

**New Hampshire State Board of Education**  
Due to the COVID-19 State of Emergency, this meeting will be held via Zoom Webinar.

Advanced registration is required via this link:  
[Register here for the NH State Board of Education Charter School Retreat](#)  
After registering, you will receive a confirmation email containing information about joining the webinar.

**Tuesday, October 27, 2020**



## **CHARTER SCHOOL RETREAT AGENDA**

- I. **CALL TO ORDER – 9:00 AM**
- II. **PLEDGE OF ALLEGIANCE**
- III. **9:00-9:45 AM ~ Charter School Administrators Presentation**
- IV. **9:45-10:15 AM ~ NH Alliance for Public Charter Schools Presentation**  
**10:30-10:35 AM ~ BREAK**
- V. **10:35-11:35 AM ~ Department Staff Charter School Application Process Presentation**  
**11:50 AM – 12:15 PM ~ LUNCH BREAK**
- VI. **12:15-1:15 PM ~ Department Staff Charter School Reporting (Accountability) Presentation**
- VII. **1:15-2:15 PM ~ Department Staff Charter School Renewal Process Presentation**  
**2:15-2:20 PM ~ BREAK**
- VIII. **2:20-3:20 PM ~ Department Staff Charter School Revocation Presentation**
- IX. **3:20-3:35 PM ~ Board Discussion**
- X. **ADJOURNMENT – 4:00 PM**

## Charter School Application Process

NH Statute	Administrative Rule
<p><b>194-B:3 Chartered Public Schools; Establishment; Application; Amendment; Procedure. –</b></p> <p>I. (a) Except as otherwise provided in law, chartered public schools shall be fully exempt from state laws and rules which otherwise apply to public or nonpublic schools, or local school boards or districts. Notwithstanding the foregoing, chartered public schools shall have all the rights and privileges of other public schools.</p> <p>(b) A chartered public school's board of trustees shall have full authority to determine the chartered public school's organization, methods, and goals.</p> <p>II. Except as expressly provided in this chapter, the duty and role of the local school board relative to the establishment of a chartered public school shall be to approve or disapprove the proposed chartered public school application based upon whether or not the proposed application contains in specific detail the following required elements:</p> <p>(a) Educational mission.</p> <p>(b) Governance and organizational structure and plan.</p> <p>(c) Methods by which trustees and their terms are determined.</p> <p>(d) General description and proposed or potential location of facilities to be used, if such information is available.</p> <p>(e) Maximum number, grade or age levels, and, as applicable, other information about pupils to be served.</p> <p>(f) Curriculum that meets or exceeds state standards in the subject areas offered.</p> <p>(g) Academic and other learning goals</p>	<p>Ed 318.03 <b><i>Eligibility</i></b>. Persons or entities eligible to apply to establish a charter school shall be organized as a nonprofit corporation in accordance with the provisions of RSA 292. Such corporation shall first establish a prospective board of trustees and prescribe the board's duties in a set of proposed bylaws which shall be consistent with the prospective board duties under RSA 194-B:5.</p> <p>Ed 318.04 <b><i>Application Methods</i></b>. There shall be 2 methods of application for a charter school, as follows:</p> <p>(a) The local school board process, in accordance with RSA 194-B:3, III; and</p> <p>(b) The state board <i>in accordance with</i> RSA 194-B:3-a</p> <p><b><i>Ed 318.05 Waiver Provision. For good cause shown, including but not limited to a hardship which is outside of the control of the applicant, a local school board and the state board shall waive any deadlines applying in RSA 194-B:3 to their respective actions for specific periods of time, provided that a request for a waiver shall:</i></b></p> <p>(a) <i>Be in writing and be signed by the waiver applicant;</i></p> <p>(b) <i>Specify the provisions of RSA 194-B:3 to be waived, the duration of the waiver, and the hardship which is outside of the control of the applicant or other circumstance which caused the applicant to ask for a waiver; and</i></p> <p>(c) <i>Include a certification that the waiver applicant has made a good faith effort to comply with said provisions.</i></p> <p>Ed 318.056 <b><i>Applications to the Local School Board</i></b></p> <p>(a) <i>prospective board of trustees</i> approval for a charter school shall apply to the local school board by July 1 of the year preceding intended operation and in accordance with all of the provisions of RSA 194-B:3</p>

and objectives.

