

**OFFICE OF EDUCATIONAL ACCOUNTABILITY**  
**Summary of State Board of Education Agenda Items**  
**Consent Agenda**  
**March 17, 2022**

**OFFICE OF PUBLIC REPORTING**

- H.04. Approval to begin the Administrative Procedures Act process: To repeal Miss. Admin. Code 7-3: 25 and 25.1, State Board Policy Chapter 25 – Conversion Charter Schools, Rule 25.1 – Conversion Charter Schools

Background Information: Begin the Administrative Procedures Act process: To repeal Miss. Admin. Code 7-3: 25 and 25.1, State Board Policy Chapter 25 – Conversion Charter Schools, Rule 25.1 – Conversion Charter Schools policy in accordance with Miss. Code Ann. § 25-43-3.114 which requires an agency to review all of its rules at least every five years to determine whether any rule should be repealed, amended, or a new rule adopted.

Recommendation: Approval

Back-up material attached

## **Part 3 Chapter 25: Conversion Charter Schools**

### *Rule 25.1 Conversion Charter Schools*

#### 1. Procedure for submission of petition

~~The Petition for the conversion of a public school to a conversion charter school status shall be submitted to the State Board of Education by the sponsor as that term is defined by state statute.~~

~~Each member of the local school district board and superintendent must certify under notary seal that the petition and conversion plan have been approved by more than fifty percent (50%) of the families of the students enrolled in a chronically under performing public school during the third consecutive year in which the school has been designated as Low Performing, At Risk of Failing or Failing (classification of "F"). For those families approving the petition and conversion plan, the certification must include a certified list of the names of student/students enrolled in a chronically under performing public school, name of parent(s) or legal guardian(s) of student(s); addresses of the parent(s) or legal guardian(s), phone numbers of parent(s) or legal guardian(s); grade level(s) of child/children and names of teachers of each student.~~

~~Each member of the local school district board and superintendent must certify under notary seal that the family of a student enrolled in a chronically under performing public school proposed to be converted to a conversion charter school status has only voted once per family without regard to the number of children a family may have enrolled as students at the school.~~

~~The sponsor must conduct a public hearing in the local school district in which the school proposed for conversion is located to allow the parents or legal guardian(s) of students enrolled in the chronically under performing public school (classification of "F") affected by the conversion to be informed of the conversion process and to address any concerns relating to the process and subsequent operation of the conversion charter school. Notice of the public hearing shall be published at least once a week for at three (3) consecutive weeks in a newspaper published within the jurisdiction of the local school district, or if no newspaper is published in the district, then in a newspaper having a general circulation. The sponsor shall submit documentation of the public hearing as part of the petition which shall include, but is not limited to, a written agenda of the public hearing, a proof of publication of the newspaper notice, any additional written notice of the hearing, a transcript of the hearing from a certified court reporter and a list of those individuals in attendance to include names, current addresses and current phone numbers.~~

~~A conversion plan that meets all statutory and policy requirements must be attached to the Petition when submitted to the State Board of Education. The sponsor must submit to the State Board of Education a Statement of Assurances as part of the petition.~~

~~The State Board of Education and the Commission on School Accreditation shall review and rate all petitions for a conversion charter school based on the criteria established in statute and policy.~~

#### 2. Format for the petition and conversion plan

The forms and format for the filing of a petition for the conversion of a public school to a conversion charter school and a conversion plan approved by the State Board of Education may be obtained from the Mississippi Department of Education.

3. Criteria to approve or deny a petition

The State Board of Education with the advice of the Commission on School Accreditation may approve or deny a petition for conversion charter school status. In order to be approved, a petition for conversion charter school status must adequately include:

- a. A Plan for Improvement at the school level for improving student learning and achievement of a minimum of a Successful (classification of “C”) rating or higher under the State Accountability Model;
- b. A set of academic or vocational, or both, performance-based objectives and student achievement-based objectives for the term of the contract and the means for measuring those objectives on no less than an annual basis;
- c. An agreement to provide a yearly report to parents, the school board of the school district in which the conversion charter school is located, and the State Board of Education, which indicates the progress made by the conversion charter school in the previous year in meeting the academic or vocational, or both, performance objectives;
- d. An agreement that the conversion charter school shall be nonsectarian;
- e. An agreement that the conversion charter school shall not charge tuition;
- f. An agreement that the conversion charter school shall be subject to financial audits in the same manner as public school districts;
- d. A plan for improving student performance and encouraging new and innovative programs; and
- e. Written documentation to demonstrate ability to successfully operate a conversion charter school.

4. Time line for accepting petitions

The State Board of Education will accept petitions for the conversion of a public school to a conversion charter school status subsequent to the State Board of Education meeting in which the State Board of Education has approved the annual classifications of the public schools in the state.

5. Criteria and Procedure for the Operation of a Conversion Charter School

The conversion charter school may begin operation on July 1 following the filing of the petition and approval of the petition by the State Board of Education or at a time established by the State Board of Education. No conversion charter school may begin operations prior to July 1, 2013. The conversion charter school must comply with all rules, regulations, policies and

~~procedures of the State Board of Education and the local school district board and the provisions of the Mississippi Code of 1972 relating to the elementary and secondary education of students, except those rules, regulations, policies or procedures from which the conversion charter school specifically requests to be exempted and which have been agreed upon by the State Board of Education as specified in the school's contract.~~

~~Conversion charter schools must comply with general health and safety standards, state test assessments and accountability requirements, financial accountability and auditing requirements, and all reporting and data collecting requirements in the same manner as public schools in the local school district.~~

~~The local management board shall not directly or indirectly communicate to a parent or legal guardian that the conversion charter school is unable to meet the needs of a child, but shall provide a free and public education to every student in the attendance zone.~~

~~The operation of a conversion charter school shall comply with all state and federal statutory and regulatory requirements.~~

#### ~~6. Selection of Conversion Charter School Local Management Board Members~~

~~The selection of members to the local management board of conversion charter schools shall be performed in accordance with the rules and regulations promulgated by the State Board of Education for the selection of conversion charter school local management board members. The local management board shall be comprised of parents or legal guardians of students enrolled and in attendance at the conversion charter school, selected by other parents or legal guardians of students enrolled in and in attendance at that school.~~

~~The local management board members shall be selected by written, secret ballot submitted to the local school district board to determine the results of the selection process. Members of the local management board must meet all statutory requirements for board members of public schools. Individuals who have been removed as a district superintendent or a local school board member shall not qualify as a local management board member.~~

#### ~~7. Cessation of the Conversion Charter School~~

~~A conversion charter school shall cease to be designated a Conversion Charter School at the completion of the term of the contract which shall not exceed three (3) years unless the contract is renewed by the State Board of Education on a one-year or multiyear basis, not to exceed an additional three (3) years. The conversion charter school shall cease to be designated as a conversion charter school if the local management board fails to substantially comply with the statutory and policy requirements for a conversion charter school.~~

#### ~~8. Modifications~~

~~(This policy will be subject to modification as the charter school process develops.)~~

~~Source: *Miss. Code Ann.* §37-165-7 (Adopted 1/2013)~~