



DRAFT

## NACSA Core Pre-Opening Monitoring Guidance and Sample Pre-Opening Protocol

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## WHAT ARE PRE-OPENING REQUIREMENTS?

Pre-Opening Requirements are a set of primarily compliance-based actions that a school must complete prior to opening its doors and starting instruction. Schools must demonstrate that there is sufficient demand (enrolled students) to warrant school opening. In addition, schools must demonstrate that the physical building and staff are ready to receive students for instruction. Pre-Opening Requirements usually consist of a combination of paper screening of compliance documents and an on-site visit to the school site to continue to build the collaborative relationship between the authorizer and the school staff that started during the charter application and approval process. A detailed list of actions required for schools to demonstrate their readiness to serve students is included in a sample Pre-Opening Protocol, below.

## WHY ARE PRE-OPENING REQUIREMENTS IMPORTANT?

Authorizers are under obligation to proactively monitor activity at all schools during the time between when new charters are awarded and when schools open. It is the authorizer's obligation to make the determination if a school has completed the necessary preparations and largely satisfied the necessary Pre-Opening Requirements before the school is allowed to open for instruction. **If the charter school does not complete the necessary Pre-Opening Requirements, and the authorizer determines that the enrollment is too low for the school to be financially viable, or the adults in the building and/or the physical structure are not ready to receive students for instruction, the authorizer must not provide the school with final authorization to open.** A delay in opening will be in effect until the authorizer can confirm that the school has satisfied all necessary Pre-Opening Requirements and all necessary documents are on file.

## WHAT CONSTITUTES A PRE-OPENING REQUIREMENT?

Pre-Opening Requirements represent the set of tasks that, once completed, will assist charter schools in coming into general compliance with applicable laws and regulations, as well as those that will facilitate effective and responsible management of school operations. Although charter school operators will likely identify additional tasks that they will need to complete during the critical time between charter authorization and the opening of the school, the tasks included in the Sample Pre-Opening Protocol (below) alert school founders to those tasks which may not be directly related to the school's education program but are essential to school operations, nonetheless.

Authorizers may also identify additional Pre-Opening Requirements beyond those already included in the template. It is appropriate for authorizers to add Pre-Opening Requirements to the template when these requirements will lay the groundwork for increasing the school's capacity to meet other performance expectations set by the school's authorizer. Any pre-opening requirements should be formally established to ensure their transparency and enforceability.

## HOW ARE PRE-OPENING REQUIREMENTS ORGANIZED?

Pre-Opening Requirements are organized by general categories, including: students, enrollment, and admissions; governance; budget; and transportation, among others. Each Pre-Opening Requirement should be assigned a specific due date. While some tasks within the sample protocol include suggested due dates, other due dates should be left to the discretion of each authorizer and should be populated before sharing Pre-Opening Requirements with schools. Under the "Documentation" column, the Sample Pre-Opening Protocol also indicates for school operators the specific documentation required for fulfilling particular terms. Finally, the template includes a column for authorizers to verify whether schools have met each Pre-Opening Requirement.

## **HOW SHOULD AUTHORIZERS MONITOR SCHOOLS' COMPLETION OF PRE-OPENING REQUIREMENTS?**

Authorizers monitor the completion of Pre-Opening Requirements through each school's timely and complete submission of appropriate documentation, as indicated within the template. In addition, it is appropriate for authorizers to conduct a short site visit to the school facility approximately one to two weeks prior to each school's first day of instruction. Regular contact with charter school operators can also inform authorizers about the progress each charter school is making toward completing the Pre-Opening Requirements.

## **HOW SHOULD AUTHORIZERS USE THE PRE-OPENING REQUIREMENTS PROTOCOL?**

The protocol below is informed by effective pre-opening protocols in use among NACSA's members nationwide. Authorizers who wish to adapt this general protocol should complete it by adding additional Pre-Opening Requirements (as necessary) for meeting local requirements, and by inserting due dates where necessary. Authorizers should then formally adopt the Pre-Opening Requirements Protocol and share it among newly authorized charter schools. Authorizers should also incorporate or reference the Pre-Opening Requirements in their charter contracts with schools and ensure that they have the authority to delay or stop a school from opening if it has not materially met the Pre-Opening Requirements.

