

LAKE MOUNTAIN SCHOOL DISTRICT

Charter School Satellite Request Process

INTRODUCTION

This document provides procedural direction to existing Lake Mountain authorized charter school boards and leadership in formally requesting approval for a new satellite school for their Lake Mountain School District approved charter school. This is based on the [USBE Administrative Rule R277-552-7](#). The section of the rule that is related to a request for a satellite school is provided at the end of this document.

ELIGIBILITY CRITERIA

Lake Mountain Board of Education is willing to consider requests for a new satellite school of an existing Lake Mountain authorized charter school if they meet the following eligibility criteria:

- a. Charter School is in compliance with all aspects of its charter school agreement
- b. Request is consistent with charter agreement,
- c. Charter School is meeting or exceeding its own stated academic goals,
- d. Charter School is financially stable and has reported revenues in excess of its expenditures for at least 3 of the last 4 years,
- e. Charter School has maintained a net lease adjusted debt burden ratio of under 25% for each of the last three years, and
- f. Charter School satisfies requirements of all federal and state laws, regulations and USBE administrative rules, including but not limited to:
 - a. Title 53E, Chapter 9, Student Privacy and Data Protection;
 - b. Title 53G, Chapter 7, Part 5, Student Fees;
 - c. Title 53G, Chapter 9, Part 7, Suicide Prevention;
 - d. Title 53G, Chapter 8, Discipline and Safety;
 - e. Title 52, Chapter 4, Open and Public Meetings Act;
 - f. Title 63G, Chapter 6a, Utah Procurement Code;
 - g. The IDEA and Rule R277-750, with no unresolved audit exceptions;
 - h. Rule R277-113, Local Education Agency (LEA) Fiscal and Auditing Policies;
 - i. Section 53G-9-207, Child sexual abuse prevention; and
 - j. Subsection 63G-7-301(3) and Rule R277-322;

See below for directions on providing evidence of the criteria listed above.

APPLICATION

As outlined in USBE Administrative Rule R277-552-6, the requesting charter school must provide the following:

1. Submit a written request that includes the following:
 - a. Name of the existing Charter School;

- b. Name of the school administrator
- c. Name of satellite school
- d. Location of satellite school
- e. Name of local school district
- f. To whom and when this application was submitted to the local school district
- g. The name, position, period of service as board members, and current charter affiliation of current governing board members
- h. Minutes of the sponsoring school governing board meeting authorizing the application for the satellite school. (Indicate link or page number if submitting as a packet.)
- i. Explanation of how the Governing Board decided to seek to open a satellite school.
- j. Copy of current Governing By-Laws
- k. The following **Statement of Assurance** signed by the Chair of the Governing Board:

“The Governing Board for the Charter School applying for the proposed satellite school certifies that all information contained within this application is complete and accurate. The Governing Board understands that any misrepresentation could result in disqualification from consideration and/or the revocation of authorization or award.”

Signature of Board Chair	Printed Name of Board Chair	Date
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Submit the following documentation to determine eligibility and/or support request:

- 2. Population and Enrollment Information
 - a. Statement indicating applicant understands the conditions that the school's advertisement or notice of Satellite and enrollment policies are consistent with state law and USBE Rule that the enrollment of students cannot begin until the SCSB has approved the Satellite Application and the USBE has received notice of the SCSB's action.
 - b. Grade levels to be served
 - c. Projected maximum enrollment (include breakdown by grade level)
 - d. Responses about the following:
 - i. Describe the target population of the Satellite school, which includes:
 - 1. The percentage of students who are an ethnic or racial minority,
 - 2. The percentage of students with disabilities who qualify for special education services or a 504 plan,
 - 3. The percentage of economically disadvantaged students,
 - 4. The percentage of students who are learning English, and
 - 5. The academic performance of students who would be entering the school.

