



EDUCATION ONE AT TRINE UNIVERSITY

Revocation + Nonrenewal Process Guide

For Charter Schools Authorized by

Education One, L.L.C.

Education One, LLC. must develop a charter school protocol “to ensure timely notification to parents, orderly transition of students and student records to new schools, and proper disposition of school funds, property, and assets” (IC 20-24-9-4.5 (b)). Additionally, Education One, LLC. must, if a charter school closes for any reason, “oversee and work with the closing charter school to ensure a smooth and orderly closure and transition for students and parents...” (IC 20-24-9-4.5(c)). This document is designed to both fulfill these statutory obligations and to provide transparency and information to Education One, LLC. authorized schools.



Overview

Charter school authorizers have the power and the responsibility to ensure school closure is centered on what is best for children. The closure of a school requires thoughtful communication with families, staff, the school board, and the community in which a school is located. It is an authorizer's responsibility to ensure consistent communication throughout the entire school closure process.

Education One, in accordance with IC 20-24-4-3, has developed a charter revocation and nonrenewal process to ensure fair and timely decision making related to charter school closure. There are multiple avenues to a charter school's closure, including, 1) Charter Revocation; 2) Nonrenewal of Charter and 3) Voluntary Surrender of the Charter. This document provides guidance for an organization to navigate the closure process.

The closure process has three major components: (1) Notice; (2) Presenting contrary evidence to closure; and (3) Winding down of operations.

Charter Revocation

Education One at Trine University understands that at times, it may be necessary to revoke an Organizer's charter in the middle of the charter term. If an Organizer is noncompliant with the charter and/or has failed to rectify consistent performance deficiencies outlined in the Accountability Plan Performance Framework, the Organizer may be at risk of charter revocation. After assessing the Organizer's noncompliance, as well as any other relevant information, Education One will make a determination regarding the status of the charter. In the event that the Education One board decides to revoke an Organizer's charter, Education One will provide written notice of the board's decision to revoke the charter agreement to the Organizer. Revocation notice will include (1) the grounds for revocation; (2) information regarding the revocation process; and (3) a revocation date.

Should the Organizer choose to appeal the revocation decision, the Organizer must submit in writing, via email, a request for an appeal hearing, which will be held virtually, to the Executive Director of Education One at lindsay@education1.org within five days of receiving notice. During the appeal hearing, the Organizer will have one hour to present information in response to the revocation decision, allowing the Organizer to make a presentation in support of the continuation of the charter school. All documents must be submitted to the Executive Director of Education One, via email, at least 10 days prior to the appeal hearing. The Organizer is entitled to representation by counsel at the scheduled hearing.

Following the Appeal Hearing, the Education One board will meet to make a final decision based on recommendations from staff and the Hearing Panel. The Education One Board's revocation decision is final. Within 24 hours of the Education One Board Meeting, the Organizer will be notified in writing, via email. Revocation notice will include the projected last day of the charter contract.

Nonrenewal of Charter

In the final year of an Organizer's charter contract, Education One will review an Organizer's performance throughout the entirety of their charter term, and conduct a thorough review of the charter school, including an External Review Visit. At the conclusion of this formal assessment, Education One staff will provide a written recommendation to the Education One board in regards to renewal or nonrenewal of the charter agreement. If the Education One board determines that nonrenewal of an Organizer's charter contract is the appropriate path forward, the Organizer's charter will expire upon the



term date outlined in the charter agreement. Notice of the Education One board's decision regarding nonrenewal of a charter will be shared with the Organizer, in writing within 24 hours of the decision.

Should the Organizer choose to appeal the nonrenewal decision, the Organizer must submit in writing, via email, a request for an appeal hearing, which will be held virtually, to the Executive Director of Education One at lindsay@education1.org within five days of receiving notice. During the appeal hearing, the Organizer will have one hour to present information in response to the nonrenewal decision, allowing the Organizer to make a presentation in support of the continuation of the charter school. All documents must be submitted to the Executive Director of Education One, via email, at least 10 days prior to the appeal hearing. The Organizer is entitled to representation by counsel at the scheduled hearing.

Following the Appeal Hearing, the Education One board will meet to make a final decision based on recommendations from staff and the Hearing Panel. The Education One Board's nonrenewal decision is final. Within 24 hours of the Education One Board Meeting, the Organizer will be notified in writing, via email. Nonrenewal notice will include the projected last day of the charter contract.