(h) Achievement tests to be used to measure pupil academic and other goal achievement including, but not limited to, objective and age-appropriate measures of literacy and numeracy skills, including spelling, reading, expository writing, history, geography, science, and mathematics.

(i) For schools offering high school grade levels, graduation requirements sufficient to ensure that the school has provided an adequate education for its pupils.

(j) Staffing overview, including qualifications sought for professionals and paraprofessionals.

(k) Personnel compensation plan, including provisions for leaves and other benefits, if any.

(l) Pupil transportation plan, including reasonable provision from the chartered public school's own resources for transportation of pupils residing outside the district in which the chartered public school is physically located.

(m) Statement of assurances related to nondiscrimination according to relevant state and federal laws.

(n) Method of coordinating with a pupil's local education agency (LEA) responsible for matters pertaining to any required special education programs or services including method of compliance with all federal and state laws pertaining to children with disabilities.

(o) Admission procedures.

(p) Philosophy of pupil governance and discipline, and age-appropriate due process procedures to be used for disciplinary matters including suspension and expulsion.

(q) Method of administering fiscal accounts and reporting, including a provision requiring fiscal audits and

***(b) In accordance with the review procedures described in RSA 194-B:3, III(c), by September 15 of the year in which the application is received, the local school board shall complete its review of the application and either approve or deny the charter application.***

***(c) In accordance with RSA 194-B:3, IV, the board of trustees may appeal a denial by the local school board to the state board by September 30 of the application year.***

Ed 318.07 Local School Board Decision.

***(a) In accordance with RSA 194-B:3, III(c), by September 15 of the year in which an application is received, the local school board shall:***

***(1) Either approve or deny the charter application; and***

***(2) Forward the proposed application, contract, and a written statement of its decision, as outlined in (b) and (c) below, to the state board and to the applicant's prospective board of trustees.***

***(b) If the application, including a proposed contract as described in RSA 194-B:3, is approved, the local school board shall file the application with the state board with a cover letter indicating the date of the local school board meeting at which the application was approved;***

***(c) If the application is denied, the local school board shall forward the application to the state board with a cover letter indicating:***

***(1) Suggested amendments or additions to the application or contract to correct any areas deemed deficient, numbered to correspond to the list of criteria in RSA 194-B:3, II;***

***(2) Any legal questions the local school board wishes the state board to address, including those issues which might require an opinion to the state board by the department of justice; and***

***(3) Any other matters which might be pertinent concerning the operation of the proposed charter school in the local school board's district.***

reports to be performed by an independent certified public accountant.

(r) Annual budget, including all sources of funding, and a projected budget for the next 2 years.

(s) School calendar arrangement and the number and duration of days pupils are to be served pursuant to RSA 194-B:8, III.

(t) Provision for providing continuing evidence of adequate insurance coverage.

(u) Identity of consultants to be used for various services, if known, or the qualifications or certifications of consultants not identified by name.

(v) Philosophy of parent involvement and related plans and procedures.

(w) A plan to develop and disseminate information to assist parents and pupils with decision-making about their choice of school.

(x) A global hold-harmless clause which states:  
 The chartered public school, its successors and assigns, covenants and agrees at all times to indemnify and hold harmless the (school district), any other school district which sends its students to the chartered public school, and their school boards, officers, directors, agents, employees, all funding districts and sources, and their successors and assigns, (the "indemnified parties") from any and all claims, demands, actions and causes of action, whether in law or in equity, and all damages, costs, losses, and expenses, including but not limited to reasonable attorneys' fees and legal costs, for any action or inaction of the chartered public school, its board, officers, employees, agents, representatives, contractors, guests and invitees, or pupils.

(y) Severability provisions and

Ed 318.08 *State Board Review of Local Board Process and Application.*

(a) *In accordance with RSA 194-B:3, III(d), by December 31 of the application year,* The state board shall review the application for completeness to ensure that each of the statutory requirements of RSA 194-B:3, II has been met, *and shall grant or deny its approval.*

(b) The state board shall notify the applicant in writing of its decision *as follows:-*

(1) If the state board:

*a.* Approves an application, the state board shall include in the notification:

*a written notification of any suggested additions or amendments to the proposed application to the local school board and the board of trustees to assure compliance with any component of RSA 194-B:3; and*

*2. 2 copies of the approved contract to the clerk of the local school district for inspection by the voters of the school district as required under RSA 194-B:3, III(e); or*

*b.* Denies an application, the state board shall include in the notification:

*1.* A written explanation of the reasons for the denial;

*2.* The areas deemed deficient by the state board; and

*3.* An explanation that the applicant may reapply under RSA 194-B:3 or RSA 194-B:3-a.

