



# Illinois State Charter School Commission

## 2019-20 MATERIAL MODIFICATION APPLICATION TIMELINE AND GUIDELINES

August 2019	<b>Guidelines and Material Modification Application posted on the Commission webpage</b>
October 15, 2019	<b>Material Modification Application (MMA) Due to</b> <a href="mailto:SCSC.CommissionSchools@illinois.gov">SCSC.CommissionSchools@illinois.gov</a>
October 2019	<b>Initial Application Review</b> <ul style="list-style-type: none"><li>• Commission staff and external evaluators evaluate MMA and conduct due diligence</li><li>• Requests for clarification or additional information at the discretion of Commission staff</li></ul>
October-November, 2019	<b>Review of Material Modification Application</b> <ul style="list-style-type: none"><li>• Collect and disseminate information from the Initial Application Review to expert evaluators of relevance</li><li>• Site visit conducted, if applicable</li><li>• Public Hearing</li><li>• Commission staff develops recommendation</li><li>• Applicant receives notification of Commission staff recommendation</li></ul>
December 2019	<b>MMA Recommendation – Commission Decision</b> <ul style="list-style-type: none"><li>• Commission Vote on the MMA</li><li>• Schools are encouraged to attend and provide comment during public participation</li></ul>
January – April, 2020	<b>Negotiation of the Charter Terms and Execution of Agreement</b>
July 1, 2020	<b>Amended Agreements Become Effective</b>

# ILLINOIS STATE CHARTER SCHOOL COMMISSION

## MATERIAL MODIFICATION GUIDELINES

### INTRODUCTION

As a charter school Authorizer, the Commission executes a five-year charter agreement with each of its schools. This document provides basic information about how a charter school can legally modify this contract during a charter term. While not all changes will be considered “material” to the contract, schools should speak with the Commission before making any significant shifts from the approved charter proposal.

### JURISDICTION

The Illinois Charter Schools Law affords jurisdiction to charter school authorizers to negotiate modifications or revisions to elements of an existing charter agreement during the term of the charter. Any material revision or modification to a charter school agreement must be approved by the authorizer, the charter school governing board; and may require re-certification by the Illinois State Board of Education (ISBE).<sup>1</sup>

### MATERIAL REVISION/MODIFICATION

The Illinois State Charter School Commission defines a “material modification” as any major change to the school’s academic model, operational function, or organizational structures negotiated in the school’s charter agreement. Adjustments or changes to any of the following are considered “material” changes that would necessitate amendments to an existing charter agreement between the school and the Commission.

- A. Academic program or curricular focus
- B. Articles of Incorporation or transfer of charter to a different entity\*
- C. Bifurcation or relocation of school facility/campus
- D. Enrollment capacity (increase or decrease)\*
- E. Grade level(s) served
- F. Governing board bylaws
- G. Length of school day or academic year
- H. Partnership or termination of an Education/Charter Management Organization\* or Education Service Provider\*
- I. School mission statement\*
- J. Target student population\*

*\* Material change requires re-certification by ISBE*

### ELIGIBILITY

Schools authorized by the Commission are eligible to seek modification if the following standards are met:

- A. School must be in “Good Standing” as measured by the Commission’s Accountability System.
- B. Timely written submission of responses to the Material Modification Application (MMA).

### CRITERIA

A request for a material revision/modification must be supported by a **valid rationale and evidence of support from the existing charter school board, leadership, and school community**. In addition to the Commission’s standard two-prong tests of **(1) the charter school’s compliance with the law and (2) the best interests of students the school intends to serve**; the Commission weighs the following in its decision to approve or deny a request to modify/revise a charter agreement.

- A. School’s current and historical academic, organizational and fiscal performance
- B. School’s capacity to manage organizational and/or fiscal implications of change or adjustment
- C. Evidentiary support for request adjustment and/or change
- D. Public support or lack thereof
- E. Demonstrated need for change or adjustment

<sup>1</sup> See Illinois Administrative Code 23.650.50(c) for revisions that require re-certification by the State Board.

# ILLINOIS STATE CHARTER SCHOOL COMMISSION

## MATERIAL MODIFICATION GUIDELINES

### GUIDANCE FOR STAKEHOLDERS

Decisions on revision/modification to a charter agreement may impact the broader community where the charter school is located. Community stakeholders including parents, students, teachers, civic leaders and resident district administration have three opportunities to provide input on MMA applications:

- A. Written comments via email to [state.charter.commission@illinois.gov](mailto:state.charter.commission@illinois.gov) during the evaluation period (generally October and November).
- B. A public hearing will be held at the charter school submitting the request to modify/revise.
- C. Commissioners will hear public comments during the regularly scheduled public participation segment of the meeting at which MMA decision is rendered.

