribed in Chapter 84 of the Hawaii Revised Statutes and Board of Education Policy 201-1.

The Commission shall approve quality charter applications that meet identified educational needs of the state, promote a diversity of educational opportunities and ensure the compliance of a public charter school it authorizes with all applicable state and federal laws, including reporting requirements.

The Commission shall produce and provide an annual report pursuant to Section 302D-7, HRS to include but not limited to; summarizing the Commission's strategic vision for chartering and progress towards that vision, academic and financial performance of all operating public charter schools overseen by the commission, commission's operating budget through its audited financials in compliance with generally accepted accounting principles, and a breakdown of federal funds received by the department and distributed by the commission.

The Commission shall distribute the School's per-pupil allocation each fiscal year pursuant to Section 302D-28(f), HRS, and shall provide the School with the calculations used to determine the per-pupil amount each year. All funds distributed to the School from the Commission shall be used solely for the School's educational purposes as appropriated by the Legislature, and the School shall have discretion to determine how such funding shall be allocated at the school level to serve those purposes subject to applicable laws and this Contract. The Commission shall distribute the School's per-pupil allocation each fiscal year pursuant to Section 302D-28(f), HRS, and shall provide the School with the calculations used to determine the per-pupil amount each year.

Charter Schools as defined in Section 302D-1, HRS are public schools that have the flexibility and independent authority to implement alternative frameworks with regard to curriculum, facilities management, instructional approach, virtual education, length of the school day, week, or year, and personnel management.

This contract—a charter—is a legally binding agreement that permits the school to operate and articulates **the rights and responsibilities of each party regarding school autonomy**, funding, administration and oversight, outcomes, measures for evaluating success or failure, performance consequences, and other material terms.

SECTION II. GENERAL TERMS

Section 2.1 Entire Contract

The Parties intend this Charter Contract, including all attachments and exhibits, to represent a final and complete expression of their agreement, which shall be considered the Charter Contract. All prior representations, understandings, and discussions are merged herein, and no course of prior dealings between the Parties shall supplement or explain any terms used in this document. The parties understand that any amendments to this Charter Contract needs to be in writing and expressly approved by the Commission.

Section 2.2 Amendments

Any amendment to this Contract shall be effective only if approved by a majority vote of the Commission at a public meeting.

The School may submit any proposed requested amendment to the Commission in accordance with instructions provided by the Commission. The School shall not take action related to the requested amendment until the Commission has approved said amendment. A violation of this provision shall be considered material and substantial and may be grounds for immediate revocation of this Charter Contract.

Changes in operation that require the School to obtain an amendment to this Contract include but are not limited to the following changes:

- a. To any material term of the School's Educational Program (Exhibit A);
- b. In school location (relocation of site or adding or terminating sites);
- c. In school management arrangement (such as intention to hire or terminate a management provider);
- d. In admissions or enrollment policies or procedures.

Section 2.3 Term

The term of this Contract shall be [*Number of years*] years, commencing on July 1, 2017, and terminating on June 30, 20[*Year*].

Section 2.4 Governing Law

This Charter Contract shall be governed by and construed in accordance with the laws of the State of Hawaii, including all requirements imposed by applicable policy and regulation, and all applicable federal laws of the United States.

Section 2.5 Compliance with Laws

The School and the Commission shall comply with all applicable federal, State, and city and county laws, ordinances, codes, rules, and regulations, as the same may be amended from time to time.

Section 2.6 Conflict Between Contract, Law, and Administration Rules

In the event of a conflict between this Charter Contract, State law, and the administrative rules pertaining to charter schools, the order of precedence shall be State law, followed by administrative rule, followed by the terms and conditions of this Charter Contract.

Section 2.7 Legal Status of School

Pursuant to Sections 302D-1 and 302D-25, HRS, the School is a public school and entity of the State and may not bring suit against any other entity or agency of the State. The School shall be nonsectarian in its operations.

Section 2.8 Board of Education Authority

Pursuant to its duties under Article X, Section 3, of the Hawaii State Constitution, the BOE has the power to formulate statewide educational policy. The School shall only be subject to BOE policies expressly identified by the BOE as applying to charter schools. Should conflicts between an applicable BOE policy and a provision in this Charter Contract occur, the BOE policy shall control.

Section 2.9 Non-Assignability

The School shall not assign or subcontract any duty, obligation, right, or interest under this Charter Contract without prior written approval of the Commission. A violation of this provision shall be considered material and substantial and may be grounds for immediate revocation of this Charter Contract.

Section 2.10 Notices

Unless otherwise specified by law, any written notice required to be given by a Party to this Charter Contract shall be delivered: (a) personally, (b) by United States first class mail, postage prepaid, to the Parties' mailing addresses first indicated in this Charter Contract; or (c) electronically via email.

A notice shall be deemed to have been received three business days after mailing or at the time of actual receipt, whichever is earlier. For notices sent electronically via email, the notice shall be deemed to be received once the Party sending the notice receives confirmation via an email tracking notice.

Parties are responsible for notifying each other in writing of any change of mailing and email addresses.

Section 2.11 Severability

In the event that any provision of this Charter Contract is declared invalid or unenforceable by a court, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining terms of this Charter Contract.

Section 2.12 Waiver

The failure of either Party to insist upon the strict performance of or compliance with any term, provision, or condition of this Charter Contract shall not constitute or be deemed to constitute a waiver or relinquishment of the Parties' right to enforce the same in accordance with this Charter Contract.

Section 2.13 No Third-Party Beneficiary

The enforcement of the terms and conditions of this Charter Contract shall be strictly reserved to the Commission and the School. Nothing contained in this Charter Contract shall give or allow any claim or right of action whatsoever by any other person. It is the express intent of the Parties to this Charter Contract that any person receiving services or benefits hereunder shall be deemed an incidental beneficiary only, without enforceable rights against a Party to this Charter Contract.

SECTION III. GOVERNANCE OF SCHOOL

Section 3.1 Governing Board Responsibilities

The School's Governing Board is the independent board of the School that is responsible for the financial, organizational, and academic viability of the School; possesses the independent authority to determine the organization and management of the School, the curriculum, and the instructional methods; has the power to negotiate supplemental collective bargaining agreements with exclusive representatives of their employees and is considered the employer of School employees for purposes of Chapters 76, 78 and 89, HRS; and ensures compliance with applicable laws.

Section 3.2 State Code of Ethics and Code of Conduct

The School's Governing Board and employees shall comply with the State Code of Ethics, codified in Chapter 84, HRS. The School's Governing Board, employees, contractors, and volunteers shall also comply with the Code of Conduct developed and implemented by the Commission, as required in BOE Policy 201-1, as may be amended.

Section 3.3 Governing Board Reporting

The School's Governing Board shall notify the Commission within 14 business days of any membership changes on the Governing Board.

The School's Governing Board shall make the following documents available at a publicly accessible area in its office so as to be available for review during regular business hours, and on its website, and by the respective due dates:

- a. A list of the current names and contact information of the Governing Board's members and officers;
- b. The schedule of Governing Board meetings by September 1 of each year;
- c. Governing Board meeting notices and agendas as specified in Section 302D-12, HRS; and
- d. Governing Board meeting minutes as specified in Section 302D-12, HRS.

SECTION IV. EDUCATIONAL PROGRAM

Section 4.1 School's Control

Subject to the terms and conditions of this Charter Contract, the School shall have control over and responsibility for the design and delivery of the educational program and for attaining the academic performance standards and targets established in the Performance Frameworks attached as Exhibit B and, subject to Section 4.2 of this Charter Contract, shall have the discretion to modify, amend, adapt, and otherwise change its educational program as it deems necessary to achieve the academic performance standards and targets.

Section 4.2 Material Elements of Educational Program

The material elements of the School's Educational Program, including but not limited to the School's mission and vision statements, are as set forth in Exhibit A to this Charter Contract. The School shall, at all times, operate in a manner consistent with its Educational Program as defined in Exhibit A. Revisions to any of the elements in Exhibit A (such as establishing, creating, or expanding a virtual or blended learning programs or expanding or eliminating a division) shall be considered a material change to the Charter Contract and shall require prior written approval by the Commission. Where appropriate, this approval shall be informed by an analysis of the School's performance on the Performance Frameworks under Section 5.1 of this Charter Contract particularly to the extent that such changes are intended to improve educational outcomes.

Section 4.3 Academic Standards

As determined by BOE Policy 102-3, as may be amended, the School shall implement the Common Core or other State academic standards.

The School shall retain the autonomy to select a particular curricular and/or instructional approach consistent with the Common Core or other applicable State academic standards.

Section 4.4 Graduation Requirements for High School

The School shall comply with the high school graduation requirements set in BOE Policy 102-15, as may be amended, provided that the School may request a waiver of this policy from the BOE and shall notify the Commission in writing of any approved waivers within 14 business days.

Section 4.5 Education of Students with Disabilities

The DOE is the State of Hawaii's "state education agency" (SEA) and "local education agency" (LEA) for purposes of compliance with the Individuals with Disabilities Education Act (IDEA). All public schools, including charter schools, are part of and fall under the LEA. As such, the School shall comply with all applicable federal and State laws, rules, policies, procedures, and directives regarding the education of students with disabilities, including but not limited to Chapter 8-60, Hawaii Administrative Rules (HAR).

The Commission shall collaborate with the DOE to develop guidelines related to the provision of special education services and resources to each charter school.

