



## Minnesota State Colleges and Universities System Procedures Chapter 3 – Educational Policies

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### Procedures 3.281 Charter School Sponsorship

**Part 1. Authority.** Board Policy 3.28, Charter School Sponsorship, delegates to the Chancellor authority to promulgate procedures, guidelines and processes regarding planning and decisions by colleges and universities to sponsor charter schools.

#### Part 2. Definitions.

**Subpart A. Definition of Charter School.** A charter school is a public school established under Minnesota Statutes section 124D.10 as either a cooperative or a non-profit corporation. Charter schools and their sponsors are subject to the requirements in Minnesota Statutes section 124D.10. Definitions.

**Subpart B. Charter School Board.** “Charter School Board” is the elected board of directors responsible for the school’s education program, management and administration, in accordance with Minnesota Statutes section 124D.10.

**Subpart C. Sponsor.** For purposes of this procedure, “Sponsor” means a MnSCU college or university, authorized under Minnesota Statutes section 124D.10, subdivision 3, and MnSCU policy and procedures to serve as a sponsor for a charter school, and approved as a sponsor by the commissioner of the Minnesota Department of Children, Families, and Learning (MDCFL).

**Part 3. Scope/Applicability.** These procedures apply to any MnSCU college or university that sponsors or proposes to sponsor a charter school.

#### Part 4: Sponsorship Proposal.

**Subpart A. Notice of Intent to Sponsor a Charter School.** At least 21 days prior to submitting to MDCFL an affidavit of intent to sponsor a charter school, a MnSCU college or university shall submit to the Chancellor a written proposal describing how serving as the charter school’s sponsor is consistent with the mission of the college or university. The college or university shall include an estimate of the costs associated with sponsorship, including staff time to provide appropriate oversight and costs of required program evaluations, and shall provide a statement identifying the source of funds to be used to meet the sponsoring institution’s expenses.

**Subpart B. Sponsorship Prerequisites.** Before entering into a sponsorship contract, a college or university shall require that the charter school board has completed:

1. By-laws and policies setting forth the charter school board's membership, committee structure, and delineation of roles and responsibilities of board and staff;
2. Conflict of interest disclosure statements signed by each member of the board;
3. Financial contracts and other documents needed to secure facilities and land, approved by MDCFL;
4. Written policies requiring legal and actual separation of the charter school board from any entity providing land or facilities to the charter school;
5. Policies and procedures governing payroll, employment tax, and pension processing; hiring; promotion; compliance with affirmative action and equal opportunity requirements; harassment and discrimination issues; and any contracts for services or employees needed to provide such human resource services; and
6. Position descriptions that have been reviewed by an external human resources or employment agent for all members of the charter school, staff, teachers, and administrators.

## **Part 5. Sponsor Responsibilities.**

**Subpart A. Sponsorship Contracts.** A sponsorship contract between a sponsor and the charter school board must comply with the provisions of Minnesota Statutes section 124D.10. In addition, the contract must:

1. Require that the charter school board:
  - a. Provide annually to the sponsor a certified financial audit, no later than 180 days following the close of the charter school's fiscal year;
  - b. Consult with the sponsor concerning the selection of the independent audit firm hired to complete the charter school's financial audit;
  - c. Provide annually to the sponsor evidence sufficient to demonstrate that the charter school board is meeting the provisions of its contract;
  - d. Ensure that the Legislative Auditor and the Office of the Chancellor have complete access to all records related to the contract; and
  - e. Include as a non-voting, ex officio board member the college or university representative who is the primary administrative contact for at least the first year of the charter school's operation; and
2. Include all statutorily required provisions, and:
  - a. Contain clear and measurable goals, consistent with the charter school's proposal and all legal and MDCFL administrative requirements, addressing both academic performance and financial and management operations;
  - b. Address the process by which the charter school will conduct its audit, including how it will measure both academic and financial performance and how it will include students and parents, teachers, board members and other school personnel in the collection of relevant data; and
  - c. Identify dates and timelines for the submission of reports and other relevant data by the charter school board, including its annual fiscal audit.

**Subpart B. College or University Representative.** The sponsoring institution shall designate a college or university administrator who shall have primary responsibility for oversight of the sponsorship contract.

**Subpart C. Annual Sponsor Report.** A sponsor shall submit annually to the Chancellor a copy of the annual report that must be submitted to MDCFL. The report shall include:

1. Data on student enrollments, including grades served;
2. A report on the academic progress of students in the school according to the standards set by MDCFL and/or in statute;
3. A summary of the most recently completed independent audit report;
4. The membership of the charter school board; and
5. Any other data required by MDCFL or statute.

**Subpart D. Evaluation.** A sponsor shall measure annually the performance of a charter school relative to goals approved by the charter school board. A sponsor also shall assess annually the fiscal integrity of a charter school according to the standards established by the charter school board, MDCFL and generally accepted accounting principles.

**Part 6. Termination or Nonrenewal of Charter School Contract.** A sponsor may terminate or not renew its contract with a charter school board in accordance with Minnesota Statutes section 124D.10 and Board Policy 3.28. Before terminating or not renewing the contract, the sponsor shall inform the Chancellor of its intent to terminate or not renew.

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*Approval Date: 06/06/02,*  
*Effective Date: 05/22/02,*

*Date and Subject of Revision:*