Voluntary Surrender of the Charter

In the event that an Organizer chooses not to apply for charter renewal, and/or voluntarily surrenders the charter agreement, the charter contract will expire at the end of the designated school year. Upon surrendering the charter, the Organizer waives their right to a hearing, and will work with Education One to move through the School Closure Action Plan. Voluntary surrendering of the charter is only applicable to Organizer's who are in 'good standing' with Education One.

Winding Down of Operations

Please see the Closure Action Plan (p. 5) for a guiding checklist that will be used in the winding down of operations.



School Closure Action Plan

Instructions:

- Within the school's Google Drive folder there is a folder titled "Charter Revocation."
- Save each attachment in the list below that is applicable to the school and upload to the "Charter Revocation" folder. Attachments should be saved as a PDF and named "Attachment Number & Letter" (i.e., Attachment 1A).
- To link an attachment in the table below, follow these steps:
 - Right click on the attachment.
 - Click "Get shareable link."
 - Click the drop down arrow next to 'Restricted' and choose 'Anyone with the link.'
 - On the right, make sure 'Viewer' is chosen.
 - Click the blue 'Copy link.'
 - In the table below, list the same Title as the attachment (i.e., Attachment 1A) and then insert the link into the title and click enter to activate.
- Attachments should be uploaded as a PDF to the school's Charter Revocation folder on Google Drive and linked on the action plan below.
- Upon linking attachments, highlight the attachment in yellow.
- Highlighted attachments will be reviewed by the Education One team and unhighlighted when complete.
- Routine monitoring calls and/or desktop monitoring will be scheduled throughout the Charter Revocation process.

Within 24 Hours of Initial Board Vote (Completed By: DATE)				
	Action Item + Description of Required Actions	Responsible Party	Attachment	Completion Date <i>(For Office Use Only)</i>
1	<p>Press Release Create and distribute a press release that includes the following:</p> <ul style="list-style-type: none"> ● History of school; ● Authorizing board closure policies; ● Reason(s) for school closure; ● Outline of support for students, parents and staff; ● A press point person for the authorizer and for the school. 	<ul style="list-style-type: none"> ● Authorizer Lead 		
2	<p>Initial Closure Notification Letter: State & Local Agencies Letter to state education agency as well as local school districts (as necessary by statute or to inform local district for purposes of enrolling students from the closing school) to include:</p> <ul style="list-style-type: none"> ● Notification materials distributed to parents; ● Notification materials distributed to faculty and staff; ● Authorizing board decision materials, resolution to close school, ● Copy of any termination agreement (if applicable). <p>State Agencies should include:</p> <ul style="list-style-type: none"> ● School Finance ● Grants Management ● Federal Programs ● PERF ● Accountability and Assessment ● Data Reporting ● Child Nutrition 	<ul style="list-style-type: none"> ● Authorizer Lead 		
3	<p>Establish Transition Team and Assign Roles A team dedicated to ensuring the smooth transition of students, staff and close down of the school's business populated by authorizer staff in conjunction with board members and staff of the closing charter school. Team to include:</p> <ul style="list-style-type: none"> ● Lead person from Authorizer Staff; 	<ul style="list-style-type: none"> ● Authorizer Lead 		

	<ul style="list-style-type: none"> ● Charter School Board chair; ● Lead Administrator from the Charter School; ● Lead Finance person from the Charter School; ● ESP representative (if applicable) <p>Distribute contact information to all transition team members, set calendar for meetings and assign dates for completion of each charter school closure action item.</p>			
4	Family Contact Information Create Family Contact List to include: <ul style="list-style-type: none"> ● Student name; ● Address; ● Telephone; and ● Email 	<ul style="list-style-type: none"> ● Charter School Administrator Lead 		
5	Faculty Contact Information Create Faculty Contact List that includes: <ul style="list-style-type: none"> ● Name; ● Position; ● Address; ● Telephone; and ● Email. 	<ul style="list-style-type: none"> ● Charter School Administrator Lead 		
6	Written Statement of Assurance Statement assuring that instruction will continue in alignment with the current education program, per the charter contract, until the end of the school calendar for the regular school year.	<ul style="list-style-type: none"> ● Charter School Administrator Lead ● Charter School Board Chair 		