The DOE is statutorily responsible for the provision of a free appropriate public education as defined by Section 504 of the Rehabilitation Act of 1973 ("Section 504") and IDEA. If the School enrolls special education students or identifies one of its students as eligible for special education, the School shall be responsible for ensuring the educational and related services that are required by a student's individualized education program (IEP) pursuant to Section 302D-30, HRS.

The programs and services for the student shall be determined collaboratively by the student's IEP team, which includes the student's parents or legal guardian.

Section 4.6 Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act Amendments Act of 2008

The School shall comply with Section 504 and the Americans with Disabilities Act Amendments Act of 2008 and all related DOE rules, policies, and procedures in its general curriculum, including but not limited to implementation of any Section 504 plan that has been developed for a student, all as may be amended from time to time. The DOE may provide training, consultation, and advice to the School as needed with regard to Section 504 compliance, including legal interpretations, recommendations for intervention strategies, and assistance in conducting Section 504 plan and review meetings.

Section 4.7 English Language Learners/English Learners

The School shall provide services to students who are English Language Learners (English Learners) in compliance with all applicable federal and State laws, regulations, rules, court orders, policies, procedures, and guidance, all as may be amended from time to time, to ensure linguistic accessibility to the School's educational program. Should the DOE continue to provide the Commission funding to administer this technical assistance, the Commission shall provide the School such technical assistance. The School shall also assist Immigrant Children and Youth, as defined in Section 3301(6), Title III, Elementary and Secondary Education Act, as the same may be amended from time to time, in meeting the State academic content and student academic achievement standards that all public school students are expected to meet.

SECTION V. SCHOOL PERFORMANCE

Section 5.1 Performance Frameworks

The School's academic, organizational, and financial performance under this Charter Contract shall be evaluated using the Academic, Organizational, and Financial Performance Frameworks, respectively, attached as Exhibit B to this Charter Contract. The specific terms, forms, and requirements of the Performance Frameworks, including any required indicators, measures, metrics, and targets, are maintained and disseminated by the Commission and shall be binding on the School. Material changes to the Performance Frameworks shall require approval by the Commission.

Section 5.2 Modification to Performance Frameworks

The Parties acknowledge that specific terms, forms, and requirements of the Performance Frameworks may be modified to the extent required to align with changes to applicable State or federal accountability requirements as set forth in law or policies or based on other circumstances that make assessment based on the existing Performance Framework requirements impracticable.

Section 5.3 State Accountability System

The School shall be subject to the State public school accountability system and comply with all requirements related to the State assessment for all public schools. The School shall also be subject to mandatory reporting requirements from the United States Department of Education. The School shall administer all student testing as required by applicable federal and State law, rule, policies, and procedures.

SECTION VI. FINANCIAL MATTERS

Section 6.1 Fiscal Responsibilities

The School shall maintain accurate and comprehensive financial records, practice governmental accounting in accordance with Generally Accepted Accounting Principles, and use public funds in a fiscally responsible manner.

Section 6.2 Fiscal Year

The fiscal year for the School shall begin on July 1 and end on June 30 of the subsequent calendar year.

Section 6.3 Procurement

Pursuant to Sections 302D-25(b) and 302D-12(d), HRS, the School and its Governing Board shall be exempt from Chapter 103D, HRS. However, the School's Governing Board shall develop and adhere to a policy for the procurement of goods, services, and construction consistent with the goals of public accountability and public procurement practices. The policy shall be readily accessible from the School's website as described in Section 8.9 of this Charter Contract

Section 6.4 Management and Financial Controls

The School's Governing Board shall develop and adhere to a policy for the School's financial management that shall be readily accessible from the School's website, as described in Section 8.9. This policy shall allow the School to maintain appropriate governance and management procedures and financial controls which shall include, but not be limited to:

- a. Budgets;
- b. Accounting policies and procedures;
- c. Payroll procedures;
- d. Financial reporting; and
- e. Internal control procedures for receipts, disbursements, purchases, payroll, inventory, and fixed assets.

Section 6.5 Assets

The School shall maintain a complete and current inventory of all of its property and shall update the inventory annually. The School shall take all necessary precautions to safeguard assets acquired with public funds.

Section 6.6 Chart of Accounts

The Commission may require the School to follow a uniform chart of accounts; provided that the Commission shall provide a reasonable time period for the School to convert to such chart of accounts.

Section 6.7 Transfer of Funds to Affiliated Nonprofit or Educational Service Provider

The School shall not transfer public funds to any affiliated nonprofit or educational service provider except for legitimate and reasonable payments from the School to the affiliated nonprofit or

educational service provider pursuant to a written legal agreement. The School shall provide the Commission a copy of any newly executed agreement between the affiliated nonprofit or educational service provider and the School within 14 business days of execution.

Section 6.8 Financing Agreements

The School shall comply with Chapter 37D, HRS, relating to financing agreements, which requires the approval of the attorney general. "Financing agreement" means any lease purchase agreement, installment sale agreement, loan agreement, line of credit or other agreement of the department or, with the approval of the director, and any agency, to finance the improvement, use or acquisition of real or personal property that is or will be owned or operated by one or more agencies of the State, the department or any agency, or to refinance previously executed financing agreements including certificates of participation relating thereto. The School shall not act as a guarantor of any such financing agreement.

Section 6.9 Insurance

The School shall be covered under the Statewide Risk Management Program pursuant to Chapter 41D, HRS, for liability, property, crime, and automobile insurance. The School shall comply with all applicable laws, rules, policies, procedures, and directives of the Department of Accounting and General Services' Risk Management Office. The School may purchase additional insurance coverage if so desired.

Section 6.10 Per-pupil Funding

The School's non-facility general fund per-pupil funding shall be as defined in Section 302D-28, HRS. All funds distributed to the School from the Commission shall be used solely for the School's educational purposes as appropriated by the Legislature, and the School shall have discretion to determine how such funding shall be allocated at the school level to serve those purposes subject to applicable laws and this Charter Contract.

Section 6.11 Per-pupil Funding: Enrollment Count Reports for Funding

The School shall provide the Commission projected enrollment counts as required for funding, budgeting, and reporting purposes by May 15. The Commission shall obtain actual enrollment counts directly from student information data systems to determine the School's per-pupil funding.

Section 6.12 Per-pupil Funding: Funding Subject to Appropriation

The general fund per-pupil funding is contingent upon legislative appropriation and allocation of funds. If the Legislature fails to appropriate sufficient monies or if the appropriation is reduced by the Governor or by any other means and the effect of such non-appropriation or reduction is to provide insufficient monies for the continuation of the School, this Charter Contract shall terminate on the last day of the fiscal year for which sufficient funds are available.

Section 6.13 Per-pupil Funding: Adjustments to Funding

The Commission's disbursement of per-pupil funds may be adjusted for the following reasons:

- a. To reconcile projected versus actual enrollment counts;

- b. To adjust the per-pupil amount due to restriction by the Governor or other reduction action;
- c. To adjust the actual enrollment count based on an audit of pupil counts and per pupil revenue that impact the funding received by the School; or
- d. To withhold funds due to non-compliance in accordance with Section 302D-28, HRS.

The Commission shall have the discretion to determine whether to make an adjustment by:

- a. Reconciling the adjusted amount in a subsequent disbursement to the School; or
- b. Either making payment to the School or requiring reimbursement from the School with at least thirty (30) days' written notice by the Commission.

Section 6.14 Per-pupil Funding: Facility Funds

In each year in which funds are appropriated for charter school facility purposes, the Commission shall allocate the funds among eligible charter schools, as provided for in Section 302D-29.5, HRS. All funds distributed to the School shall be restricted to the purposes of the appropriation.

Section 6.15 Per-pupil Funding: Federal Funding

Pursuant to Section 302D-28, HRS, the School shall be eligible for all federal financial support to the same extent as all other public schools. The Commission shall distribute federal funds to the School in accordance with applicable federal and state rules and regulations. The Commission shall make the allocation methods publicly available.

Section 6.16 Per-pupil Funding: Title I Funding

The School, if eligible, shall use Title I, Part A funds in accordance with applicable federal and state law and regulations including programmatic and fiscal requirements, and the Commission shall provide information to assist the School in understanding Title I, Part A requirements. The School shall provide a school plan that includes the components and school improvement elements required under Title I, Part A.

Section 6.17 Per-pupil Funding: Additional Funds

The School may accept monetary contributions or grants and shall comply with all applicable State or federal laws regarding such monetary contributions or grants.

Section 6.18 Per-pupil Funding: Fees

Pursuant to Section 302D-28, HRS, the School may charge reasonable fees, to the extent permitted by law, for co-curricular activities.

Section 6.19 Financial Reporting: Budget and Cash Flow

The School shall prepare and provide to the Commission a copy of its annual budget as approved by the School's Governing Board and cash flow projections for each upcoming fiscal year by June 15 or two weeks after the Commission notifies the School of the anticipated amount of State non-facility general fund per-pupil funding to be allocated, whichever is later.

Section 6.20 Financial Reporting: Quarterly Financial Reports

The School shall prepare and submit quarterly financial reports to the Commission within 30 calendar days of the end of each fiscal year quarter.