(e) The board of trustees may appeal a denial by the state board in accordance with Ed 213.

statement of assurance that any provision of the chartered public school contract found by competent authority to be contrary to applicable law, rule, or regulation shall not be enforceable.

(z) Provision for dissolution of the chartered public school including disposition of its assets or amendment of its program plan.

(aa) In the case of the conversion of a public school to a charter conversion school, provision for alternative arrangements for pupils who choose not to attend and teachers who choose not to teach at the chartered public school.

(bb) A plan for the education of the school's pupils after the chartered public school may cease operation.

(cc) In addition to an application, each chartered public school applicant, in consultation with the local school board, shall prepare a proposed contract. The contract shall include, but shall not be limited to, the following elements:

- (1) Purpose.
- (2) Written policies.
- (3) Authority of trustees.
- (4) Reporting, fiscal accounting and fiscal audits to be performed by a certified public accountant.
- (5) Contract agreements.
- (6) Indemnification.
- (7) Secular orientation.
- (8) Non-discrimination.
- (9) Health and safety.
- (10) Enrollment.
- (11) Attendance.
- (12) Availability of services.
- (13) Assessment of pupils.
- (14) Tuition and funding.
- (15) Property ownership.
- (16) Records.
- (17) Severability in accordance with subparagraph (y) above.
- (18) Assignment of contract.
- (19) Insurance.

**Ed 318.09 Applications to the State Board.**

(a) An applicant seeking state board ~~approval~~ **authorization** for a charter school shall submit a letter of intent to submit a charter school application to ~~the~~ **the department's office of charter schools which**

shall include:

- (1) Date;
- (2) Proposed charter school name;
- (3) Proposed grade levels; and
- (4) Contact person including:
  - a. Name;
  - b. Organization, if applicable;
  - c. Address;
  - d. Email address; and
  - e. Telephone / Fax number.

(b) An application to the state board to establish a charter school under RSA 194-B:3-a shall be made by the prospective board of trustees in the form of a ***“Chartered Public School Application Cover Sheet” form, revised September 2020, and*** an application containing all of the elements in RSA 194-B:3, II(a)-(bb) and (dd).

**Ed 318.10 Department, Legal, and Peer Review.**

(a) ***An application to the state board shall not be considered complete until it has undergone a thorough and collaborative review by the office of charter schools, a legal consultant designated by the office of charter schools, and a committee of peers to ensure compliance and completeness in accordance with RSA 193-B:3.***

(ab) ***Within 10 days of initial filing, the office of charter schools shall notify the applicant of receipt of the application materials as well any missing materials required by RSA 193-B:3(a)-(bb) and (dd).***

(20) Revocation.  
(21) Amendment.  
(22) Renewal.  
(23) Entire agreement.  
(24) Location, which shall be identified prior to submission to the legislative body.  
(dd) An outline of the proposed accountability plan which clarifies expectations for evaluating the school's program and which contains an acknowledgement that a full accountability plan shall be developed and ready to implement prior to the date of opening.  
III. (a) [Repealed.]  
(b) Proposed applications and contracts to establish a chartered public school shall be presented by July 1 of the year preceding intended operation of the chartered public school by its prospective board of trustees to the school board of the district in which the chartered public school intends to be located. The school board shall hold at least one public hearing on the application prior to September 15.  
(c) By September 15 of the given year, the school board shall have completed its review of the proposed application and shall have granted or denied its approval. In its review the school board shall grant or deny the proposed application, using as its criteria whether or not the proposed application and contract contain and address the elements required under RSA 194-B:3, II. The school board reserves the right to suggest amendments or additions to the proposed application as it deems necessary to assure its completeness and compliance with this chapter. The school board shall forward the proposed application and contract, along with its approval or denial and a written statement specifying any areas deemed