Within 48 Hours of Initial Board Vote (Completed By: DATE)

	Action Item + Description of Required Actions	Responsible Party	Attachment	Completion Date <i>(For Office Use Only)</i>
7	Initial Closure Notification Letter: Families & Faculty Distribute letter to faculty and families outlining: <ul style="list-style-type: none"> ● Closure decision; ● Assurance that instruction will continue through the end of the school year; ● Timeline for transition; ● Date for Family and Faculty Meetings and ● Helpline information. 	<ul style="list-style-type: none"> ● Authorizer Lead: Send email to families and faculty ● Charter School Administrator Lead: Send printed letter to families and faculty 		
8	Secure Student Records Ensure all student records are organized, up to date and maintained in a secure location.	<ul style="list-style-type: none"> ● Charter School Administrator Lead 		
9	Secure Financial Records and Establish Use of Reserve Funds <ul style="list-style-type: none"> ● Pursuant to the Charter Agreement, ensure an escrow account with a minimum of \$50,000 in funds to be used for closure expenses, is set aside ● Emphasize the legal requirement to limit expenditures to only those in the approved budget, while delaying approved expenditures that might no longer be necessary until a revised budget is approved. ● Make revisions that take into account closure and associated expenses while prioritizing continuity of instruction. ● Identify acceptable use of reserve funds. 	<ul style="list-style-type: none"> ● Charter School Financial Lead 		

Within 10 Days of Initial Board Vote (Completed By: DATE)

	Action Item + Description of Required Actions	Responsible Party	Attachment	Completion Date <i>(For Office Use Only)</i>
10	Terminate Summer Instruction Program Take appropriate action to terminate any summer instruction, such as canceling teaching contracts.	<ul style="list-style-type: none"> ● Charter School Administrator Lead ● Charter School Board Chair 		
11	Convene Faculty/Staff Meeting To communicate: <ul style="list-style-type: none"> ● Commitment to continuing coherent school operations throughout closure transition; ● Plan to assist students and staff by making closing as smooth as possible; ● Reasons for closure; ● Timeline for transition details; ● Compensation and benefits timeline; and ● Contact information for ongoing questions. 	<ul style="list-style-type: none"> ● Authorizer Lead 		
12	Convene Family Closure Meeting Plan and convene a family closure meeting. <ul style="list-style-type: none"> ● Make copies of “Closure FAQ” document available; ● Provide overview of authorizer board closure policy and closure decision; ● Provide calendar of important dates for parents; ● Provide specific remaining school vacation days and date for end of classes; ● Present timeline for transitioning students; ● Present timeline for closing down of school operations; and ● Provide contact and help line information. 	<ul style="list-style-type: none"> ● Authorizer Lead 		
13	Union Notification Pursuant to any Collective Bargaining Agreement If applicable, the school should contact legal counsel and work with them to notify any unions of termination of collective bargaining agreements (CBAs) and the pending cessation of instruction, pursuant to the notice requirements set forth in any existing CBA or notice requirements of applicable federal, state and local law. The school should: <ul style="list-style-type: none"> ● Consult with legal counsel with respect to notice requirements for terminating the CBA 	<ul style="list-style-type: none"> ● Charter School Board Chair 	Within one week of the authorizing board’s vote to close the charter school	

	<p>and the legal implications with respect to termination of CBAs and the termination of employees connected to the CBAs;</p> <ul style="list-style-type: none"> • Provide a copy of the latest CBA to the authorizer; • Provide a copy of the notice to the authorizer; and • Keep the authorizer informed of the implications, penalties and damages in connection with any termination of a CBA and ongoing discussions and negotiations with the union in connection with termination. 			
Within 45 Days of Initial Board Vote (Completed By: DATE)				
	Action Item + Description of Required Actions	Responsible Party	Attachment	Completion Date <i>(For Office Use Only)</i>
14	<p>Parent/Guardian Closure Transition Letter Distribute letter with detailed guidance regarding transition plan. Notification should include, but not be limited to:</p> <ul style="list-style-type: none"> • Date of the last day of regular instruction; • Cancellation of any planned summer school; • Notification of mandatory enrollment under state law; • Date(s) of any planned school choice fair(s); • Listing of the contact and enrollment information for charter,parochial, public and private schools in the area; • Information on obtaining student records pursuant to the state Freedom of Information Law before the end of classes; • Contact information for parent/guardian assistance/questions. 	<ul style="list-style-type: none"> • Authorizer Lead 		
15	<p>Staff/Faculty Closure Transition Letter Outline transition plans and timelines for staff, including but not limited to:</p> <ul style="list-style-type: none"> • Commitment of school's board to transitioning staff; • Commitment to positive transition of children into new educational settings; • Any transition to new employment assistance board anticipates providing (such as job fairs); • Timelines for compensation and benefits; • Timelines for outstanding professional development issues; • COBRA information; 	<ul style="list-style-type: none"> • Authorizer Lead 		

