

## Required Elements of a Charter Petition

Idaho Code requires petitioners to include or address many items in their petitions to establish a charter school. This petition will be used as a binding contract if approved. Therefore, you need to think through policies and procedures for many areas. Even though you may be quite a long way out from starting your school, it is imperative to develop these plans now. They will provide future guidance, protection, and accountability. The more thorough you are in researching, developing, and describing these elements, the better your chances are not just for charter approval but overall school success.

The State Department of Education is responsible for doing a Sufficiency Review on those elements listed in Idaho Code 33-5205. However, all petitions must completely address all of the following elements (listed in two groups). Next to each element is the reference to the place in Idaho Code where it is stated. Become very familiar with these statutes.

### **Elements required by Section 33-5205 (3), Idaho Code**

1. Describe the school's educational program and how it will identify:
  - a. What it means to be an "educated person" in the 21<sup>st</sup> century; and
  - b. How learning best occurs. 33-5205 (3)(a)
2. Identify the school's goals and how all Educational Thoroughness Standards (as defined in Section 33-1612, Idaho Code) shall be fulfilled. 33-5205 (3)(a)
3. Identify measurable student educational standards by which all students of the charter school will demonstrate the extent to which they have attained the skills and knowledge specified as goals in the school's educational program. 33-5205 (3)(b)
4. Identify the method by which student progress is to be measured in meeting the school's student educational standards. 33-5205 (3)(c)
5. Describe how the school's students will be tested with the same standardized tests as other Idaho public school students. 33-5205 (3)(d)
6. Describe how the school will ensure that it shall be state accredited as provided by rule of the Idaho State Board of Education. 33-5205 (3)(e)  
33-5210 (4)(b)
7. Describe the governance structure of the school, including the person or entity that shall be legally accountable for the operation of the school and the process the school will follow to ensure parental involvement. 33-5205 (3)(f)

8. Describe the qualifications to be met by individuals employed by the school. Instructional staff must be certified teachers pursuant to rule of the State Board of Education. *33-5204A (1)*  
*33-5205 (3)(g)*  
*33-5210 (4)(a)*
9. Describe the procedures the school will follow to ensure the health and safety of students and staff. *33-5205 (3)(h)*
10. Describe the school's plan for denial of attendance to any student who is or has been:
  - a. An habitual truant
  - b. Incurrigible
  - c. Deemed by the board of trustees to be disruptive of school discipline or instructional effectiveness
  - d. Detrimental to the health and safety of the other students, or
  - e. Expelled from any other district.*33-5205 (3)(i)*
11. Describe how the school's admission procedures will comply with I.C. § 33-5205(j), to include a provision for over-enrollment, and equitable selection processes for the initial year, as well as subsequent years of operation. Include enrollment capacity of the charter school. *33-5205 (3)(j)*
12. Describe how waiting lists will be developed and renewed annually. *33-5205 (3)(j)*
13. Describe the manner in which the annual audit of financial and programmatic operations will be conducted. *33-5205 (3)(k)*  
*33-5206 (7)*  
*33-5210 (3)*
14. Describe the school's procedures for suspension, expulsion and re-enrollment of students, as well as procedures required by I.C. § 33-210. *33-5205 (3)(l)*
15. Include a provision that ensures all staff members will be enrolled in and covered by all of the following:
  - a. Public Employee Retirement System (PERSI)
  - b. Federal Social Security
  - c. Unemployment Insurance/Worker's Compensation Insurance*33-5205 (3)(m)*
16. Describe the public school attendance alternative for students residing within the school district who choose not to attend the public charter school. *33-5205 (3)(n)*

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| 17. | Describe the transfer rights of any employee choosing to work in a charter school that is approved by the board of trustees of a school district, and the right of this employee to return to any non-charter school in the same district.   | 5205 (3)(o)<br>33-1217        |
| 18. | Include a provision that ensures that the staff of the public charter school shall be considered a separate unit for purposes of collective bargaining.  | 33-5205 (3)(p)                |
| 19. | Describe the manner by which special education services will be provided to student with disabilities who are eligible for such services pursuant to the federal Individuals with Disabilities Education Act, to include a disciplinary procedure for such students.   | 33-5205 (3)(q)                |
| 20. | Describe the school's plan for working with parents who have students who are dually enrolled pursuant to Chapter 2, Title 33, Idaho Code.   | 33-5205 (3)(r)                |
| 21. | Describe the manner in which citizens residing in the area of attendance of the charter school will be made aware of enrollment opportunities.   | 33-5205 (3)(s)                |
| 22. | Describe the school's proposal for transportation services as required by I.C. §33-5208(4).  | 33-5205 (3)(t)<br>33-5208 (4) |
| 23. | Describe the school's plan for termination of the charter by the board of directors, to include:<br>a. Identification of who is responsible for dissolution of the charter school<br>b. A description of how payment to creditors will be handled<br>c. A procedure for transferring all records of students with notice to parents of how to request a transfer of student records to a specific school, and<br>d. A plan for the disposal of the public charter school's assets. | 33-5205 (3)(u)<br>33-5206 (8) |
| 24. | Describe the proposed operation and potential effects of the school, to include the following:<br>a. facilities to be used by the school;<br>b. the manner in which administrative services of the school are to be provided;<br>c. the potential civil liability effects upon the school and its chartering entity.   | 33-5205 (4)                   |

**Elements required by other sections of Idaho Code**

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| 1. | Include Articles of Incorporation and Bylaws of the nonprofit corporation and documentation of organization under the Idaho Nonprofit Corporation Act. | 33-5204 (1) |
| 2. | Include documentation regarding insurance for liability and property loss.   | 33-5204 (4) |

3. Include Elector petition forms with no less than 30 signatures from the attendance area designated in the petition and proof of elector qualifications. 33-5205 (1)(a)
4. Describe how the school will ensure that all teachers and administrators will be on a written contract in form as approved by the Superintendent of Public Instruction, conditioned upon a valid certificate being held by such professional personnel at the time of entering upon the duties thereunder. 33-5206 (4)(a)
5. Include anticipated enrollment. 33-5208 (5)(a)
6. Describe how the school will ensure all employees of the school undergo a criminal history check as required by section 33-130, Idaho Code. 33-5210 (4)(d)  
33-130  
33-512 (15)
7. Describe the manner in which gifted and talented students will be served including a plan for identification and service. 33-2003
8. Describe the manner by which Limited English Proficiency services will be provided. *Title III Federal Regulation, NCLB*
9. Outline provisions for Child Nutrition:
  - a. School Lunch Program
  - b. Determining Eligibility for Free and Reduced Price Meals
  - c. Verification Reporting and Recordkeeping *Federally funded programs with specific guidelines*
10. Include a provision that ensures a policy of Internet safety for minors that includes the operation of a technology protection measure with respect to any of its computers with Internet access that protects against access through such computers to visual depictions that are obscene, child pornography, or harmful to minors. *Children's Internet Protection Act*