*(c) Within 30 days of receipt of notification from the office of charter schools as described in (b) above, the applicant, with assistance and collaboration from and by the office of charter schools, shall submit all requested missing information, or the application shall be closed. The prospective board of trustees may submit the application materials again, which shall reset the timeline for review.*

*(d) A legal consultant designated by the charter school office shall complete a review and appraisal of the application within 30 days of initial filing.*

*(e)-Within 30 days of completion of the legal consultant's review, the application and legal consultant's appraisal shall be reviewed by a committee of peers-*

*which shall consist of 3 persons with experience in charter schools, one of whom has administrative experience and one of whom is licensed by the state board as a New Hampshire educator. Conditional upon the availability of funds, the department shall provide a small stipend and travel costs to the committee of peers.*

*(f) Within 10 days of completion of the peer review, the department shall provide the applicant with written comments, including suggested amendments or modifications from the legal and peer review, if the department determines that amendments or modifications are needed in order for the application to be deemed complete and to ensure compliance with RSA 194-B:3, II(a)-(bb) and (dd).*

*(h) The applicant shall submit an amended or modified application within 30 days of receipt of notification in (f) above or the application will be closed. The prospective board of trustees may submit the application materials again, as described in Ed 318.09.*

*(i) The office of charter schools shall notify the applicant of a complete application within 10 days of receipt of all requested amendments and modifications, if required, or within 10 days of completion of the peer review if no amendments or modifications are requested. The notification shall include the date of the next scheduled state board meeting where the charter application will be reviewed, and the deadline for the state board's decision which shall not exceed 60 days from the date of receipt of the complete application pursuant to RSA 541-A:29, II.*

deficient, to the state board and to the applicant's prospective board of trustees. (d) By December 31 of the given year, the state board shall have reviewed the proposed application and shall grant or deny the proposed application, using as its criteria whether or not the proposed application contains and addresses the elements required under RSA 194-B:3, II. The state board reserves the right to suggest amendments or additions to the proposed application as it deems necessary to assure its completeness and compliance with this chapter. Application disapprovals shall include a written statement specifying areas deemed deficient. The state board shall promptly notify the prospective board of trustees and the school board of its decision in writing. For any applicant chartered public school whose proposed application is deemed complete and is approved by the state board, the state board shall issue a charter enabling the formation and operation of the chartered public school. (e) The state board shall submit 2 copies of the approved contract to the clerk of the school district who shall make the contract available for inspection by the voters of the school district. The school board shall submit a warrant article to the school district legislative body for ratification or denial without amendment. The ratification question shall be placed on the warrant of the next special or annual school district meeting and shall take the following form:  
"Shall the district raise and appropriate the necessary funds and ratify the proposed contract between the \_\_\_\_\_ chartered public school and the \_\_\_\_\_ school district, for a period of 5 years for initial adoption or for a period of 7 years for renewal,

Ed 318.11 State Board Approval.

(a) *The state board shall notify the applicant in writing of its approval or denial of a chartered public school application within 60 days of the department's notification to the applicant of a complete application pursuant to RSA 541-A:29, II.*

(b) *The state board shall request in writing the applicant's presence at the state board meeting for which an approval or denial of the application is scheduled, to ask clarifying questions of the applicant.*

(c) The board shall approve the application, after reviewing the application and the department's evaluation under Ed 318.10, if it determines the application is in compliance with-RSA 194-B:3, II(a)-(bb) and (dd).

(d) If the board determines that *more information is necessary to make a decision regarding the approval or denial of the application, upon written agreement by the applicant, pursuant to RSA 541-A, III, the board shall extend the decision deadline to the next scheduled board meeting or a time agreed to by the applicant, not to exceed 90 days*

(e) *The state board shall deny an application if it determines the application is not in compliance with the requirements of RSA 194-B:3, II(a)-(bb) and (dd).*

(f) If the state board *denies* an application, the state board shall include in the notification:

a. A written explanation of the reasons for the denial;

b. The areas deemed deficient by the state board; and

c. An explanation that the applicant may reapply under RSA 194-B:3, RSA 194-B:3-a in a subsequent year.

(g) The board of trustees may appeal a denial by the state board in accordance with Ed 213.

with a first year annual appropriation of \$\_\_\_ per student not to exceed \$\_\_\_ which shall be approved by the voters in the district operating budget? The first year total financial impact of a 'yes' vote on this question is estimated by the school board at \$\_\_\_.