Section 6.21 Financial Reporting: Annual Audits and Financial Reviews

Each fiscal year, the School shall provide for an independent annual financial audit conducted in accordance with Generally Accepted Auditing Standards and Governmental Auditing Standards and performed by a certified public accountant (CPA); provided the Commission may allow a financial review, pursuant to Section 302D-32, HRS. The School shall provide the completed audit or financial review to the Commission by November 1, after the conclusion of the fiscal year; provided that the Commission, with reasonable notice to the School, may change the deadline depending on circumstances. The School shall pay for the audit or financial review if an appropriation is not made by the Legislature for such purpose.

SECTION VII. STUDENT ADMISSION, ENROLLMENT, WITHDRAWAL, & DISMISSAL

Section 7.1 Compulsory Education

The School shall follow the age and compulsory attendance requirements set in Section 302A-1132, HRS.

Section 7.2 No Tuition or Fees for Admission, Enrollment, or Attendance

Pursuant to Section 302D-28, HRS, the School shall not assess tuition, contributions, or fees of any kind as a condition of admission, enrollment, or attendance. The School may charge fees for co-curricular activities, as described in Section 6.18 of this Charter Contract.

Section 7.3 Admissions

The School shall comply with its admission policies and procedures as approved by the Commission. If the number of applicants exceeds the School's capacity of a program, class, grade level, or building, the School shall select students to enroll using a public lottery that shall be publicly noticed; provided that if the School is a conversion charter school serving as the home school for the DOE district, then the School shall follow Section 302D-34(c), HRS. These policies and procedures shall be readily accessible from the School's website, as described in Section 8.9 of this Charter Contract

Section 7.4 Enrollment

Pursuant to Section 302D-34, HRS, the School shall make all student recruitment, admissions, enrollment, and retention decisions in a nondiscriminatory manner and without regard to race, color, ethnicity, national origin, religion, gender, sexual orientation, income level, disability, level of proficiency in the English language, need for special education services, or academic or athletic ability. The School shall maintain accurate and complete enrollment data.

The School shall not impose enrollment preferences, except as allowed for in Section 302D-34, HRS. Any enrollment preferences adopted by the School shall be included in the admissions policy and procedures, as described in Section 7.3 of this Charter Contract.

Section 7.5 Attendance

The School's Governing Board shall maintain and adhere to a policy for attendance. The policy shall be readily accessible from the School's website, as described in Section 8.9 of the Charter Contract. The School shall maintain daily records of student attendance and absences.

Section 7.6 Attendance: Virtual or Blended Learning School/Program

If the School is a virtual or blended learning school/program, the School's attendance policy shall include:

- a. School procedures to account for student attendance online; and
- b. The requirements for on-site attendance for each course and grade level.

Section 7.7 Dismissal

The School shall not dismiss or transfer a student involuntarily, unless the dismissal or transfer is accomplished through procedures established by the School that are in compliance with Sections 302A-1134 and 302A-1134.6, HRS, and due process requirements, provided that any dismissal of a student with a disability shall comply with the requirements of Chapter 8-60, HAR.

Section 7.8 Withdrawal and Transfer

The School shall adopt and adhere to withdrawal and transfer procedures which provide for the timely release of any student who withdraws from the School and/or transfers to another school. The School's withdrawal and transfer procedures shall also provide for the transfer of the student's records to the new school in a reasonable timeframe.

SECTION VIII. OPERATION OF SCHOOL

Section 8.1 Student Records

The School shall maintain student records for current and former students in accordance with the requirements of State and federal law, including the Family Education Rights and Privacy Act, 20 U.S.C. § 1232g (FERPA), as may be amended from time to time.

Section 8.2 Records Retention

The School shall comply with all applicable federal and State requirements pertaining to the retention of all School records. As a State entity, the School shall comply with the policies and guidelines of the Department of Accounting and General Services, Archives Division, Records Management Branch, with regard to the retention and disposal of government records.

Section 8.3 Open Records Law

The School shall comply with Chapter 92F, HRS, the Uniform Information Practices Act.

Section 8.4 Student Conduct and Discipline

The School shall adopt, update, and adhere to written policies concerning standards of student conduct and discipline which shall comply with all applicable federal and State laws. The School shall provide this policy to parent(s)/guardian(s) and students at the start of each school year and shall make this policy readily accessible from the School's website, as described in Section 8.9 of this Charter Contract.

Section 8.5 Punishment of Pupils

Pursuant to Section 302A-1141, HRS, no physical punishment of any kind may be inflicted upon any pupil.

Section 8.6 Complaints Process

The School shall adopt and adhere to a process for resolving public complaints which shall include an opportunity for complainants to be heard by the School's Governing Board. For matters concerning the operations and administration of the School, the decision by the School's Governing Board shall be considered final, except where the complaint pertains to a possible violation of any law or breach of this Charter Contract. In the case of a possible violation of law or breach of the Charter Contract, the Commission or other appropriate state agency may investigate the validity of the complaint to determine whether additional actions are needed. The complaints process shall be readily accessible from the School's website, as described in Section 8.9, of this Charter Contract.

Section 8.7 Contracting with an Educational Service Provider

The School shall not enter into a contract or subcontract for comprehensive management or administration services of its core educational program or services, unless otherwise agreed to in writing by the Commission or identified in Exhibit A (Educational Program) and reviewed and approved as to form by the School's Deputy Attorney General. Such contracting is conditioned upon the School

developing a management agreement with the educational service provider that meets the conditions in Exhibit C to this Contract; provided requirements of a School Improvement Grant or other federal grant shall control.

Section 8.8 Transportation

The School may provide its own transportation services, provide transportation through an agreement or contract with a private provider, or access any other school transportation provided to it by law. Pursuant to Section 286-181, HRS, any transportation services provided by the School shall follow the safety rules and standards relating to school vehicles, equipment, and drivers adopted by the Department of Transportation.

Section 8.9 School Policies

The School shall make the current versions of the following policies and procedures readily accessible from its website:

- a. Admissions policies and procedures, as described in Section 7.3 of this Charter Contract;
- b. Student conduct and discipline policy, as described in Section 8.4 of this Charter Contract;
- c. Complaints procedures, as described in Section 8.6 of this Charter Contract;
- d. Attendance policies and procedures, as described in Section 7.5 of this Charter Contract;
- e. Procurement policy, as described in Section 6.3 of this Charter Contract;
- f. Safety plan, as described in Section 9.1 of this Charter Contract;
- g. Financial management policies and procedures, as described in Section 6.4 of this Charter Contract; and
- h. Personnel policies, as described in Section 12.8 of this Charter Contract.

SECTION IX. HEALTH AND SAFETY

Section 9.1 Safe Environment

The School shall maintain a safe learning environment at all times. The School shall develop and adhere to a safety plan, which shall be readily accessible from the School's website, as described in Section 8.9 of this Charter Contract.

Section 9.2 Health Clearances

The School shall comply with Sections 302A-1154 to 302A-1163, HRS, and Chapter 11-157, HAR, requiring documentation that each student has received immunizations against communicable diseases, is free from tuberculosis in a communicable form, and has received a physical examination. Pursuant to Section 302A-1161, HRS, if a child does not complete the immunizations or physical examination required within the period provided by Section 302A-1155, HRS, after provisional entry into school, the School shall notify the parent or guardian of the child that if the required immunizations or physical examination is not completed within thirty days of the date of the notice, the child shall not be admitted to the School.

Section 9.3 Student Health

The School shall provide appropriate first aid care for ill and injured students. The School may recommend that parents seek the help of medical professionals or appropriate health agencies for cases beyond its scope of responsibility.

Section 9.4 Reporting of Crime-related Incidents

The School shall adopt policies and procedures to:

- a. Require a report to appropriate authorities from a teacher, official, or other employee of the School who knows or has reason to believe that an act has been committed or will be committed, which:
 - (1) Occurred or will occur on School property during School hours or during activities supervised by the School; and
 - (2) Involves crimes relating to arson, assault, burglary, disorderly conduct, dangerous weapons, dangerous drugs, harmful drugs, extortion, firearms, gambling, harassment, intoxicating drugs, marijuana or marijuana concentrate, murder, attempted murder, sexual offenses, rendering a false alarm, criminal property damage, robbery, terroristic threatening, theft, or trespass;
- b. Establish procedures for reporting any incident; and
- c. Impose appropriate disciplinary action for failure to report these incidents, including probation, suspension, demotion, and discharge of School officials.

Section 9.5 Use of Tobacco Prohibited

Pursuant to section 302A-102, HRS, the School shall prohibit the use of tobacco at its school or at School functions.

SECTION X. STUDENT RECORDS AND DATA

Section 10.1 Educational Data

Pursuant to Section 302D-23, HRS, the School shall comply with the minimum educational data reporting standards established by the BOE and with additional data reporting required by the Commission in its oversight of this Contract and shall ensure all data is accurate and complete.

Section 10.2 Reporting of Data and School Information

The School shall provide to the Commission, in the format and timeframe prescribed by the Commission, any data necessary and reasonably required by the Commission to meet its oversight and reporting obligations. The Commission shall provide by June 1 the list of anticipated reports and due dates and provide this information to the School.

Section 10.3 Commission's Annual Report to the BOE and Legislature

Pursuant to Section 302D-17, HRS, the Commission shall publish and provide an annual report on the School's performance in accordance with the performance frameworks.

Section 10.4 Permitted Disclosures and Users by Operators

Pursuant to Section 302A-500, HRS, the School shall be responsible for notifying operators, as defined in Section 499, HRS, with access to student data and information of the operators' statutory responsibilities and restrictions.

