

**§2406. Request for proposals**

**1. Issuance.** To invite, solicit, encourage and guide the development of high-quality public charter school applications, an authorizer shall issue and broadly publicize requests for proposals. The content and dissemination of the requests for proposals must be consistent with the purposes and requirements of this chapter.

[PL 2011, c. 414, §5 (NEW).]

**2. Content.** An authorizer's request for proposals must contain information outlined in this subsection.

A. A request for proposals must present the authorizer's strategic vision for and interests in chartering. [PL 2011, c. 414, §5 (NEW).]

B. Authorizers may give priority to proposals that expand opportunities for children who are not realizing their full potential, who may be disaffected or disengaged in their current education situations and who may be at risk of failure academically, socially, economically or personally. Authorizers may encourage proposals that include a specific academic approach or theme to address the diverse educational needs of communities in the State. A request for proposals must include a clear statement of any priority or preference the authorizer wishes to grant to particular types of applications. Notwithstanding an authorizer's statement of any priority or preference, an authorizer shall consider each application submitted to it based on the merits of that particular application. [PL 2011, c. 414, §5 (NEW).]

C. A request for proposals must include or otherwise direct applicants to the performance framework that the authorizer has developed for public charter school oversight and evaluation in accordance with section 2409. [PL 2011, c. 414, §5 (NEW).]

D. A request for proposals must include the criteria and standards that will guide the authorizer's decision to approve or deny an application. [PL 2011, c. 414, §5 (NEW).]

E. A request for proposals must state clear, appropriately detailed questions as well as guidelines concerning the format and content essential for applicants to demonstrate the capacities necessary to establish and operate a successful public charter school. [PL 2011, c. 414, §5 (NEW).]

F. A request for proposals must require applications to provide or describe thoroughly, at a minimum, all of the following essential elements of the proposed public charter school plan:

(1) The proposed public charter school's vision, including:

(a) An executive summary;

(b) The mission and vision of the proposed public charter school, including identification of the targeted student population and the community the school hopes to serve; and

(c) Evidence of need and community support for the proposed public charter school, including information on discussions with the school administrative unit where the public charter school will be located concerning recruitment and operations of the public charter school and possible collaboration with nearby school administrative units;

(2) The proposed public charter school's governance plan, including:

(a) Background information on proposed board members and any assurances or certifications required by the authorizer;

(b) Proposed governing bylaws;

(c) An organization chart that clearly presents the school's organizational structure, including lines of authority and reporting between the governing board, staff and any

- related bodies such as advisory bodies or parent and teacher councils, and any external organizations that will play a role in managing the school;
- (d) A clear description of the roles and responsibilities for the governing board, the school's leadership and management team and any other entities shown on the organization chart;
  - (e) Identification of the proposed founding governing board members and, if identified, the proposed school leader or leaders; and
  - (f) Background information on the school's leadership and management team, if identified;
- (3) The proposed public charter school's plan of organization, including:
- (a) The location or geographic area of the school and the proposed catchment area of the school, which may not be designed to exclude areas with high rates of poverty, English language learners, at-risk students or students with disabilities;
  - (b) The grades to be served each year for the full term of the charter;
  - (c) Minimum, planned and maximum enrollment per grade per year for the term of the charter;
  - (d) The school's proposed calendar and sample daily schedule;
  - (e) Plans and timelines for student recruitment and enrollment, including lottery procedures;
  - (f) Explanations of any partnerships or contractual relationships central to the school's operations or mission;
  - (g) The school's proposals for providing transportation, food service and other significant operational or ancillary services;
  - (h) A facilities plan, including backup or contingency plans if appropriate;
  - (i) A detailed school start-up plan, identifying tasks, timelines and responsible individuals; and
  - (j) A closure protocol, outlining orderly plans and timelines for transitioning students and student records as described in section 2411, subsection 8, paragraph C and for appropriately disposing of school funds, property and assets in the event of school closure;
- (4) The proposed public charter school's finances, including:
- (a) A description of the school's financial plan and policies, including financial controls and audit requirements;
  - (b) Start-up and 3-year budgets with clearly stated assumptions;
  - (c) Start-up and first-year cash-flow projections with clearly stated assumptions;
  - (d) Evidence of anticipated fund-raising contributions, if claimed in the application; and
  - (e) A description of the insurance coverage the school proposes to obtain;
- (5) The proposed public charter school's student policy, including:
- (a) The school's plans for identifying and successfully serving students with the wide range of learning needs and styles typically found in noncharter public schools of the sending area;
  - (b) The school's plans for compliance with applicable laws, rules and regulations; and
  - (c) The school's student discipline plans and policies, including those for special education students;