	<ul style="list-style-type: none"> ● Pertinent licensure information; ● Faculty lead contact information; and ● Transition team member contact information. 			
16	<p>Notification of Employees and Benefit Providers</p> <p>The school should establish an employee termination date and: notify all employees of termination of employment and/or contracts; notify benefit providers of pending termination of all employees; notify employees and providers of termination of all benefit programs; terminate all programs as of the last date of service in accordance with applicable law and regulations (i.e., COBRA), including:</p> <ul style="list-style-type: none"> ● Health care/health insurance; ● Life insurance; ● Dental plans; ● Eyeglass plans; ● Cafeteria plans; ● 401(k) retirement plans; and ● Pension plans. <p>Specific rules and regulations may apply to such programs, especially teachers' retirement plans, so legal counsel should be consulted.</p>	<ul style="list-style-type: none"> ● Charter School Financial Lead ● Charter School Board Chair 		
17	<p>Notification of Management Company/Organization and Termination of Contract</p> <p>The school must:</p> <ul style="list-style-type: none"> ● Notify management company/organization of termination of education program by the school's board, providing the last day of classes and absence of summer programs; ● Provide notice of non-renewal in accordance with management contract; ● Request final invoice and accounting to include accounting of retained school funds and grant fund status; and ● Provide notice that the management company/organization should remove any property lent to the school after the end of classes and request a receipt of such property. 	<ul style="list-style-type: none"> ● Charter School Board Chair 		
18	<p>Notification of Contractors Agreement</p> <p>The school must formulate a list of all contractors with contracts in effect and:</p> <ul style="list-style-type: none"> ● Notify them regarding school closure and cessation of operations; ● Instruct contractors to make arrangements to remove any contractor property from the 	<ul style="list-style-type: none"> ● Charter School Financial Lead 		

	<p>school by a certain date (copying machines, water coolers, other rented property);</p> <ul style="list-style-type: none"> ● Retain records of past contracts as proof of full payment; and ● Maintain telephone, gas, electric, water and insurance (including Directors and Officers liability insurance) long enough to cover the time period required for all necessary closure procedures to be complete. 			
19	<p>List of Creditors and Debtors Formulate list of creditors and debtors and any amounts accrued and unpaid with respect to such creditor or debtor. The list should include:</p> <ul style="list-style-type: none"> ● Contractors to whom the school owes payment; ● Lenders; ● Mortgage holders; ● Bond holders; ● Equipment suppliers; ● Secured and unsecured creditors; ● Persons or organizations who owe the school fees or credits; ● Lessees or sub-lessees of the school; and ● Any person or organization holding property of the school. 	<ul style="list-style-type: none"> ● Charter School Financial Lead 		
20	<p>Notification to Creditors Solicit from each creditor a final accounting of the school's accrued and unpaid debt. Compare the figures provided with the school's calculation of the debt and reconcile. Where possible, negotiate a settlement of debts consummated by a settlement agreement reflecting satisfaction and release of the existing obligations.</p>	<ul style="list-style-type: none"> ● Charter School Financial Lead 		
21	<p>Notification to Debtors Contact all debtors and demand payment. If collection efforts are unsuccessful, consider turning the debt over to a commercial debt collection agency. All records regarding such collection or disputes by debtors regarding amounts owed must be retained.</p>	<ul style="list-style-type: none"> ● Charter School Financial Lead 		
22	<p>UCC Search If required under state statute, the school should perform a Uniform Commercial Code (UCC) search to determine if there are any perfected security interests and to what assets security interests are attached.</p>	<ul style="list-style-type: none"> ● Charter School Financial Lead 		
23	<p>Inventory The school must:</p>	<ul style="list-style-type: none"> ● Charter School Financial Lead 		