SECTION XI. FACILITIES

Section 11.1 Location

The School shall provide educational services, including the delivery of instruction, primarily at locations identified in Exhibit A.

Section 11.2 Emergency Relocation

In the event of natural disasters, emergencies, and/or damage to a School's facilities, the School may provide educational services at temporary locations not identified in Exhibit A, provided the School notify the Commission of the location prior to the start of services at the temporary location.

Section 11.3 Occupancy Rights

The School shall possess the lawful right to occupy and use the premises on which the School operates. The School shall provide the Commission a copy of the School's lease, deed, or other occupancy agreement for all locations identified in Exhibit A, except if the School occupies State or DOE school facilities.

Section 11.4 Compliance with Codes

The School shall be located in facilities that comply with all applicable State and county building, zoning, fire, health, and safety code requirements.

If the School is located in facilities other than State or DOE facilities, the School shall obtain and maintain any necessary certificates or permits required for use and occupancy of the School's facilities from the applicable building, zoning, fire, health, and safety authorities. The School shall immediately notify the Commission in the event that any such certificate or permit is jeopardized, suspended, or revoked.

The School shall comply at all times with the occupancy capacity limits set by zoning, building, fire, and other applicable regulations.

Section 11.5 Relocation or Expansion of Facilities

The School's relocation to different or additional facilities for non-emergency reasons shall constitute a material change in the Contract and shall require prior written approval by the Commission pursuant to Section 4.2 of this Charter Contract. Approval shall be contingent upon meeting the following conditions:

- a. Submission of enrollment projections for the upcoming school year, should the School seek to increase enrollment;
- b. Submission to the Commission of a Certificate of Occupancy for the new facilities prior to the first day of occupancy;
- c. Submission to the Commission of a lease, deed, or other document showing the School possesses the right to occupy the new premises;
- d. Submission to the Commission of documentation that the new facilities meet applicable health, safety, fire, building, and zoning code requirements; and

- e. Submission to the Commission of documentation that the new facilities are of sufficient size to safely house the maximum anticipated enrollment.

SECTION XII. CHARTER SCHOOL PERSONNEL

Section 12.1 Collective Bargaining

All employees of the School shall be subject to collective bargaining under Chapter 89, HRS, and shall comply with the master agreements as negotiated by the State; provided that the School may enter into supplemental collective bargaining agreements that contain cost and non-cost items to facilitate decentralized decision-making. The School shall provide a copy of any supplemental collective bargaining agreement to the Commission or the DOE.

Section 12.2 Nondiscrimination

The School, including any employees or agents of the School, shall not engage in any discrimination that is prohibited by any applicable federal, State, or city and county law, including but not limited to Section 378-2, HRS.

Section 12.3 Teacher Credentials

Pursuant to Section 302A-804, HRS, the School shall hire licensed teachers that meet the applicable State licensing requirements consistent with federal law and requirements, State law, and collective bargaining agreements, as such requirements may be amended.

Section 12.4 Personnel Data

The School shall maintain accurate and complete personnel and payroll information and shall provide such information to the Commission, in the format and timeframe prescribed by the Commission, as required for the Legislature, DOE or any State agency including but not limited to the Department of Budget & Finance, Employees' Retirement System, and the Hawaii Employer-Union Health Benefits Trust Fund. The School shall ensure each employee that qualifies for State benefits receives such benefits.

Section 12.5 Evaluations

Pursuant to federal and state law and policy, the School is responsible for implementing principal and teacher evaluation systems. The School shall ensure that the evaluation systems are in compliance with all applicable laws, regulations, and policies, including, but not limited to the State's Every Student Succeeds Act (ESSA) plan and collective bargaining requirements.

Section 12.6 Non-Instructional Employees

The School shall ensure that the School's non-instructional employees or agents are experienced and fully qualified to engage in the activities and perform the services required under this Charter Contract, and that all applicable licensing and operating requirements imposed or required under federal, State, or city and county laws, and all applicable accreditation and other standards of quality generally accepted in the field of the activities of such employees and agents are complied with and satisfied, as well as any applicable collective bargaining agreements.

Section 12.7 Criminal History Checks

The School shall conduct criminal history checks, administered by the Hawaii Criminal Justice Data Center in accordance with Section 846-2.7, HRS, solely for the purpose of determining whether a prospective employee or agent is suitable for working in close proximity to children. All such decisions shall be subject to applicable federal laws and regulations currently or hereafter in effect. The School may terminate the employment of any employee or deny employment to an applicant if the person has been convicted of a crime, and if the School finds by reason of the nature and circumstances of the crime that the person poses a risk to the health, safety, or well-being of children.

Section 12.8 Personnel Policies

The School's Governing Board shall adopt and adhere to personnel policies for all school employees. These policies must be made readily accessible from the School's website, as described in Section 8.9 of this Charter Contract.

SECTION XIII. IMMEDIATE NOTICE

Section 13.1 School Emergency Closure

The School shall promptly notify the Commission, the appropriate county civil defense office(s), and the public of any circumstance requiring the closure of the School, including, but not limited to, a natural disaster or destruction of or damage to the School facility.

Section 13.2 Mandatory Notification

The School shall notify the Commission within two calendar days when it has knowledge of any of the following:

- a. Any condition that may cause the School to vary from the terms of this Charter Contract or applicable requirements, federal and/or State law;
- b. The arrest of any members of the School Governing Board or School employees for a crime punishable as a felony or any crime related to the misappropriation of funds or theft;
- c. A court judgment that any members of the School Governing Board or School employees have been found guilty; plead no-contest, or accepted a deferred acceptance of a no-contest plea;
- d. Any complaint, citation, or default filed against the School by a government agency or lessor;
- e. Any inaccuracy found in enrollment count or other data provided to the Commission;
- f. The School receives a notice or is otherwise informed that the School is a party to a legal suit;
- g. Severe damage to a School's facilities that render the facilities unusable and require the School to relocate; or
- h. A default on any obligation, which shall include debts for which payments are past due by ninety (90) calendar days or more.

SECTION XIV. OVERSIGHT

Section 14.1 Monitoring

The Commission shall continually monitor the performance and legal compliance of the School. The Commission shall have the authority to conduct oversight activities that enable the Commission to fulfill its responsibilities under Chapter 302D, HRS, including conducting appropriate inquiries and investigations, so long as those activities are consistent with the intent of Chapter 302D, HRS, and adhere to the terms of this Contract.

Section 14.2 Monitoring Related to Federal Programs

The School shall allow the DOE access to and provide any information needed to meet its oversight and reporting obligations as the SEA or LEA. The DOE may monitor the School for compliance with programmatic or fiscal requirements, including requiring reports or other documentation, under any applicable law related to federal programs, including but not limited to special education.

Section 14.3 Access to Records

Consistent with the school's obligations under FERPA, the School shall make all School records open to inspection by the Commission, the DOE, the Office of the Auditor, law enforcement officials, contractors, or any other federal or State regulatory agency within five business days after request is made, or sooner if required by law.

Section 14.4 Site Visits

The Commission may visit the School at any time and may, at its discretion, conduct site visits and monitoring. When appropriate, the Commission shall make reasonable efforts to provide notice of visits. Such site visits may include any activities reasonably related to fulfillment of the Commission's oversight responsibilities including, but not limited to, inspection of the facilities; audit of financial books and records; inspection of records maintained by the School; interviews and observations of the principal, staff, school families, staff of an affiliated nonprofit or educational service provider and community members; and observation of classroom instruction.

Section 14.5 Intervention

Intervention(s) may be initiated when the Commission finds that the School has failed to:

- a. Comply with applicable laws, rules, policies, or procedures;
- b. Comply with the terms and conditions of this Contract; or
- c. Meet performance expectations as set forth in any of the Performance Frameworks.

Upon finding that a School has failed to meet legal or contractual compliance obligations, the Commission and the School shall follow the Intervention Protocol (Exhibit D). Failure to invoke the Intervention Protocol shall not be (i) construed as a waiver or relinquishment of any requirement under applicable laws, rules, policies, procedures, contractual terms and conditions, or performance expectations; or (ii) deemed a necessary precedent to non-renewal or revocation.

SECTION XV. RENEWAL, NON-RENEWAL, REVOCATION, CLOSURE, AND DISSOLUTION

Section 15.1 Renewal and Non-renewal

Charter contract renewal and non-renewal shall follow the requirements set in Section 302D-18, HRS. The Commission's renewal and non-renewal criteria and processes are provided within this charter contract as Exhibit E.

Section 15.2 Revocation

The Commission may revoke a charter contract pursuant to Section 302D-18, HRS, and Chapters 8-5-505-15, HAR.

Section 15.3 School-Initiated Closure

Should the School choose to voluntarily surrender this Contract before the end of the Contract term, it may do so in consultation with the Commission at the close of any school year and upon written notice to the Commission given at least ninety (90) days before the end of the school year.

Section 15.4 Dissolution

In the event that the School ceases operation for any reason, including but not limited to non-renewal, revocation, or voluntary surrender of this Contract, the School shall cooperate with the Commission in scheduling cessation of operations and shall comply with the Commission's closure policies and protocol.