***The Commission will consider community input, the impact to the host-district, and the best interests of students in its decision to approve or deny a request for a material revision/modification to a charter school agreement.***

### PROCESS

The Commission considers requests to modify charter agreements on an annual basis. Modifications are only granted for future school year(s). Changes or adjustments to a current or preceding academic year will only be granted in instances related to life, health or safety concerns. Commission staff and evaluation teams will assess the rationale of the material request and responses to the MMA to develop a recommendation to Commissioners.

Commission staff and expert evaluators will review the MMA and conduct due diligence and analysis of potential impact of the adjustment/change on the resident district. The evaluation may involve facility site visits, school interviews, stakeholder focus groups, and review of public information related to the charter school and resident district. Commission staff reserves the right to request additional information as needed to complete a comprehensive evaluation of the request.

Commissioners make the final decision to approve or deny a material revision/modification of a charter agreement, at a regular scheduled public meeting. A brief description of the annual process and anticipated timeline are listed below.

### TIMELINE

August	Guidelines and Material Modification Application posted on the Commission webpage <a href="https://www.isbe.net/Pages/Illinois-State-Charter-School-Commission.aspx">https://www.isbe.net/Pages/Illinois-State-Charter-School-Commission.aspx</a> .
October	Responses to Material Modification Application (MMA) submitted to <a href="mailto:SCSC.Commissionschools@illinois.gov">SCSC.Commissionschools@illinois.gov</a> .
October- November	<b>Public Hearing</b> (legal notice of date, time, and location is published 5 to 10 business days prior to the hearing in local newspaper)
December	Commission renders decisions on material modifications
January – April	Negotiation of the charter terms and execution of agreement
July	Revisions/modifications become effective



# Illinois State Charter School Commission

## 2019-20 MATERIAL MODIFICATION APPLICATION

Instructions: This application must be submitted to formally request modifications to existing charter school agreements. Please complete this cover sheet and include with your complete MMA packet and submit to [SCSC.CommissionSchools@illinois.gov](mailto:SCSC.CommissionSchools@illinois.gov) by **Tuesday, October 15, 2019**.

All applications must be signed by the School Principal and Board President. The Illinois State Charter School Commission reserves the right to request additional information.

<b>Name of Charter School</b>	
<b>School Address</b>	
<b>Contact Person</b>	
<b>Position of Contact Person</b>	
<b>Contact Person's Phone and Email Address</b>	
<b>This material modification application is for (check all that apply)</b>	<input type="checkbox"/> Academic Program or Curricular Focus <input type="checkbox"/> Material changes to the Articles of Incorporation <input type="checkbox"/> Material change to the Governing Board Bylaws <input type="checkbox"/> Transfer of Charter to a Different Entity* <input type="checkbox"/> Bifurcation, Addition or Relocation of School Facility/Campus <input type="checkbox"/> Enrollment Capacity (increase or decrease)* <input type="checkbox"/> Grade level(s) Served <input type="checkbox"/> Length of School Day or Academic Year <input type="checkbox"/> Approval or Termination of an Education/Charter Management Organization (E/CMO) Contract or Education Service Provider (ESP)* <input type="checkbox"/> School Mission Statement* <input type="checkbox"/> School Name <input type="checkbox"/> Target Student Population*
	* Requires re-certification by ISBE
<b>Name of School Director/Principal</b>	
<b>Signature of School Director/Principal</b>	
<b>Name of Board Chair/ President</b>	
<b>Signature of Board Chair/ President</b>	

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# ILLINOIS STATE CHARTER SCHOOL COMMISSION

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## MATERIAL MODIFICATION APPLICATION (MMA)

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### NARRATIVE QUESTIONS

Please respond to each of these questions in a single narrative document. Please use the same numbering sequence and bold section headers. If a question does not apply to your MMA, write “not applicable” and briefly explain why.

1. **BRIEF STATEMENT OF REQUEST.** State the requested modification(s) to the current charter agreement. Describe the challenges and risks associated with the proposed material modification.
2. **RATIONALE.** Describe the reasons and/or facts giving rise to the request(s) to modify the existing charter agreement. Detail how school stakeholders were involved in the decision-making process.
3. **TIMELINE.** Indicate whether the proposed timeline for the proposed modification is for the next school year, or further in the future. Provide a detailed timeline for the modification and include specifics if there is urgency in this modification request, for example, if relocating and construction is required, include a scope and timeline, as well as plans to inform parents.
4. **ACADEMIC PERFORMANCE.** Provide evidence that the school’s academic performance to date supports the modification request. Describe the grades impacted by the proposed modification.
5. **PARENTAL/COMMUNITY SUPPORT AND COMMUNICATION.** Provide evidence of student/parent demand and/or letters of intent from parents and community members in support and/or anticipated opposition to this request. If this modification(s) directly affects classroom size, student/teacher ratio, services provided to students (i.e. tutoring, extracurricular programs), explain how the proposed modification was introduced to parents. Include evidence of past communications on the proposed change.