	<ul style="list-style-type: none"> • Create a fixed asset list segregating state and federal dollars; • Note source codes for funds and price for each purchase; • Establish fair market value, initial and amortized for all fixed assets. 			
24	Disposition of Property Check with the state department of education regarding proper procedures for the disposition of property purchased with federal funds.	<ul style="list-style-type: none"> • Authorizer Lead • Charter School Financial Lead 		
25	Disposition of Inventory Establish a disposition plan (e.g., auction), and establish a payment process (e.g., cash, checks, credit cards) for any remaining items.	<ul style="list-style-type: none"> • Charter School Financial Lead 		
26	Disposition of Real Property (i.e., Facilities) Determine state requirements for real property acquired from a public school district to determine right of first offer and other applicable requirements for disposition.	<ul style="list-style-type: none"> • Charter School Financial Lead 		
27	Vendors The school must: <ul style="list-style-type: none"> • Create vendor list; and • Notify vendors of closure and cancel or non-renew agreements as appropriate. 	<ul style="list-style-type: none"> • Charter School Financial Lead 		
Ongoing Until Closure is Complete				
	Action Item + Description of Required Actions	Responsible Party	Attachment	Completion Date <i>(For Office Use Only)</i>
28	Payment of Funds The school should work with the authorizer to prioritize payment strategy considering state and local requirements. Using available revenue and any funds from auction proceeds, pay the following entities: <ul style="list-style-type: none"> • Retirement systems; • Teachers and staff; • Employment taxes and federal taxes; 	<ul style="list-style-type: none"> • Charter School Financial Lead • Authorizer Lead 		

	<ul style="list-style-type: none"> • Audit preparation; • Private creditors; • Overpayments from state/district; and • Other as identified by the authorizer. 			
29	<p>Maintenance of Location and Communication</p> <p>Establish if the school will maintain the current facility as its locus of operation for the duration of closing out the school's business, regulatory and legal obligations. In the event the facility is sold or otherwise vacated before concluding the school's affairs, the school must relocate its business records and remaining assets to a location where a responsive and knowledgeable party is available to assist with closure operations. The school must maintain operational telephone service with voice message capability and maintain custody of business records until all business and transactions are completed and legal obligations are satisfied. The school must immediately inform the authorizer if any change in location or contact information occurs.</p>	<ul style="list-style-type: none"> • Charter School Board Chair 		
30	<p>Insurance</p> <p>The school's assets and any assets in the school that belong to others must be protected against theft, misappropriation and deterioration. The school should:</p> <ul style="list-style-type: none"> • Maintain existing insurance coverage until the disposal of such assets under the school closure action plan; • Continue existing insurance for the facility, vehicles and other assets until 1) disposal or transfer of real estate or termination of lease, and 2) disposal, transfer or sale of vehicles and other assets; • Negotiate facility insurance with entities that may take possession of school facility (lenders, mortgagors, bond holders, etc.); • Continue or obtain appropriate security services; • Plan to move assets to secure storage after closure of the school facility. <p>If applicable under state statute, the school should maintain existing directors and officers liability (D&O) insurance, if any, until final dissolution of the school.</p>	<ul style="list-style-type: none"> • Charter School Board Chair • Charter School Financial Lead 		

Following Completion of the Last School Day (Completed By: DATE)