- e. Compare the description in question one (1) to the local school district of the Satellite school
 - f. Describe the enrollment practices, processes, and policies of the school
 - g. Describe the enrollment timeframe that will be implemented and shared with the public
3. Market Analysis Information
- a. Rationale for the requested satellite school; demonstrating need for the school and its educational program in the selected community. Include:
 - i. Both qualitative and quantitative data that supports request
 - ii. Description of proposed location and market
 - iii. Current enrollment data that shows school(s) has maintained for each of the last 3 years,
 - 1. re-enrollment rate of at least 80%
 - 2. a waitlist of at least 40% of its annual enrollment
 - iv. Other evidence of market demand (i.e., population and development trends, capacity of surrounding public schools, and parent demand)
 - b. Identify any possible challenges to the proposed new satellite school
 - c. Share the process the school's Governing Board has undergone in order to demonstrate outreach to the community. Explain how the school will publicize and market to a broad cross-section of families and prospective students, including students with diverse racial, ethnic, linguistic, and socioeconomic backgrounds and students with disabilities.
4. Submit Charter Fidelity Information
- a. Statement indicating school is meeting all terms of its charter agreement
 - b. List key elements and goals of the charter agreement and how the school is implementing and meeting these measures.
5. Submit Compliance of All Applicable Legal Obligations (Federal/State/USBE) Information
- a. If evidence is provided in a packet, indicate page numbers for each listing that follows. If not, provide a website link to demonstrate compliance.
 - b. State Law
 - i. Title 53E, Chapter 9, Student Privacy and Data Protection;
 - ii. Title 53G, Chapter 7, Part 5, Student Fees;
 - iii. Title 53G, Chapter 9, Part 7, Suicide Prevention;
 - iv. Title 53G, Chapter 8, Discipline and Safety;
 - v. Title 52, Chapter 4, Open and Public Meetings Act;
 - vi. Title 63G, Chapter 6a, Utah Procurement Code;
 - c. Federal Law
 - i. The IDEA and Rule R277-750, with no unresolved audit exceptions;
 - d. USBE Rules
 - i. Rule R277-113, Local Education Agency (LEA) Fiscal and Auditing Policies;
 - e. Multiple

- i. Section 53G-9-207, Child sexual abuse prevention; and
 - ii. Subsection 63G-7-301(3) and Rule R277-322; Code of Conduct
 - f. Provide a statement, signed by all board members, certifying there are no outstanding lawsuits, judgments, or liens against the charter school.
6. Submit Academic Success Information
 - a. Include a statement that the school is academically successful, provides educational services consistent with state law and board rule, administers statewide assessments consistent with state law and board rule, and provides evidence-based instruction for special populations as required by federal law.
 - b. Academic Data: Provide academic data for the last five years (or if there is not five years of data, as many years as possible but not less than two.) Explain how data shows school is academically successful. Provide disaggregated data by subgroup for the last year, minimum.
 - c. Educational Services: Describe how the school meets each of the requirements listed in section R277- 552-7-(5)(d) (highlighted below)
 - d. Philosophical Approach: Describe the philosophical approach to improving pupil achievement, which will be used at the Satellite school. Is this the same as the sponsoring school? If not, explain the differences.
 - e. Program of Instruction: Describe the program of instruction to be used at the Satellite school, including methods of instruction and curriculum for the core academic content areas, which supports this philosophy and aligns with Utah Core Standards. Is this the program of instruction used at the sponsoring school? If not, explain the differences.
 - f. Special Populations: Describe how the Satellite school will provide, as required by state and federal law, special education, and related services. Is this the same process used at the sponsoring school? If not, explain the differences. Include RDA scoring letters and EPR letters, as well as executive summaries from UPIPS reviews for the past three years, if applicable.
 - g. High School Graduation: (for schools offering 9th-12th grade only) If the Satellite school intends to serve a high school population, identify the graduation requirements for the school that will meet State requirements. Describe the process and criteria for awarding course credit. Are these the same requirements, processes, and criteria as the sponsoring school? If not, explain the differences. Please include the menu of course offerings, including course titles and brief descriptions.
7. Submit Operational Success Information
 - a. Provide statement regarding:
 - i. Having adequate qualified administrators and staff;
 - ii. Having adequate, engaged Governing Board members;
 - iii. Compliance with all applicable school legal obligations; and
 - iv. Appropriately dealt with student safety issues, if any.

- b. Provide general overview of the school's administrative structure and operations.
 - i. Provide data on teacher and administrator qualifications.
 - ii. Describe what changes, if any, will need to be made to account for the proposed growth.
 - iii. If no changes will be needed, explain why.
 - c. Provide a general overview of the school's governing board structure and operations.
 - i. Provide data on meeting frequency and engagement.
 - ii. Provide a description of how the Governing Board reviews the executive director and school policies
 - iii. Describe what changes, if any, will need to be made to account for the proposed growth.
 - iv. If no changes will be needed, explain why.
 - d. List and describe the administration, teachers and other staff to be hired at the new school.
 - e. Describe any student safety issues that have occurred and how the school has resolved them. If there are any unresolved, please address the school's plan of action.
 - f. Explain if the satellite school will use a standard, extended, or alternative school calendar. Include a target start date.
8. Submit Financial Viability Information
- a. Describe the school's current financial position. Describe how the school's Governing Board reviews financials, including the budget, restricted and unrestricted funds, and general financial health. Include Governing Board meeting minutes or agendas, as appropriate.
 - b. Provide a copy of the LEA's budget with the proposed Satellite. Also, include a copy of the LEA's budget without the proposed Satellite. Describe how the Satellite campus will impact the school's finances.
 - c. Provide the following data for the last three years:
 - i. most recent annual financial report (AFR);
 - ii. annual financial report (AFR) for the last three years; and
 - iii. audited financial statements for the last three years;
9. Submit Charter Facility Information
- a. Discuss the school's facility needs based on the educational program and anticipated enrollment, as well as whether the Governing Board plans to lease or build a facility. If the applicants have identified a facility, indicate the location (cross streets, city, and zip code)
 - b. Provide either floor plans or a description including, at a minimum, the number and size of the classrooms, common areas, administrative areas, recreational space, any community facilities, and any residential facilities.