\_\_\_\_\_ Yes \_\_\_\_\_ No"

In districts without annual meetings, the legislative body shall have final authority to ratify or deny the state board approved contract. A ratified contract grants final authority for the chartered public school to operate for the life of its contract and to receive school district funds.

(f) The school's contract shall become effective July 1 immediately following ratification by the legislative body.

Upon approval by the legislative body, contracts shall be for a 5-year term beginning on July 1 immediately following ratification by the legislative body.

IV. (a) The chartered public school's prospective board of trustees may appeal a denial by a school board under RSA 194-B:3, III(c) to the state board by September 30 of the given year.

(b) The state board shall conduct a review of the proposed chartered public school application, using review standards as specified under RSA 194-B:3, II. The state board shall be authorized to suggest amendments or additions to the proposed application to both parties including, but not limited to, deficiencies identified by the local school board and the trustees, as the state board deems necessary to assure its completeness and compliance with this chapter. Application disapprovals by the state board shall include a written statement specifying areas deemed deficient or in the case of approval on



appeal, the reasons for such action to both parties. The state board shall promptly notify the prospective board of trustees and the school board of its decision in writing.

(c) For any applicant chartered public school whose entire proposal is complete and is approved by the state board on appeal from denial by a school board, the state board shall issue a charter enabling the formation and operation of the chartered public school.

(d) To complete the process by which an applicant chartered public school may be approved on appeal from a school board denial, RSA 194-B:3, III(e), (f) and (g) must also be followed.

V. Persons or entities eligible to submit an application to establish a chartered public school shall include:

(a) A nonprofit organization including, but not limited to, a college, university, museum, service club, or similar entity.

(b) A group of 2 or more New Hampshire certified teachers.

(c) A group of 10 or more parents.

VI. (a) Any existing public school may by a vote of the school board become a charter conversion school, provided that, in addition to all other requirements of this chapter for establishment of a chartered public school:

(1) A majority of its prospective teachers vote by ballot to approve such conversion in a district with more than one school, or  $\frac{2}{3}$  of the teachers so vote in a single school district.

(2) The school superintendent and principal both provide their approval in writing.

(b) All pupils attending a school which successfully converts to charter status shall be eligible for admission to such chartered public school.

VII. Neither a school board nor the state

board shall accept an application to form a chartered public school from state approved nonpublic schools, including those which may reorganize in any form.

VIII. Home education programs established pursuant to RSA 193-A shall not be eligible to be a chartered public school.

IX. A chartered public school which has not initiated operation within 2 years of the issuance of its charter shall submit a progress report to the state board and school board. The state board may withdraw its approved charter if substantial progress has not been made toward opening the chartered public school.

X. A school's charter may be renewed in the same manner that a new chartered public school is formed, except that a school's renewal term shall be for a period of 5 years.

XI. (a) A charter grantee may apply to the school board for amendment to its application and contract, which shall be granted or denied within 30 days at the school board's discretion. The school board shall notify the school in writing of the decision to grant or deny the proposed amendment, providing reasons for the decision. An approved amended contract shall be promptly signed by the school board within one month of approval.

(b) A charter grantee may appeal the denial of a proposed application and contract amendment to the state board. The state board shall review the proposed amendment and within 30 days shall notify the school and the school board in writing of the decision to grant or deny the amendment, providing reasons for the decision.

(c) Within one month of receipt of a notice of approval from the state board

on appeal from a school board denial, the school board shall promptly execute the proposed amended contract.

(d) When executed by the school board, an appealed amended application and contract shall be submitted promptly to the school district legislative body for subsequent ratification or denial without amendment, which decision shall be final. The ratification question shall be placed on the warrant of the next special or annual school district meeting. In districts without annual meetings, the legislative body shall have final authority to ratify or deny the proposed amended application and contract.

XII. For specific periods of time and for good cause shown, a school board and the state board may waive any deadlines applying in this section to their respective actions. A school board and the state board may provide technical assistance to improve a chartered public school's application or to speed the approval process. An applicant whose proposed application is not approved by a school board or by the state board shall be granted the opportunity to present a revised application for reconsideration.

