



6010 D

Renewal or Termination

Regulation 6010 D

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I. PURPOSE

Careful monitoring of all approved autonomous schools is part of the additional accountability that schools with additional autonomy require. Initial terms of approval and performance contracts may be renewed, terminated or, in the case of charter schools, transferred to another authorizing body. The purpose of this regulation is to establish the procedures for renewing the approval, terminating the approval or transferring the approval of an autonomous school as allowed in Minnesota law.

II. RENEWAL

- A. All autonomous schools may apply for renewal of their approval on or before a date certain established by the Superintendent or Superintendent's designee.
1. The District may require that the school give early notice of their intent to apply for renewal.
 2. The District may require attendance at renewal information meetings, or an equivalent approved by the Superintendent.
- B. The Division of Accountability and Office for New Schools shall establish a procedure to apply for renewal of approval that will include information from the school's ongoing oversight record as well as the school's strategies for sustaining its success and continuous improvement.
1. Any school that has received a letter of concern or a notice of deficiencies must provide information regarding school performance that has evidence that the matter of concern or deficiency has been adequately addressed.
 2. All schools must include a plan for their future plans for success, for improvement and any contemplated expansion of the program or addition of grades or locations.
- C. All applicants for renewal shall receive a preliminary report and recommendation from the Office of New Schools to which they may respond on a schedule to be published in advance.
- D. All applicants for renewal shall take part in a community hearing regarding the renewal application.
- E. All decisions regarding renewal shall be at the discretion of the Board of Directors, and shall be made in writing by April 1 of the year of the proposed renewed approval.



- F. The Superintendent will recommend any terms of renewal which may be for any period up to and including any statutory limitations. The length of the term shall be at the discretion of the Board of Directors.

III. TERMINATION, NON-RENEWAL, CONVERSION OR TRANSFER

A. Voluntary Termination, Conversion or Transfer.

1. A contract alternative autonomous school may unilaterally and voluntarily choose not to renew its contract with the District at the end of its contract period.
 - a) The contract alternative school must give at least sixty (60) days notice to the District of its intention to terminate the contract.
 - b) All student records of district students shall be returned to the District.
 - c) Any District property used by the contract alternative school shall revert to the District.
2. A site-governed school may unilaterally and voluntarily choose not to seek renewal at the end of its approval period.
 - a) The site-governed school must give the District at least sixty (60) days notice of its intention not to seek renewal.
 - b) Closure of the school shall follow the requirements of Minnesota law.
 - c) All property owned by the school shall revert to the District.
3. A site-governed school may seek to convert to a charter school in lieu of renewal of its approval as a site-governed school.
 - a) The site-governed school must give the District at least ninety (90) days notice of its intention to seek conversion.
 - b) If approved by the District as a charter school, all materials, supplies and equipment purchased by the site-governed school during its approval period shall become the property of the authorized charter school.
4. A charter school authorized by the District may request that its authorization be not renewed at the end of its approval period.
 - a) The charter school must give the district at least sixty (60) days notice of its intention to close or to seek transfer to another authorizer.
 - b) If the charter school intends to close, the school closure must follow the closure requirements of the performance contract between the parties and Minnesota law.
 - c) If the charter school intends to seek a different authorizer, the District must inform the Commissioner of Education whether or not it joins in the school's decision to terminate the authorization and seek authorization from another. If the District does not join the school's determination, the school may apply for renewal of the authorization.
 - (i) The District shall inform any succeeding authorizer about the fiscal and operational status and student performance of the school according to the overview exercised by the District.



- (ii) Such a transfer must be approved by the Commissioner of Education, and absent such an approval the school must be closed and follow the requirements for closing a school.

B. Involuntary Termination or non-renewal

1. The District may unilaterally choose not to renew a contract with a contract alternative school at the end of its contract period.
 - a) The District shall give at least sixty (60) days notice of the termination of such a contract.
 - b) All student records of district students shall be returned to the District.
 - c) Any District property used by the contract alternative school shall revert to the District.
2. The District may terminate the contract of a contract alternative school at any time for cause.
 - a) Cause shall include, but is not limited to:
 - (i) failure of the school to abide by the terms of its performance contract with the District;
 - (ii) violations of law.
 - b) All student records of district students shall be returned to the District.
 - c) Any District property used by the contract alternative school shall revert to the District.
3. The District may unilaterally choose not to renew a contract with a self-governed school at the end of its contract period.
 - a) The District shall give at least ninety (90) days notice of the decision of non-renewal to the school.
 - b) The school may apply to convert to a charter school.
 - c) If the school does not apply to convert to a charter school, or if that conversion request is denied, the school shall close following Minnesota law regarding school closures.
 - d) If the school does not convert to a charter school, or if a conversion request is denied, all materials, supplies and equipment purchased by the school during its approval period shall revert to the District.
4. The District may terminate the contract of a self-governed school at any time for cause.
 - a) Cause shall include:
 - (i) failure of the site to meet the provisions of the school's performance contract, including:
 - [a] student academic achievement goals;
 - [b] requirements of compliance with oversight procedures;
 - [c] failure to provide appropriate fiscal management.
 - (ii) violations of law; or
 - (iii) other good cause shown.
 - b) All materials, supplies and equipment purchased by the school during its approval period shall revert to the District.



5. The District may terminate the authorization of a charter school at any time for cause.
 - a) Cause shall include, but is not limited to:
 - (i) failure to meet student academic achievement goals identified in the charter authorization performance contract;
 - (ii) failure to meet generally accepted standards of fiscal management;
 - (iii) failure to meet financial and operational performance standards as outlined in the performance contract;
 - (iv) failure to cooperate with District oversight procedures included in its contract;
 - (v) violations of law; or
 - (vi) other good cause shown.
 - b) The district shall give notice including the grounds for non-renewal or termination at least sixty (60) days prior to taking the action.
 - c) The governing board of the charter school may request in writing an informal hearing before the Board of Directors within fifteen (15) days of receipt of the notice to terminate or intention not to renew. Failure to make a timely request for hearing shall be deemed acquiescence with the District's decision.
 - d) If the governing board of the charter school makes a timely request for hearing, an informal hearing shall be held before the Board of Directors upon ten (10) days notice to the school.
 - e) The Board of Directors shall make a final determination on the basis of the hearing no less than twenty (20) days prior to the proposed date of termination or non-renewal.
 - f) Terminated or involuntarily non-renewed charter schools must close according to Minnesota law.

Legal References:

Minn. Stat. §123A.05 (State-Approved Alternative Program Organizations)
Minn. Stat. §123B.045 (District-Created Site-Governed Schools)
Minn. Stat. §124D.10 (Charter Schools)
Minn. Stat. §124D.68 (Graduation Incentives Program)

Cross References:

MPS Policy 6010 (Autonomous Schools)
MPS Policy 6130 (Organizational Plan)

MPS Regulation 6010 A (Application Procedures)
MPS Regulation 6010 B (Performance Contracts)
MPS Regulation 6010 C (Oversight of Autonomous Schools)