*For Expansions:* Describe how the school will adjust recruitment efforts to meet the proposed enrollment capacity and/or enroll students for the new grade level(s).

*For Elimination of Grades:* Describe detailed plans (including a timeline, tasks, deliverables, and responsible parties) for supporting any displaced students in their transition to a new school.

*For Facility Relocations:* Describe the anticipated transportation plan that will be executed to support the modification.

6. **FACILITIES, if applicable.** Describe the school’s facility capacity, (including total number of full-size classrooms, and other programmatic spaces) and any physical improvements the school will make to accommodate modification request. Provide assurances that the current building meets city and state code requirements, including zoning. Include an Inspecting Architect report.

*For Facility Relocations:* Provide the address and general description of the property, including current owner, current/previous use. Indicate the facility’s capacity (including the total number of full size classrooms and other programmatic spaces). If the proposed location directly affects classroom size, student/teacher ratio, or the support services provided to students, explain these implications and provide evidence that parents have been notified of these specific impacts.

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## ILLINOIS STATE CHARTER SCHOOL COMMISSION

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### MATERIAL MODIFICATION APPLICATION (MMA)

7. **BUDGET.** Provide a school budget for the current fiscal year and the fiscal year(s) when modification is anticipated. Also include a projected budget for any capital or site-specific improvements that will be made to the school facility. Include Source of Funds report. Provide a brief narrative response explaining how the proposed change(s) will impact revenue and/or costs through the completion of the current charter term.
8. **ORGANIZATION, if applicable.** Indicate how the school will modify its staffing model, organizational structure or current staff's roles and responsibilities to describe how all aspects of its operations will be impacted by the proposed modification.

*For Expansions:* Specify if any additional teachers/support personnel will need to be hired to support these changes.

9. **COMMUNITY ENGAGEMENT.** Submit evidence that the school has hosted or plans to host a meeting open to the public announcing the proposed material modification. Evidence must include details regarding information disseminated to affected communities, including parents, teachers, students, local residents, etc., copy of sign-in sheet and meeting minutes.

*For Facility Relocations:* Provide evidence that the proposed community has been notified of the proposed modification.

10. **RECRUITMENT.** Describe how the school will adjust recruitment efforts to meet the proposed new at-capacity enrollment and/or enroll students for the new grade level. Provide evidence of interest and support for the proposed expansion and/or new grade level, such as
- Student waitlist information
  - Letters of intent to enroll from parent/guardians of potential age-eligible new students
  - Letters from community partners and organizations supporting expansion
  - Other documents or data that support a need for additional seats

*For Facility Relocations:* Describe how the school will adjust recruitment efforts to ensure that student enrollment goals are met in a new facility.

11. **CHANGES IN RELATIONSHIPS WITH AN EDUCATION/CHARTER MANAGEMENT ORGANIZATION (E/CMO) CONTRACT OR EDUCATION SERVICE PROVIDER (ESP).** Describe the criteria and process for selecting the E/CMO, specifically what due diligence (academic, financial, organizational and legal) was conducted on the E/CMO.

Describe how the services that the E/CMO is proposing to provide further the mission, vision and goals of the school.

Attach a draft E/CMO contract that clearly articulates the following terms:

- The relationship, roles and responsibilities of the proposed school's board, the E/CMO, school administration and staff
- The services to be provided by the E/CMO
- Compensation to be paid for those services

## ILLINOIS STATE CHARTER SCHOOL COMMISSION

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### MATERIAL MODIFICATION APPLICATION (MMA)

- Financial controls and oversight
- Methods of contract oversight and enforcements
- Conditions for contract renewal or termination

12. **TRANSFER OF CHARTER TO A DIFFERENT ENTITY.** Provide the following information about the non-profit (501c3) entity to which you are proposing to transfer the charter:
- a. Name of non-profit 501(c)3
  - b. Mission of non-profit 501(c)3
  - c. Name, brief biography and affiliations of all board members
  - d. Description of non-profit entity's services (if an existing 501(c)3)

Describe the transition plan to transfer the charter to the proposed new board. If transferring the charter to an existing non-profit entity that does not currently oversee charter schools, describe the qualifications of the board members to provide financial, operational, academic and legal oversight of a public charter school. In addition, include information on the new board's capacity and training as it relates to school operations.