XIII. The board of trustees of a chartered public school may acquire real property by lease, purchase, lease with purchase option, gift, or otherwise at any time prior to receiving a charter.

### **Section 194-B:3-a**

#### **194-B:3-a Chartered Public School Approval by State Board of Education. –**

I. The state board of education may grant charter status to applicants that meet the requirements of this chapter.

II. The proposed chartered public school application shall be presented for

approval directly to the state board of education by the applicant for the prospective chartered public school. The content of such application shall conform to the requirements set forth in RSA 194-B:3, II(a)-(bb) and (dd). The department of education shall notify an applicant of any missing information within 10 days of the initial filing. The applicant shall file any missing information before the department reviews the application.

III. The department of education may forward the proposed application to the applicant, along with a written statement detailing any suggested amendments or modifications.

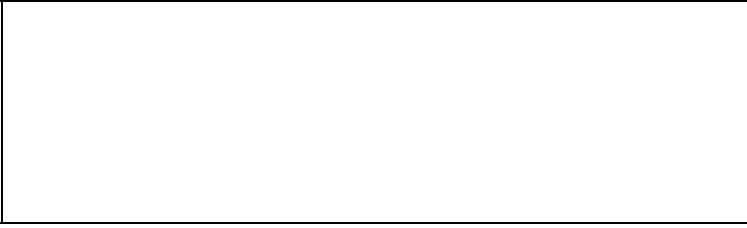
IV. The state board of education shall either approve or deny an application using reasonable discretion in the assessment of the elements set forth in RSA 194-B:3, II, (a)-(bb) and (dd). Lack of state funding alone shall not constitute grounds for the denial of an application. Approval of an application constitutes the granting of charter status and the right to operate as a chartered public school. The state board of education shall notify all applicants of its decision in writing, and shall include in any notice of denial a written statement specifying any areas deemed deficient, the reasons for the denial, and explaining that the applicant may reapply under RSA 194-B:3 or under this section in a subsequent year.

V. (a) The following provisions of law shall not apply to chartered public school applications proposed under this section, or to chartered public schools granted approval for operation under this section:

- (1) RSA 194-B:3, II(cc).
- (2) RSA 194-B:3, III-IV.
- (3) RSA 194-B:3, XI.
- (4) RSA 194-B:15, II.

(b) Except as provided in this paragraph, the provisions of RSA 194-B shall apply to chartered public schools approved for operation by the state board of education under this section.

(c) [Repealed.]



## Charter School Reporting (Accountability)

NH Statute	Administrative Rule
<p><b>194-B:10 Chartered Public Schools; Reporting Requirements. –</b></p> <p>I. Each chartered public school shall provide one copy of its annual report to the state board and to its local school board. This report shall also be available to any person who expressly requests it.</p> <p>II. A chartered public school shall provide at its own expense an annual financial audit and report to the state board and the school board complying with any current format and content requirements imposed upon a public school. The report shall include the number of pupils served by the school and their respective tuition rates and a discussion of progress made towards the achievement of the school's academic and other goals set forth in its charter.</p> <p>III. To ensure compliance with its application and contract and applicable law, a chartered public school shall be subject to a first year program audit by the department of education or its agent, and shall be subject to a program audit by the department of education at least once every 3 years thereafter.</p> <p>IV. A summary version of any annual and periodic reports required in this chapter shall be provided to the parent or guardian of each pupil enrolled at a chartered public school and shall be made available to the legislative body.</p> <p>V. A representative of a chartered public school shall attend and be prepared to report at and answer questions during relevant portions of the annual school district budget process.</p>	<p style="text-align: center;">Ed 318.17 <u>Charter School Annual Report Requirements.</u></p> <p style="text-align: center;">(a) In addition to the requirement of RSA 194-B:10, each charter school annual report shall include at a minimum the following elements:</p> <p style="padding-left: 40px;">(1) A statement explaining how the school is meeting the goals of its mission statement;</p> <p style="padding-left: 40px;">(2) Any changes in the membership of the board of trustees or in the trustees' methods of operations or amendments to the by-laws;</p> <p style="padding-left: 40px;">(3) Any recusals made by a member of the board of trustees under RSA 194-B:5, VII;</p> <p style="padding-left: 40px;">(4) How the school is implementing all the requirements and any options allowed by RSA 194-B:8;</p> <p style="padding-left: 40px;">(5) The attendance rate of pupils enrolled at the school as reflected in the school's average daily membership;</p> <p style="padding-left: 40px;">(6) The number of incidents that occurred on the school grounds and that required the intervention of local, state or federal law enforcement;</p> <p style="padding-left: 40px;">(7) The number of incident reports prepared under RSA 126-U:7, child restraints notice and record-keeping requirements;</p> <p style="padding-left: 40px;">(8) The number of substantiated incidents of bullying or cyberbullying as identified in RSA 193-F:6;</p> <p style="padding-left: 40px;">(9) The percentage of pupils who either were promoted to the next grade level or graduated from high school;</p> <p style="padding-left: 40px;">(10) A description of the community services available at the school site;</p> <p style="padding-left: 40px;">(11) The school calendar, including hours of operation;</p>