Section 15.5 Financial Insolvency

Pursuant to Section 302D-28.5, HRS, any public charter school that becomes financially insolvent shall be deemed to have surrendered its charter. For the purpose of this provision, the School shall be determined to be financially insolvent when it is unable to pay its staff when payroll is due. The School shall cooperate with the Commission in ensuring the orderly closure of the School. The School shall comply with the Commission's closure policies and protocol, once adopted by the Commission.

Section 15.6 Remaining Assets

In the event that the School closes, the School shall return any remaining public assets to the State, provided that any outstanding obligations of the School are fulfilled first pursuant to Section 302D-19, HRS.

SECTION XVI. AGREEMENT

IN WITNESS WHEREOF, the Parties have made and entered into this Contract as of the effective date.

STATE PUBLIC CHARTER SCHOOL COMMISSION

[SCHOOL NAME]

Signature

Sione Thompson

Executive Director

Date

APPROVED AS TO FORM:

Deputy Attorney General

Signature

Print Name

Title

Date

APPROVED AS TO FORM:

Deputy Attorney General

APPENDICES

Exhibit A: Educational Program

Exhibit B: Performance Frameworks (Academic, Financial, and Organizational)

Exhibit C: Education Service Provider Requirements

Exhibit D: Intervention Protocol

Exhibit E: Renewal, Non-renewal, and Revocation

Exhibit A: Educational Program

Exhibit B: Performance Frameworks (Academic, Financial, and Organizational)

EXHIBIT B

ACADEMIC PERFORMANCE FRAMEWORK

The Academic Performance Framework consists of two sections: Student Academic Outcomes and Value Added.

1. Student Academic Outcomes

This section contains the measures that are required by Section 302D-16, HRS including:

- a) **Student academic proficiency:** schools will set a target for the percentage of students who score at the levels of proficient or above on the statewide assessments in English Language Arts or Hawaiian Language Arts and math.
- b) **Student academic growth:** schools will set a target for growth based on statewide assessment results, as measured under the state ESSA plan for federal reporting and accountability or revised state accountability system (i.e., Strive HI)¹.
- c) **Achievement gaps in proficiency between major subgroups:** schools will set a target for high-needs proficiency rates in order to close the achievement gap between the non-high needs and high needs student subgroups.²
- d) **College and career readiness:** schools will set a target for each college and career readiness indicator for each grade division served.
 - a. For high schools and schools with a high school division, the readiness measures must include the four-year graduation rate.³ In addition, schools may also add the five-year graduation⁴ and/or college-going rates.⁵

¹ If this measure is not calculated using the current growth model for the state ESSA plan for federal reporting and accountability or revised state accountability system (i.e., Strive HI), this measure will not be calculated for the Academic Performance Framework until a calculation methodology for growth is determined and approved by the Commission.

² High needs students include the following full school year students who tested: economically disadvantaged, students with disabilities (IDEA only), English Language Learners, recent exits (2 years) for students with disabilities and English Language Learner. Non-high needs students comprise of all remaining full school year students who tested. See [2015-16 Strive HI Indicators and Measures Technical Report](#) for more details.

³ The four-year graduation rate is calculated using a four-year adjusted cohort graduation rate (ACGR) methodology. The graduation rate reported is lagged by one year. The rate reported for 2015-2016 results are based on the four-year cohort graduating by the end of 2014-2015.

The four-year ACGR =
$$\frac{\text{\# of on-time graduates in a year}}{\text{\# of first time entering 9th graders} + \text{transfers in} - \text{transfers out}}$$

- Graduates are students who receive a diploma within four years
- on-time for all students is four years
- graduation requirements may be completed during the summer of the given final year

- b. For middle schools and schools with middle school divisions, schools may choose any measure that is consistent with the middle school college and career readiness measures used or captured by the DOE such as chronic absenteeism⁶ or average daily attendance⁷, ACT Aspire exam, eighth graders taking and passing Algebra 1, or the PSAT.
- c. For elementary divisions, schools will set a target for attendance and may choose between chronic absenteeism, or average daily attendance rates as defined above.

Optional other measures: optional measures are not required by Section 302D-16, HRS. They must focus on valid and reliable student outcome data and may be school-developed or drawn from existing data sources such as DOE data or school-selected formative assessment.

When selecting measures within these categories, the availability and reliability of the data are important, and sometimes limiting, factors. For this reason, the Academic Performance Framework measures pull from Strive HI data and other data collected by the DOE for all public schools statewide.

-
- GED certificates of completion and other school-based certificates do not count as graduates for this calculation
 - students who transfer in will be added to the school's appropriate graduating cohort
 - students who transfer out must be documented by the sending school with an official transcript from the receiving school, only then can the student be removed from the cohort, students whose status is unknown or dropped out of the system are non-graduates
 - students who are retained in grade 9 count only in their "first time grade 9" cohort.

See [2015-16 Strive HI Indicators and Measures Technical Report](#) for more details.

⁴ The five-year graduation rate is an extended year adjusted cohort graduation rate that accounts for graduates for an additional, fifth year. This rate is calculated following the same methodology used for the four-year adjusted cohort graduation rate. See [2015-16 Strive HI Indicators and Measures Technical Report](#) for more details.

⁵ This metric reports the percent of high school diploma earners with confirmed postsecondary enrollment (based on National Clearing House data) within 16 months after high school graduation. See [College and Career Readiness Indicators Report Class of 2015 Technical Report](#) for more details.

⁶ Chronic absenteeism is based on the number of full school year students (as defined by DOE) enrolled at a school (denominator) and the number of full school-year students who were absent, excused or unexcused, for 15 days or more during the full school year period (numerator). See [2015-16 Strive HI Indicators and Measures Technical Report](#) for more details.

⁷ Average Daily Attendance = (sum of full day present attendance days x 100) / (sum of the total number of possible school attendance days for each active student).

Excused and unexcused absences are treated as absences in the attendance calculation.

Calculation example: There are 30 students at your school and it is the 10th day of the new school year. During the first 10 days of school 9 students missed a full school day. The denominator is based on the total number of possible school days: 30 students x 10 days = 300. The numerator is 30 students x 10 days of school/ 9 days of absences = 291. (291 x 100) / 300 = 97%

For each measure, schools will work with staff to set annual target ranges, and interim targets if required by the school's charter contract. These ranges will be developed by analyzing a school's historical data, as well as comparative data for each school's geographic complex and all schools statewide.

2. Value Added

The second section of the Academic Performance Framework captures the work that schools are doing to add value to their school community or the education system at large. Each school must create a minimum of one Value Added goal. This section can measure the implementation of systems designed to increase program effectiveness, innovative practices and those that are aligned to the school's mission and vision. These goals will be specifically articulated and measurable and will include implementation timelines.

Evaluation and Reporting

For each measure included in its Academic Performance Framework, schools will set targets for each year of their contract. The Commission will publicly report these targets, as well as each school's performance on the measures, to the extent possible while protecting the privacy and confidentiality of students' data. The Commission will also report whether the school met its annual target, exceeded the target, or did not meet the target.

If the School does not achieve results within the set target range, the School is subject to the Intervention Protocol, provided in Exhibit D of this Charter Contract.

Modifications to the Academic Performance Framework During the Contract Period

Modifications can be made to the APF during the contract period in limited circumstances:

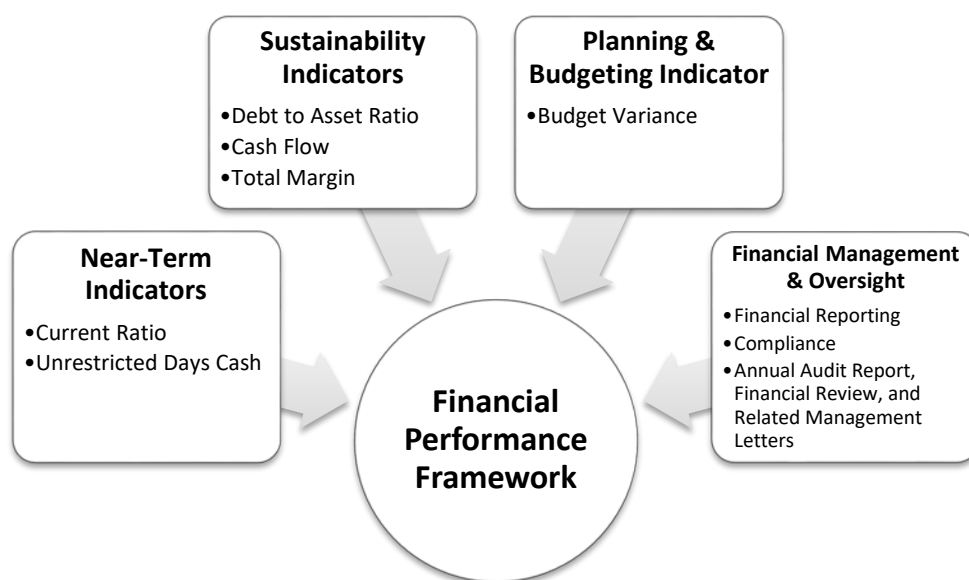
1. Modifications to the student outcome targets, which can be made when a school experiences a major shift in demographics.
2. Measures in both the Academic Student Outcomes and Value Added sections may be modified or added,
3. Academic Student Outcome targets may be renegotiated should the approved ESSA state accountability plan include extensive deviations from the methodology currently described in this submittal.

New Student Academic Outcome measures may be added between March 1st and May 15th for implementation the following year. Value Added measures may be added or modified after the school conducts a comprehensive needs assessment or similar strategic planning, but no later than July 1st.