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PRE-OPENING REQUIREMENTS FOR: \_\_\_\_\_

DATE OF CHARTER APPROVAL: \_\_\_\_\_

TARGET SCHOOL OPENING DATE: \_\_\_\_\_

PLEASE DELIVER ALL DOCUMENTATION AND NOTIFICATION TO:

[AUTHORIZER NAME]

[AUTHORIZER MAILING ADDRESS]

*Failure to submit required documentation in a sufficient and timely manner may result in the authorizer taking action to postpone the opening of school. Additional documentation may be required prior to the start of the school year. The authorizer will provide written notice and a reasonable time for response to any additional requirements and/or changes to the following list:*

Category	Benchmark	Due Date	Documentation	Approved by Authorizer
Students, Enrollment, and Admissions	Enrollment and admissions policies are approved by school board, <i>if different from materials approved by the authorizer in the original application.</i>	Prior to recruiting or enrolling students	Enrollment and admissions policy	<input type="checkbox"/> Yes <input type="checkbox"/> No Comments:
	Board-approved student code of conduct is on file and provided to students and families in a Student and Family Handbook.		Board-approved code of conduct  Copy of Student and Family Handbook	<input type="checkbox"/> Yes <input type="checkbox"/> No Comments:
	Student admissions lottery conducted according to rules and regulations and waitlist		Required evidence to be determined by authorizer	<input type="checkbox"/> Yes <input type="checkbox"/> No Comments:

	maintained appropriately ( <i>if applicable</i> )			
	50% of student enrollment target met		Roster of enrolled students, including name, address, grade, and prior school attended	<input type="checkbox"/> Yes <input type="checkbox"/> No Comments:
	80% of student enrollment target met		Roster of enrolled students, including name, address, grade, and prior school attended	<input type="checkbox"/> Yes <input type="checkbox"/> No Comments:
	95-100% of student enrollment target met	[Date should be early enough to allow school to submit a revised budget and for the authorizer to consider whether the school is likely to be financially viable with reduced enrollment.]	Roster of enrolled students, including name, address, grade, and prior school attended.  If a school does not reach 95% of planned enrollment well in advance of school opening, the school must submit a revised budget ( <i>see "Budget" section</i> ) and may be at risk of not opening.	<input type="checkbox"/> Yes <input type="checkbox"/> No Comments:
Governance	Charter contract executed by Board		Board executed charter contract	<input type="checkbox"/> Yes <input type="checkbox"/> No Comments:
	Organization is incorporated as a not-for-profit		Copy of charter holder's certificate of incorporation or similar documentation	<input type="checkbox"/> Yes <input type="checkbox"/> No Comments:
	Organization has secured federal		Copy of tax exempt letter	<input type="checkbox"/> Yes

	tax-exempt status		and federal tax identification number from IRS	<input type="checkbox"/> No Comments:
	Bylaws are executed by the board		Copy of executed bylaws	<input type="checkbox"/> Yes <input type="checkbox"/> No Comments:
	Updated board roster (with officer designations) and organizational chart submitted		Board roster and organizational chart	<input type="checkbox"/> Yes <input type="checkbox"/> No Comments:
	First board meeting conducted		Copy of board meeting minutes	<input type="checkbox"/> Yes <input type="checkbox"/> No Comments:
Educational Program	School calendar is final, including official start date, and complies with statutory and authorizer-specific requirements (if applicable)		School calendar including all key dates	<input type="checkbox"/> Yes <input type="checkbox"/> No Comments:
Administration and Staff	Qualified school administrator hired	Within 10 days of hiring and no later than two weeks prior to school opening	Name, resume, and copies of administrator license(s) demonstrating compliance with certification requirements (if applicable)	<input type="checkbox"/> Yes <input type="checkbox"/> No Comments:
	All key leadership roles filled		Updated organizational or staffing chart with names filled in for all leadership roles.	<input type="checkbox"/> Yes <input type="checkbox"/> No Comments:

	All teaching positions filled	2 weeks prior to school opening	Copy of staff roster	<input type="checkbox"/> Yes <input type="checkbox"/> No Comments:
	Health, safety, and criminal background checks completed for all school staff and volunteers that come into contact with students			<input type="checkbox"/> Yes <input type="checkbox"/> No Comments:
	Employees meet licensure and certification requirements	2 weeks prior to school opening	Copies of valid teaching and administrative licenses for applicable teachers and administrators	<input type="checkbox"/> Yes <input type="checkbox"/> No Comments:
	Adequate Special Education and English Language Learner staffing in place to serve enrolled students	2 weeks prior to school opening	Documentation of students identified as requiring Special Education or ELL services and indication of how staffing will meet student needs in accordance with law and IEPs	<input type="checkbox"/> Yes <input type="checkbox"/> No Comments:
	Board-approved personnel policies are provided to all staff in an Employee Handbook		Board-approved personnel policies  Copy of Employee Handbook	<input type="checkbox"/> Yes <input type="checkbox"/> No Comments:
Management Contract (if applicable)	Management contract executed		Copy of executed agreement <i>approved by the authorizer</i> and signed by representatives of the management company and the school's board	<input type="checkbox"/> Yes <input type="checkbox"/> No Comments:



Budget	Board-approved budget for first fiscal year	On or before July 1	Copy of board-approved budget with detailed assumptions for all key revenues and expenditures	<input type="checkbox"/> Yes <input type="checkbox"/> No Comments:
	Board-approved five-year budget		Copy of board-approved five-year budget aligned to provisions of approved charter application	<input type="checkbox"/> Yes <input type="checkbox"/> No Comments:
	Detailed monthly cash-flow projection for first year of operation		Copy of monthly cash flow projections	<input type="checkbox"/> Yes <input type="checkbox"/> No Comments:
	Revised budget if enrollment is below 95% of projections included in board-approved budget	<i>(Date should be early enough to allow school to submit a revised budget and for the authorizer to consider whether the school is likely to be financially viable with reduced enrollment.)</i>	Revised budget that demonstrates fiscal viability of school and ability to fulfill material terms of the approved educational program with reduced enrollment.  If revised budget does not demonstrate viability, the authorizer will delay or stop school opening.	<input type="checkbox"/> Yes <input type="checkbox"/> No Comments:
Financial Management	Completed necessary state documents and requirements to generate payments		Documentation as determined by authorizer	<input type="checkbox"/> Yes <input type="checkbox"/> No Comments:
	Board-approved fiscal controls policies and procedures		Copy of board-approved internal controls policies	<input type="checkbox"/> Yes <input type="checkbox"/> No

				Comments:
	Accounting system in place		Evidence of employment of or contract with accountant, bookkeeper, or person who will handle such duties	<input type="checkbox"/> Yes <input type="checkbox"/> No Comments:
Facility	Viable facility secured	120 days prior to opening	Executed lease or copy of deed with physical address of viable facility	<input type="checkbox"/> Yes <input type="checkbox"/> No Comments:
	Certificate of Occupancy	30 days prior to school opening, whichever is earlier	Certificate of occupancy	<input type="checkbox"/> Yes <input type="checkbox"/> No Comments:
	Safety and Emergency Plan finalized	2 weeks prior to school opening	Safety and emergency plan	<input type="checkbox"/> Yes <input type="checkbox"/> No Comments:
	Space meets program requirements (classrooms, special purpose space, restrooms meet requirements of program and number of students enrolled) and is accessible to all students		Inspection during pre-opening visit	<input type="checkbox"/> Yes <input type="checkbox"/> No Comments:
Transportation	Contract with transportation provider ( <i>as applicable</i> )	30 days prior to school opening, whichever is earlier	Copy of agreement with transportation provider ( <i>as applicable</i> )	<input type="checkbox"/> Yes <input type="checkbox"/> No Comments:
	Transportation plan ( <i>if applicable</i> ) including related health and safety certificates	2 weeks prior to school opening	Copy of health and safety certificates  Copies of criminal background checks for provider	<input type="checkbox"/> Yes <input type="checkbox"/> No Comments:

Food Service	Food service plan ( <i>if applicable</i> )	30 days prior to school opening, whichever is earlier	Copy of food or vendor services contract  Evidence of appropriate state and local health department inspections and licenses	<input type="checkbox"/> Yes <input type="checkbox"/> No Comments:
Insurance	Appropriate and required coverage obtained	2 weeks prior to school opening	Proof of appropriate coverage from insurance provider that meets local and statutory requirements	<input type="checkbox"/> Yes <input type="checkbox"/> No Comments:

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