**194-B:3**

(dd) An outline of the proposed accountability plan which clarifies expectations for evaluating the school's program and which contains an acknowledgment that a full accountability plan shall be developed and ready to implement prior to the date of opening.

(12) The total number of pupils enrolled at the school during the previous school year;

(13) The transportation services available if any;

(14) A financial statement setting forth the revenue and expenditures for the year just ended;

(15) A balance sheet setting forth the charter school's assets, liabilities, and fund balances or equities; and

(16) Projections of income and expenses for the upcoming school year.

(b) If the information required for the annual report has been previously submitted, the document in which it was submitted shall be attached or the manner in which it was submitted shall be referenced, in the annual report.

Ed 318.18 Review of Annual Reports. The commissioner shall review the collected data from each authorized charter school in accordance with the requirements of RSA 194-B and Ed 318.16, for the purpose of providing, to the state board, an ongoing status report of each charter school. The data specifically required shall not exceed the reporting requirements of New Hampshire public schools.

## Charter School Renewal Process

NH Statute	Administrative Rule
<p><b>194-B:3</b> X. A school's charter may be renewed in the same manner that a new chartered public school is formed except that a school's renewal term shall be for a period of 5 years.</p> <p><b>194-B:16</b> VI. By the end of its final contract year, the chartered public school shall meet or exceed the objective academic test results or standards and goals as set forth in its application. If the school does not meet these results or standards and goals, it shall not be eligible for renewal of its charter.</p> <p><b>194-B:17</b> V. The state board shall develop procedures and guidelines for revocation and renewal of a school's charter.</p>	<p>Ed 318.123 <u>Charter Renewal</u>.</p> <p>(a) A charter may be renewed for a renewal period of 5 years in accordance with RSA 193-B:3, X. The board of trustees of a charter school shall make an application for renewal to the state board no later than one year before the original charter is set to expire.</p> <p>(b) For the first renewal, the application shall consist of the school's fourth year annual report with a cover letter requesting renewal, except that subsequent renewals shall be based on the annual report of the year preceding expiration of the charter. The criteria listed in Ed 318.07 and RSA 194-B:16, VI, shall be used by the board to approve or deny all renewals and shall be referenced in all decisions.</p> <p>(c) The renewal application process shall include:</p> <ol style="list-style-type: none"> <li>(1) The documents in (b) with name, complete mailing address, and contact information, signed and dated by the head of the school and the chairman of the board;</li> <li>(2) A completed application for renewal signed and dated;</li> <li>(3) A document review including pertinent yearly accountability materials submitted to the charter school office;</li> <li>(4) Invitation for written comments; and</li> <li>(5) Recommendation of the commissioner.</li> </ol> <p>(d) Tables graphs, and other data shall be clearly presented, clearly explained, and directly relevant to the text.</p> <p>(e) The cover letter in (b) shall contain the following:</p> <ol style="list-style-type: none"> <li>(1) A concise abstract, of approximately one page, restating mission and goals and addressing what progress the school has made: <ol style="list-style-type: none"> <li>a. Towards its academic goals defined; and</li> <li>b. In programmatic and organizational goals</li> </ol> </li> </ol>



(2) Current enrollment numbers and anticipated enrollment for the next 3 school years;

(3) A statement describing any changes in curriculum or instruction as a result of anticipated growth; and

(4) A report on school features, curriculum and technology programs, successes and failures in academic attainment including:

a. A discussion of the efforts to disseminate best practices or in other ways coordinating with local or other school districts;

b. A discussion of parent involvement to date and future plans for parent involvement;

c. A report on past fundraising efforts and results, future fund raising goals, and plans achieving sustainability; and

d. A proposed budget for the following school year including:

1. A statement on how the school will use public funds; and

2. A detailed description of the specific board's reasoning for allocation of funds.

Ed 318.14 Review of Renewal Application.