EXHIBIT B

FINANCIAL PERFORMANCE FRAMEWORK

The Financial Performance Framework (“Framework”) serves as a tool for the Commission to assess the financial health and viability of charter schools in its portfolio. The framework intends to provide a financial frame of reference based on current and past financial performance of charter schools. The indicators used in the framework are based on industry standard financial measures (e.g. ratios, variances) designed to be viewed in the aggregate with other complementary and supplementary information (e.g. timely and accurate financial and reporting practices, management practices). No single indicator or point in time data point gives a full picture of the financial situation of a school. Taken together, however, the indicators provide a qualitative assessment of the school’s near-term financial health, mid-term capacity, and long-term financial sustainability.



Risk-Based Approach

The framework adopts a risk assessment model as part of ongoing oversight and monitoring of charter schools’ fiscal activities, and renewal decision-making. The model aligns the framework to the unique funding and governance environment for charter schools in the State of Hawai‘i. This risk-based approach will help identify areas of strength and weakness, highlighting controls that are designed to mitigate risks.

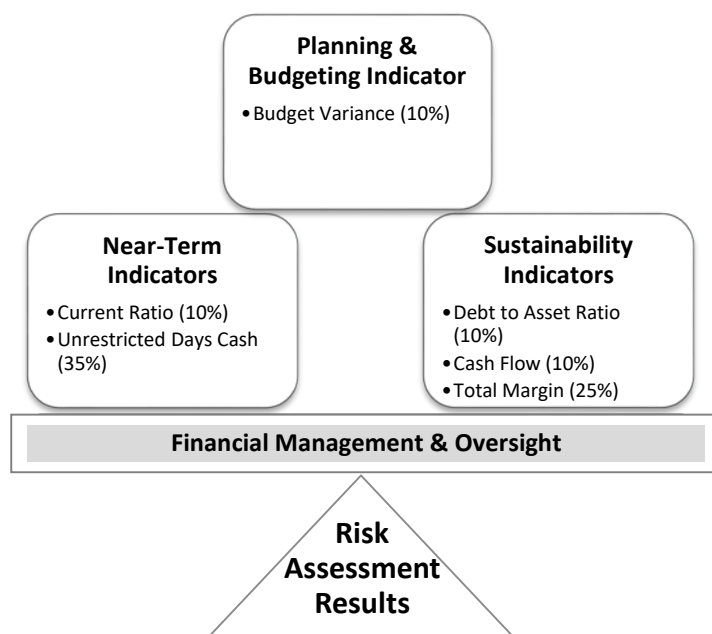
School(s) will be closely monitored if there is heightened risk of financial problems. Financial monitoring may include, but not limited to, request for reports or other documentation, inquiries through written or telephone communications, desk audits, or on-site visits, announced or otherwise. Moreover, a school may be requested to develop an appropriate corrective action plan in accordance with the Intervention Protocol (**Exhibit D**) to address any monitoring issues identified during the risk assessment. The corrective action plan provides a school an opportunity to explain the issue(s); identify measurable solution(s); identify person(s) who will be responsible for each solution; set timelines; and monitor the progress of the corrective action plan.

Annual Risk Assessment Process

The annual risk assessment evaluates whether the financial viability of a school is at-risk based on the Commission's review of financial information which will be drawn from the school's annual audited financial statements or financial review. The inclusion of a "component unit" (an affiliated non-profit entity) may apply when a school's annual audited financial statements include the presentation of reporting the audited component unit. The Commission's assessment may also include other financial information and/or a more detailed examination of the school's financial position and practices, as needed. The Commission may also consider the more current and more detailed information to determine whether the risk assessment result is still applicable throughout the assessment period and the degree to which it is, in fact, an indication of financial risk or distress or mitigation.

The risk assessment will focus on six indicators, or measures based on the National Association of Charter School Authorizers (NACSA) standards. Each indicator will be assessed on a scale from 1 to 5, with 1 being the lowest risk and 5 the highest risk. All six indicators will collectively make up a school's overall risk level. The annual risk assessment result for a school will be determined using a balanced weighted formula utilizing the individual scores calculated for each indicator as follows:

$$(Current\ Ratio \times 0.10) + (Unrestricted\ Days\ Cash \times 0.35) + (Debt\ to\ Asset\ Ratio \times 0.10) + \\ (Cash\ Flow \times 0.10) + (Total\ Margin \times 0.25) + (Budget\ Variance \times 0.10)$$



The individual and final risk assessment results will be represented as one of five categories based on the school's risk assessment calculations as color-coded below and will be rounded to the nearest whole number.

Low	Acceptable	Moderate	High	Significant
1	2	3	4	5

Near Term Indicators

Current Ratio

$$\text{Current Ratio} = \text{Current Assets} \div \text{Current Liabilities}$$

The current ratio shows the relationship between a school's current assets and current liabilities. Current assets are balance sheet accounts (e.g. cash, receivables) that include the value of all assets that are expected to be converted to cash through normal operations within the current fiscal year. Current liabilities represent obligations (e.g. payables, accrued payroll, accrued vacation) that are payable in cash within a fiscal year. This ratio gives an indication of a school's ability to pay its obligations over the next twelve months. A school may be at-risk if it is unable to meet its current obligations.

This indicator accounts for **10 percent** of a school's aggregate final risk assessment.

Low	Acceptable	Moderate	High	Significant
Ratio is greater than (>) 1.5	Ratio is between 1.35 – 1.5	Ratio is between 1.2 – 1.35	Ratio is between 1.0 – 1.2	Ratio is less than (<) 1.0

Unrestricted Days of Cash on Hand

$$\text{Unrestricted Days Cash} = \text{Days Cash} \div [(\text{Total Expenses} - \text{Depreciation Expense}) \div 365]$$

The unrestricted days of cash on hand provides the number of days a school can pay its current expenses without another inflow of cash. Cash balances fluctuate since schools can expend and receive money on an almost daily basis. It indicates whether a school maintains a sufficient cash balance to meet its cash obligations. A school may be at-risk if there is insufficient cash to meet its cash obligations.

The indicator looks at a fixed point in time (the time the financial statement is prepared) and a trend over a period of time. Although this indicator is at a fixed point in time, it tells whether a school may have challenges in meeting its cash obligations. Note that this indicator looks at unrestricted cash, not cash that already has been earmarked for a specific purpose, such as renovations or facilities.

This indicator accounts for **35 percent** of a school's aggregate final risk assessment.

Low	Acceptable	Moderate	High	Significant
Days Cash is more than 60 days and having an upward or downward trend over three years or more	Days Cash is between 50 – 60 days and having an upward or downward trend over three years or more	Days Cash is between 30 – 50 days and having an upward or downward trend over three years or more	Days Cash is between 20 – 30 days and having an upward or downward trend over three years or more	Days Cash is less than 20 days and having a downward trend over three years or more

Sustainability Indicators

Debt to Asset Ratio

$$\text{Debt to Asset Ratio} = \text{Total Liabilities} \div \text{Total Assets}$$

The Debt to Asset Ratio compares a school's financial liabilities against the assets it owns. A lower ratio generally indicates stronger financial health. A higher ratio indicates that the school may be at-risk of not being able to pay back its debts. It is generally accepted indicator of potential long-term financial issues.

This indicator accounts for **10 percent** of a school's aggregate final risk assessment.

Low	Acceptable	Moderate	High	Significant
Ratio is less than (<) 0.2	Ratio is between 0.2 – 0.4	Ratio is between 0.4 – 0.5	Ratio is between 0.5 – 0.75	Ratio is greater than (>) 0.75

Cash Flow

$$\text{Cash Flow} = \text{Year-end Cash Balance} - \text{Beginning Year Cash Balance}$$

Cash Flow measures a school's change in cash balance from one period to another. This indicator is similar to days' cash on hand, but it provides insight into a school's long-term stability, as it helps to assess a school's sustainability over a period of time in an uncertain funding environment. A positive cash flow over time generally indicates increasing financial health and sustainability.

This indicator and accounts for **10 percent** of a school's aggregate final risk assessment.

Low	Acceptable	Moderate	High	Significant
Current Year Cash Flow is positive (+) and having an upward trend over three years or more	Current Year Cash Flow is positive (+) and having an upward or a down trend over three years or more	Current Year Cash Flow is either positive or negative (+/-) and having an upward or a downward trend over three years or more	Current Year Cash Flow is negative (-) and having an upward or a downward trend over three years or more	Current Year Cash Flow is negative (-) and having a downward trend over three years or more

Total Margin

$$\text{Total Margin} = \text{Net Income} \div \text{Total Revenue}$$

Total Margin measures the surplus or deficit a school yields out of its total revenues. This indicator is important because a school cannot operate at a deficit for a sustained period of time without the risk of closure. The intent of this indicator is not for the schools to be profitable, but is important for charter schools to operate within its available resources in a particular year and to build a reserve to support growth and sustainability.

This indicator is calculated by dividing net income by total revenue and accounts for **25 percent** of a school's aggregate final risk assessment.