	Action Item + Description of Required Actions	Responsible Party	Attachment	Completion Date <i>(For Office Use Only)</i>
31	U.S. Dept. of Education Filings File Federal form 269 or 269a if the school was receiving funds directly from the United States Department of Education. See 34 CFR 80.41.	<ul style="list-style-type: none"> Charter School Financial Lead 		
32	Final Report Cards and Student Records Notice The school must ensure that: <ul style="list-style-type: none"> All student records and report cards are complete and up to date; Parents/guardians are provided with copies of final report cards and notice of where student records will be sent (with specific contact information); and Parents/ guardians receive a reminder letter or postcard reminding them of the opportunity to access student records under Freedom of Information law. 	<ul style="list-style-type: none"> Charter School Administrator Lead 		
33	Transfer of Testing Materials The school must determine state requirements regarding disposition of state assessment materials stored at the school and return as required.	<ul style="list-style-type: none"> Charter School Administrator Lead 		
34	Transfer of Student Records As required by state statute, the school must transfer all student records to students' new schools, a state agency or another school of choice. Contact districts of residence, or schools of choice, for students and provide notification of how (and when) records will be transferred. In addition, the school must create a master list of all records to be transferred and state their destination. Document the transfer of records to include: <ul style="list-style-type: none"> The number of general and special education records transferred Date of transfer Signature and printed name of the charter school representative releasing the records Signature and printed name of the organization who receives the records All student records not transferred to new schools must be submitted to IDOE Records should include, at a minimum: <ul style="list-style-type: none"> Grades and any evaluations conducted; 	<ul style="list-style-type: none"> Charter School Administrator Lead 		

	<ul style="list-style-type: none"> • All materials associated with Individual Education Plans; • Immunization records; and • Parent/guardian information. 			
35	Payroll Reports The school must generate a list of all payroll reports including taxes, retirement or adjustments on employee contracts.	<ul style="list-style-type: none"> • Charter School Financial Lead 		
36	Itemized Financials Review, prepare and make available: <ul style="list-style-type: none"> • Fiscal year-end financial statements; • Cash analysis; • List of compiled bank statements for the year; • List of investments; • List of payables (and determinations of when a check used to pay the liability will clear the bank); • List of all unused checks; • List of petty cash; and • List of bank accounts. Additionally, collect and void all unused checks as well as close accounts once transactions have cleared.	<ul style="list-style-type: none"> • Charter School Financial Lead 		
37	Disposition of Material Records If the school's board has a records retention policy, or if records retention in charters is governed by state law, follow the appropriate policy and/or law. In all cases, the school board shall maintain all corporate records related to: <ul style="list-style-type: none"> • Loans, bonds, mortgages and other financing; • Contracts; • Leases; • Assets and asset sales; • Grants (records relating to federal grants must be kept in accordance with 34 CFR 8042.) • Governance (minutes, by-laws, policies); • Employees (background checks, personnel files); • Accounting/audit, taxes and tax status; • Employee benefit programs and benefits; and • Any items provided for in the closure action plan. 	<ul style="list-style-type: none"> • Charter School Board Chair • Charter School Administrator Lead 		

	If the school does not have a records retention policy, and no state law governs records retention in charter schools, or if the school's board abdicates responsibility for records, authorizers that seek to take possession of personnel, non-student and non-personnel records should consult legal counsel about liabilities.			
38	Expenditure Reporting Ensure that Federal Expenditure Reports (FER) and the Annual Performance Report (APR) are completed.	<ul style="list-style-type: none"> Charter School Financial Lead 		
39	Property Purchased with Public Charter School Program (PCSP) Funds Establish under state or individual school agreements required disposition of property purchased with PCSP funds. Generally, property purchased with PCSP funds must first be offered to other charter schools within the same region in which the closing school is located, with requisite board resolutions consistent with the purpose of the PCSP. If no schools want the property, an auction must be held to dispose of the PCSP assets. The school must: <ul style="list-style-type: none"> Ensure public notice of the auction is made widely; Price items at fair market value, as determined from inventory and fixed assets policy; and Determine with the state education department how to return funds if any remain. Provide the authorizer board resolutions and minutes of any transfer of assets with a dollar value of zero (0) to another school.	<ul style="list-style-type: none"> Charter School Financial Lead 		
40	Audit The school must establish a date by which to complete a final close out audit by an independent firm or state auditor as determined by statute.	<ul style="list-style-type: none"> Charter School Board Chair Charter School Financial Lead 		
41	IRS Status If the school has 501(c)(3) status, it must take steps to maintain that status including, but not limited to, the following: <ul style="list-style-type: none"> Notification to IRS regarding any address change of the School Corporation; and Filing of required tax returns or reports (e.g., IRS form 990 and Schedule A). If the school corporation proceeds to dissolution, notify the IRS of dissolution of the education corporation and its 501(c)(3) status, and provide a copy to the authorizer.	<ul style="list-style-type: none"> Charter School Board Chair Charter School Financial Lead 	Date to be determined depending on 501(c)(3) status	