- (6) The proposed public charter school's academic program, including:
  - (a) A description of the academic program aligned with the statewide system of learning results under section 6209;
  - (b) A description of the school's instructional design, including the type of learning environment, such as classroom-based or independent study, class size and structure, curriculum overview, teaching methods and research basis;
  - (c) The school's plan for using internal and external assessments to measure and report student progress on the measures and metrics of the performance framework developed by the authorizer in accordance with section 2409; and
  - (d) A description of cocurricular or extracurricular programs and how they will be funded and delivered; and
- (7) The proposed public charter school's staff policy, including:
  - (a) A staffing chart for the school's first year and a staffing plan for the term of the charter;
  - (b) Plans for recruiting and developing school leadership and staff;
  - (c) The school's leadership and teacher employment policies, including performance evaluation plans; and
  - (d) Opportunities and expectations for parent involvement. [PL 2015, c. 448, §6 (AMD).]

G. With respect to the conversion of an existing noncharter public school to public charter school status, in addition to the other requirements of this subsection, the request for proposals must require applicants to demonstrate support for the proposed conversion public charter school by submitting 2 petitions, one signed by a majority of teachers in the existing noncharter public school and the other signed by a majority of parents of students in the existing noncharter public school.

If the school to be converted is the only public school option for students in the school administrative unit, the request for proposals must additionally require that the conversion be approved by voters in that school administrative unit. [PL 2011, c. 414, §5 (NEW).]

H. With respect to a proposed public charter school that intends to contract with an education service provider for a limited scope of education or management services, in addition to the other requirements of this subsection, the request for proposals must require applicants to:

- (1) Explain how and why the education service provider was selected;
- (2) Provide evidence of the education service provider's success in serving student populations similar to the targeted population, including demonstrated academic achievement as well as successful management of nonacademic school functions if applicable;
- (3) Provide information on the proposed duration of the service contract; roles and responsibilities; scope of services and resources to be provided by the education service provider; performance evaluation measures and timelines; compensation structure, including clear identification of all fees to be paid to the education service provider; methods of contract oversight and enforcement; investment disclosure; and conditions for renewal and termination of the contract;
- (4) Provide a draft of the proposed service contract;
- (5) Explain the relationship between the governing board, the school's leadership and management team and the education service provider, specifying how the governing board and the school's leadership and management team will monitor and evaluate the performance of the education service provider, the internal controls that will guide the relationship and how the

governing board and the school's leadership and management team will ensure fulfillment of performance expectations;

(6) Provide a statement of assurance that the governing board and the school's leadership and management team is legally and operationally independent from the education service provider; and

(7) Disclose and explain any existing or potential conflicts of interest between the governing board, the school's leadership and management team and the education service provider or any affiliated business entities.

Nothing in this paragraph prohibits a virtual public charter school from entering into a contract with an education service provider for education design, implementation or comprehensive management of the virtual public charter school program. [PL 2011, c. 414, §5 (NEW).]

[PL 2015, c. 448, §6 (AMD).]

#### SECTION HISTORY

PL 2011, c. 414, §5 (NEW). PL 2011, c. 570, §9 (AMD). PL 2015, c. 448, §6 (AMD).

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