Low	Acceptable	Moderate	High	Significant
Current Year Margin is positive (+) and having an upward trend over three years or more	Current Year Margin is positive (+) and having an upward or a downward trend over three years or more	Current Year Margin is either positive or negative (+/-) and having an upward or a downward trend over three years or more	Current Year Margin is negative (-) and having an upward or a downward trend over three years or more	Current Year Margin is negative (-) and having a downward trend over three years or more

Planning & Budgeting

Budget Variance

$$\text{Budget Variance} = \text{Actual Total Revenues} \div \text{Projected Total Revenues in the Charter School's Board-Approved Budget}$$

The budget variance depicts actual versus projected incoming revenues for a fiscal year. This indicator is important because revenues drive the development of a school's budget. While the per-pupil funding is the primary revenue source for charter schools, there are other sources (e.g. federal funds, grants, other state funds) that provide the basis for determining costs such as staffing and supplies. A budget based on revenues that are significantly more than its actual revenues may be at-risk of not meeting all of its budgeted expenses. Budgeted revenues that do not exceed actual revenues would not have a significant impact to the risk assessment rating scale.

This indicator accounts for **10 percent** of a school's aggregate final risk assessment.

Low	Acceptable	Moderate	High	Significant
Variance is greater than (>) 99%	Variance is between 96% – 98%	Variance is between 94% – 95%	Variance is between 91% – 93%	Variance is less than (<) 90%

Financial Management and Oversight

Compliance

The Commission ensures that the school complies with applicable laws, rules, regulations and provisions of the charter contract relating to financial reporting requirements, and to financial management and oversight expectations as evidenced by an annual independent audit or review, including but not limited to:

- Complete and on-time submission of financial reports, including annual budget, revised budgets (if applicable), periodic financial reports as required by the authorizer and any reporting requirements if the board contracts with an Education Service Provider (ESP)
- On-time submission and completion of the annual independent audit and corrective action plans, if applicable
- No charging of tuition
- Adequate management and financial controls
- All reporting requirements related to the use of public funds
- An unqualified audit opinion
- An audit devoid of significant findings and conditions, material weaknesses or significant internal control weaknesses
- An audit that does not include a going concern disclosure in the notes or an explanatory paragraph within the audit report

If the School does not comply with the requirements of this Financial Performance Framework, the School is subject to the Intervention Protocol, provided in Exhibit D of this Charter Contract.¹

As provided in the Charter Contract:

14.1 Monitoring. The Commission shall continually monitor the performance and legal compliance of the School. The Commission shall have the authority to conduct or require oversight activities that enable the Commission to fulfill its responsibilities, so long as those

¹ in accordance with **§302D-17 Ongoing oversight and corrective actions;**

(a) An authorizer shall continually monitor the performance and legal compliance of the public charter schools it oversees, including collecting and analyzing data to support ongoing evaluation according to the Charter Contract.

responsibilities are consistent with the intent of Chapter 302D, HRS, and adhere to the terms of this Charter Contract.

EXHIBIT B

ORGANIZATIONAL PERFORMANCE FRAMEWORK

The Organizational Performance Framework serves as the means by which the Commission addresses one of an authorizer's core responsibilities: protecting the public interest. The framework ensures that charter schools meet all applicable federal, state, and local laws and regulations as well as contractual requirements.

The Commission pledges to exercise its best efforts to meet NACSA's standards on performance evaluation and compliance monitoring by implementing an accountability system that effectively streamlines federal, state, and local performance expectations and compliance requirements while protecting schools' legally entitled autonomy and minimizing school's administrative and reporting burdens.

The Organizational Performance Framework requires the School to complete the Assurance of Compliance Statement (included in this framework) on an annual basis. The Assurance of Compliance Statement identifies the specific federal, state, and local laws and regulations and contractual requirements that the School is accountable to. Regardless of the specific references to law, rule, regulation, or contractual provision contained in the Statement, the School is required comply with all relevant laws and regulations at all times.

The Commission will evaluate and assess performance under the framework by:

1. Conducting audits of any compliance requirements associated with the references identified in the Statement;
2. Conducting at least one school site visit during the term of the Charter Contract;
3. Requiring submission of documentation verifying compliance through the Commission's online compliance management system; and
4. Reporting on the School's fulfillment of compliance requirements specified in this framework.

The level of oversight the School will receive may vary during the term of the Charter Contract. If the School does not comply with the requirements of this Organizational Performance Framework, the School is subject to the Intervention Protocol, provided in **Exhibit D** of this Charter Contract.

Within the first quarter of each fiscal year, the Commission will provide an annual Organizational Framework Report to the School that covers the previous year. The report will include a narrative of the School's performance under the framework, including any compliance breaches and actions required through the Intervention Protocol.

ASSURANCE OF COMPLIANCE STATEMENT

This document provides assurances to the Commission that the School is in compliance with the laws, rules, regulations, policies, and Charter Contract provisions set forth below. This document will be assigned to the School through the Commission's online compliance management system and must be completed, signed, and dated by the School's board chair and school leader annually.

In addition to this Assurance of Compliance Statement, the School is required to comply with all relevant laws and regulations at all times, regardless of the specific references in this document.

The School should read through each reference below, and then check the corresponding box to assure the Commission that the School is in compliance with the specified items identified below for the specified school year. A School with compliance breaches that require the Intervention Protocol will need to resolve the compliance breach by the end of the school year or be in the process of implementing a corrective action plan that resolves the compliance breach.

GOVERNANCE

- ☐ Section 302D-12(a), HRS: Governing Board Composition
- ☐ Section 302D-12(c), HRS: Governing Board Composition- Chair
- ☐ Section 302D-12(b), HRS: Governing Board Recruitment
- ☐ Section 302D-12(f), HRS: Oversight
- ☐ Section 302D-12(g), HRS: Procurement
- ☐ Section 302D-12(h), HRS: Open Meeting Requirements
- ☐ Section 302D-12(i), HRS: State Code of Ethics

HEALTH AND SAFETY

- ☐ Charter Contract Section 11.4: Facilities- Compliance with Codes
- ☐ Charter Contract Section 9.1: Safe Environment
- ☐ Chapter 12-45.2, Hawaii Administrative Rules: State Fire Code

ACCESS AND EQUITY

- ☐ Section 302D-34(a), HRS: Enrollment
- ☐ Charter Contract Section 7.3- Admissions
- ☐ Americans with Disabilities Act: 42 U.S.C. 12101
- ☐ Individuals with Disabilities Educational Act: 20 U.S.C. 1400 et seq.
- ☐ Section 302D-30, HRS: Special Education Services
- ☐ Section 504 of the Rehabilitation Act of 1973: 29 U.S.C 794
- ☐ Title VI of the Civil Rights Act of 1964 and the Equal Educational Opportunities Act of 1974

STUDENT CONDUCT AND DISCIPLINE

- ☐ Section 302A-1132, HRS: Compulsory Education Law
- ☐ Section 302A-1134, HRS: Exclusion from School
- ☐ Section 302A-1134.6, HRS: Zero Tolerance Policy
- ☐ Section 302A-1141, HRS: Punishment of Students
- ☐ Section 302A-1141.3, HRS: Seclusion and Chemical and Mechanical Restraint Prohibited
- ☐ Section 302A-1141.4, HRS: Use of Physical Restraint Limited
- ☐ Section 709-309(2), HRS: Use of force by persons with special responsibility for care, discipline, or safety of others

PERSONNEL

- ☐ Section 302D-33, HRS: Criminal History Record Checks
- ☐ Section 302A-804, HRS: Teacher Credentials
- ☐ Charter Contract Section 9.4: Reporting Crime-related Incidents

SCHOOL OPERATIONS

- ☐ Family Educational Rights and Privacy Act (FERPA) of 1974
- ☐ Charter Contract Section 7.5: Attendance
- ☐ Charter Contract Section 7.8: Withdrawal and Transfer
- ☐ Charter Contract Section 8.6: Complaints Process
- ☐ Charter Contract Section 8.9: School Policies
- ☐ Board of Education Policy 102-15: High School Graduation Requirements and Commencement (*if applicable*)
- ☐ Section 286-181, HRS: Pupil Transportation Safety (*if applicable*)

School Governing Board Chair

Date

School Director

Date

Exhibit C: Education Service Provider Requirements

EXHIBIT C

EDUCATIONAL SERVICE PROVIDER REQUIREMENTS

For the purpose of this section an Educational Service Provider (ESP) is defined as a non-profit or for-profit entity that is contracted by the School to provide services that would otherwise be handled by employees of the School, which include, but are not limited to, operational back office functions and services related to the instructional design of the School, in return for fees. ESP arrangements sometimes give a third party substantial responsibility for the operation of a charter school and control over the school's finances.

While the Commission is not responsible for monitoring that contractual relationship, it does have an obligation to ensure that the School's governing board retains its statutory responsibilities and that the School-service provider relationship will not inhibit the Commission from fulfilling its oversight responsibilities. The following requirements ensure that both the School's governing board and the Commission retain authority to fulfill their legal rights and responsibilities under the Charter Contract and applicable law.