(a) The process for review of the renewal application shall be as follows:

(1) The department shall conduct a school review and on-site visit; and

(2) The department shall complete a review and recommendation to the state board.

(b) Criteria for review of application materials shall include:

(1) Whether the school is making progress toward achieving its mission;

(2) Whether the school is using public funds as required by the statute and the rules;

	<p>(3) Whether the school is meeting goals for student attainment of expected knowledge and skills;</p> <p>(4) Whether the school is making an effort to disseminate best practices or in other ways coordinate with the local or other school districts; <i>and</i></p> <p>(5) Whether the school is sustainable</p> <p>(c) The board shall renew a charter, if as evidenced by the responses to (a) and (b), the charter school is attaining its performance targets.</p>
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## Charter Revocation

NH Statute	Administrative Rule
<p><b>194-B:16 Charter Revocation; Probation. –</b></p> <p>I. Written petition to the state board to revoke a school's charter may be requested by the parent of any pupil currently attending that chartered public school, or by the school board of a host or receiving school district.</p> <p>II. After reasonable notice has been provided to all affected parties, the state board may revoke a school's charter prior to the expiration of its term under the following circumstances:</p> <p>(a) The school commits a material violation of any of the conditions, standards, or procedures set forth in its charter application and contract.</p> <p>(b) The school fails to meet generally accepted standards for fiscal management.</p> <p>(c) The school significantly violates the law.</p> <p>(d) The school makes a material misrepresentation in its application or contract application.</p> <p>(e) The school becomes insolvent or financially unstable.</p> <p>III. Before revoking a school's charter, the state board shall consult with the school board and the board of trustees on the development and implementation of a remedial plan.</p> <p>IV. The state board may place a chartered public school on probationary</p>	<p>Ed 318.145 <u>Revocation and Withdrawal.</u></p> <p>(a) A charter shall be revoked for any of the reasons listed in RSA 194-B:16, II, or if the board of trustees fails to cooperate in the development of a remedial plan under RSA 194-B:16, III. If the commissioner makes a recommendation to revoke a charter, it shall give the trustees at least 90 days notice of its intent. Revocation shall occur only after notice and opportunity for a hearing as provided under RSA 541-A:31. The hearing shall be conducted in accordance with Ed 200.</p> <p>(b) A charter shall be withdrawn if the board of trustees fails to submit a progress report under RSA 194-B:3, IX.</p> <p>(c) The charter shall be withdrawn if a progress report is filed but fails to:</p> <p style="margin-left: 40px;">(1) Specify which provisions of RSA 194-B are delaying the opening of the charter school; or</p> <p style="margin-left: 40px;">(2) Provide a remedial plan for the school to overcome any obstacles.</p>

status for up to one year to allow the implementation of a remedial plan, after which, if the plan is unsuccessful, the charter shall be revoked.

V. Nothing contained in this section shall prevent the state board from immediately revoking a school's charter in circumstances posing extraordinary risk of harm to pupils.

VI. By the end of its final contract year, the chartered public school shall meet or exceed the objective academic test results or standards and goals as set forth in its application. If the school does not meet these results or standards and goals, it shall not be eligible for renewal of its charter.

VII. If a school's charter expires or is revoked, the school shall be dissolved under the provisions of its charter application and contract. If the contract provisions are silent or ambiguous as to disposition of any asset of the school, such asset shall revert to the school district in which the chartered public school is located at no cost to that district, subject to the school district's acceptance of the asset. Under no circumstances shall the school district be liable for any obligations of the dissolved chartered public school.

VIII. If a school's charter expires or is revoked, the parent of a pupil attending that school may apply to any other chartered public school eligible to receive tuition under the provisions of this chapter adopted by the school district. The pupil's sending district shall not be relieved of its obligation to educate that pupil in accordance with the district's policies.