1. The ESP agreement shall be subject to, and shall incorporate by reference, the terms and conditions of the Charter Contract.
2. The term of the ESP agreement shall not exceed the term of the Charter Contract.
3. No provision of the ESP agreement shall interfere with the duty of the governing board to exercise its statutory, contractual, and fiduciary responsibilities governing the operation of the School. No provision of the ESP agreement shall prohibit the School's governing board from acting as an independent, self-governing public body, or allow decisions to be made other than in compliance with Chapter 302D, HRS.
4. The ESP agreement shall require the ESP to defend, indemnify, and hold harmless the State of Hawaii, the Commission and the School, and their officers, employees and agents from and against all liability, loss, damage, cost and expense, including all attorneys' fees, and all claims, suits and demands therefore, arising out of or resulting from the acts or omissions of the ESP or the ESP's employees, officers, agents, or subcontractors under the ESP agreement. The ESP agreement shall not require the School to defend, indemnify or hold harmless the ESP. The ESP agreement shall contain insurance and indemnification provisions outlining the coverage the ESP will obtain.
5. The ESP agreement shall describe the specific services for which the ESP is responsible and shall clearly delineate the respective roles and responsibilities of the ESP and the School in the management and operation of the School, including development, approval, and oversight of the School's budget; development, approval, and oversight of the School's curriculum; and oversight of the ESP's services.

6. The ESP agreement shall expressly provide that the School retains, at all times, ultimate responsibility for the School's budget and curriculum.
7. The ESP agreement shall include procedures by which the ESP will be accountable to the School including expressly addressing how the School will evaluate and hold the ESP accountable in relation to the Performance Frameworks (Exhibit B).
8. The ESP agreement shall be terminable by the School in accordance with its established termination procedures.
 - a) Upon default by the ESP, including without limitation any act or omission of the ESP that causes a default under the Charter Contract or that causes the School to be in material violation of applicable law; or
 - b) For other good cause as agreed by the School and the ESP.
9. The ESP agreement shall provide that the financial, educational, and student records pertaining to the School are School property and that such records are subject to the provisions of the Uniform Information Practices Act (Chapter 92F, HRS). All School records shall be physically or electronically available, upon request, at the School's physical facilities. Except as permitted under this Contract and applicable law, no ESP agreement shall restrict access to the School's records by the Commission, the DOE, the Office of the Auditor, or other authorized party in compliance with Section 14.3 of the Charter Contract.
10. The ESP agreement shall require that the ESP furnish the School with all information deemed necessary by the School or the Commission for the proper completion of the budget, quarterly reports, or financial audits required under the Charter Contract.
11. The ESP agreement shall provide that all financial reports provided or prepared by the ESP shall be presented in the format prescribed by the Commission.
12. The ESP agreement shall provide that all employees or contractors of the ESP who work in close proximity with students of the School shall be subject to criminal background check requirements in accordance with Section 12.7 of the Charter Contract.
13. The ESP agreement shall contain provisions requiring compliance with all requirements, terms, and conditions established by any federal or State funding source.
14. The ESP agreement shall provide that the School retains responsibility for selecting and hiring the auditor for the independent annual audit required by the Charter Contract.
15. If an ESP purchases equipment, materials, and supplies using public funds on behalf of or as the agent of the School, the ESP agreement shall provide that such equipment, materials, and supplies shall be and remain the property of the School.
16. The ESP agreement shall contain a provision that clearly allocates the respective proprietary rights of the School governing board and the ESP to curriculum or educational materials. At a minimum, the ESP agreement shall provide that the School owns all proprietary rights to curriculum or educational materials that (i) are both directly developed and paid for by the School; or (ii) were

developed by the ESP at the direction of the School governing board with School funds dedicated for the specific purpose of developing such curriculum or materials. The ESP agreement may also include a provision that restricts the School's proprietary rights over curriculum or educational materials that are developed by the ESP from School funds or that are not otherwise dedicated for the specific purpose of developing School curriculum or educational materials. The ESP agreement shall recognize that the ESP's educational materials and teaching techniques used by the School are subject to state disclosure laws and the Uniform Information Practices Act.

17. If the School intends to enter into a lease, execute promissory notes or other negotiable instruments, or enter into a lease-purchase agreement or other financing relationships with the ESP, then such agreements shall be separately documented and not be a part of or incorporated into the ESP agreement. Such agreements shall comply with Chapter 37D, HRS, if applicable, and shall be consistent with the School's authority to terminate the ESP agreement and continue operation of the School.
18. The ESP agreement shall provide that Hawaii law governs any legal proceeding arising out of a dispute between the School and the ESP.

Exhibit D: Intervention Protocol

EXHIBIT D

INTERVENTION PROTOCOL

In accordance with Section 302D-17, HRS, this Intervention Protocol is established pursuant to the Commission's authority and responsibility to monitor the performance and legal compliance of charter schools in accordance with the terms of this Charter Contract and consistent with nationally recognized principles and standards for quality authorizing. It enables the Commission to take timely and appropriate action to notify the School about performance and/or compliance concerns and provide the School a reasonable opportunity to remedy such problems.

NOTICE OF CONCERN PROTOCOLS

1. Upon finding that the School has failed to meet legal or contractual compliance obligations (including any goals, objectives, or outcomes set in the performance frameworks), the Commission may issue a Notice of Concern, pursuant to Section 2.10 Notices of this Charter Contract.
2. Upon receiving a Notice of Concern, the School's Governing Board will be required to provide a written response to the Commission within fourteen calendar days and the response must include at least one of the following:
 - i. a description of the remedy of the compliance breach, if the breach has been completely remedied, including evidence of such remedy;
 - ii. a written notification disputing the determination that a compliance breach has occurred with accompanying evidence in support of that assertion;
 - iii. a Corrective Action Plan designed to remedy the compliance breach that includes timelines and persons responsible for each action within the plan. If the submitted Corrective Action Plan is not mutually agreeable to both the School and the Commission staff, the matter will be brought to the Commission at a General Business Meeting.
3. If the School disputes the Notice of Concern, the Commission will consider the matter at a General Business Meeting and retract, modify, or uphold the Notice of Concern.
4. The Commission shall be updated on the issuance, remedy, and progress towards implementation of Corrective Action Plans in the Executive Director's Report during General Business Meetings.

ESCALATION OF NOTICES OF CONCERN

If the School fails to respond or make progress towards correcting the breach in the time as stated in the Corrective Action Plan, repeatedly fails to comply with applicable law or Contract provision(s), or when the breach presents an immediate concern for student or employee health and safety, the Commission may take any or all of the following actions:

1. Issue a Notice of Deficiency which may include prescriptive, specific action plans and conditions for the School; or
2. Issue a Notification of Warning which initiates revocation proceedings in accordance with Chapter 302D, HRS, and applicable administrative rules.

In accordance with Section 302D-17(c), HRS, this Intervention Protocol shall not apply in any circumstance in which the Commission determines that a problem or deficiency warrants revocation, in which case Chapter 302D, HRS, and the established rules, procedures and protocols for revocation shall apply.

Exhibit E: Renewal, Non-renewal, and Revocation

EXHIBIT E

RENEWAL AND NON-RENEWAL CRITERIA AND PROCESS

The School will begin the process for renewal or non-renewal in the fall of the final year of the contract. Soon after academic results are released for the previous school year, typically in September or October, the School will receive a Final Performance Report for each year of the contract. The Final Performance Report shall summarize the School's performance record to date as well as the due process afforded to the School through the administrative rules¹. Each school will have 30 days from the time of receipt of the Final Performance Report to complete the renewal application and respond to the Final Performance Report.

PROCESS FOR SCHOOLS THAT DID NOT RECEIVE A NOTICE OF DEFICIENCY DURING THE CONTRACT PERIOD

If the School did not receive a Notice of Deficiency during the contract period will submit a renewal application for a five-year contract after receiving the Final Performance Report. The School may also request a hearing pursuant to Sections 8-505-12(b)(2) or 8-505-16(3), HAR.

PROCESS FOR SCHOOLS THAT RECEIVED A NOTICE OF DEFICIENCY DURING THE CONTRACT PERIOD

If the School received a Notice of Deficiency at any time during the contract period, the Commission will conduct a performance review hearing within 45 days of receiving the School's application for renewal. During the performance review hearing, the Commission will determine whether or not the School has earned a renewal of the charter and may apply conditions if applicable.

At the performance review hearing, the Commission may decide not to renew the Charter Contract if it is determined that the school:

- (1) Committed a material and substantial violation of any of the terms, conditions, standards, or procedures required under Chapter 302D, HRS, or the charter school contract.**

In evaluating this provision, the Commission will place a heavier emphasis on violations of law or contract when the law or contract provision was designed to protect the health or safety of students or protect equal access and equity of educational opportunities.

- (2) Failed to meet or make sufficient progress toward performance expectations set forth in the contract.**

When evaluating this provision for the Academic Framework, the Commission shall find that sufficient progress was not made toward academic performance expectations when there is

¹ The processes and procedures pertaining to renewal or nonrenewal of a charter contract are found in Sections 8-505-10 through 8-505-13, HAR.

a pattern of failing to meet a majority of targets, there is a pattern of failing to meet targets coupled with a downward trend in performance, or there is a pattern of failure to implement corrective action plans.

When evaluating this provision for the Organizational and Financial Performance Frameworks, the Commission shall find that progress has not been made when standards have not been met and/or there is a pattern of failure to implement corrective action plans in a timely manner.

(3) Failed to meet generally accepted accounting principles of fiscal management.

The Commission shall find failure to meet standards when there is a pattern of fiscal mismanagement in addition to failing to take corrective actions to address significant financial risks identified during the contract period.

(4) Substantially violated any material provision of law from which the charter school is not exempted.

When evaluating this provision, the Commission will place a heavier emphasis on violations of law that were designed to protect the health and safety of students and access and equity of educational opportunities.