- c. Explain how the facility will meet the needs of students and provide an assurance that it will be accessible to students with physical disabilities.
- d. Discuss the potential impact on traffic for the surrounding community.
- e. To the extent that the school has discussed or established specific lease or purchase terms, include discussion of the proposed terms and any draft agreements.
- f. To the extent that the facility will require renovation or 'build out,' describe those plans including anticipated timing and cost.
- g. If a facility has not been selected, specify potential locations that are under consideration and discuss the process and timeline for selecting, acquiring, renovating (if appropriate), and taking occupancy of a suitable facility.
- h. Provide documentation that the charter school has maintained a net lease adjusted debt burden ratio of under 25% for each of the last three years

10. Submit Contract information

- a. Has the Governing Board entered any contractual relationships for educational services or building development to be provided at the Satellite, if approved?
 - i. If yes, complete "Existing Contract Relationship" section below.
- b. Does the Governing Board intend to have a contractual relationship with an educational service provider (ESP)?
 - i. If yes, complete the "Intention to Enter Contract Relationship" section below.

Existing Contract Relationship:

1. Complete this section if the school has entered any contracts for educational services or building development. Disclose all such contracts and provide the executed contract or memorandum of understanding (MOU) between the charter and the contractor including, at a minimum:
 - a. proposed services
 - b. performance evaluation measures
 - c. fee structure
 - d. renewal and termination provisions
 - e. terms of property ownership (real, intellectual, and personal).
2. Discuss the school's decision to work with these businesses, in general, and the selected business, in particular. Describe the procurement process. Describe the planned relationship between the Governing Board, school administration, and the contractor, and how that relationship will further the school's mission and educational program. Provide a clear description of the services to be provided by the contractor. Describe the contractor's roles and responsibilities in relation to the school's management and Governing Board. Describe the Governing Board's performance expectations for the contractor. Discuss how the Governing Board evaluates the contractor's performance. Explain why the contractor was selected, including what due diligence efforts were conducted to inform the selection.

3. Provide a summary of the contractor's history, including relevant performance data for other schools that the contractor has worked with (e.g., development, academic, financial, governance) and a list of all schools in the state of Utah which have contacted with this provider, with contact information.

Intention to Enter Contract Relationship:

1. Complete this section if the school intends to enter a contract for ESP services. Describe the process the school will follow in the selection of an ESP and provide an assurance the process meets State law for procurement. Explain how the contractor will be selected, including what due diligence efforts will be conducted to inform the selection.
2. Discuss the school's decision to work with an ESP, in general. Describe the planned relationship between the Governing Board, school administration, and the ESP, and how that relationship will further the school's mission and educational program. Provide a clear description of the services to be provided by the ESP. Describe the ESP's roles and responsibilities in relation to the school's management and Governing Board. Describe the Governing Board's performance expectations for the ESP. Discuss how the Governing Board evaluates the contractor's performance.
3. If an ESP will provide service related to the curricular or instructional management of the proposed educational program, or assessment of students, describe the oversight and monitoring that will be in place to guide this relationship.
4. If an ESP will provide services related to the financial management of the proposed school, describe the internal controls that will be in place to guide this relationship.

ADDITIONAL INFORMATION

- Any misrepresentation or inaccurate or false information submitted may result in disqualification from consideration and/or the revocation of authorization or award.
- Lake Mountain Board of Education/Staff will request input from the State Superintendent and the State Board of Education in regards to the charter schools academic and financial performance.
- If the application is approved, Lake Mountain Board of Education/Staff will notify the State Superintendent of the approval of the new satellite school.

R277-552-7 Requests for a New Satellite School for an Approved Charter School.

(1) An authorization process developed by an authorizer in accordance with Subsection R277-552-3(2) shall comply with this Section R277-552-7 for a satellite school.

(2) An authorizer may only consider an application from a charter school for a satellite school if:

(a) the charter school is in compliance with the requirements of federal and state law, regulations, and Board rule, including:

- (i) Title 53E, Chapter 9, Student Privacy and Data Protection;
 - (ii) Title 53G, Chapter 7, Part 5, Student Fees;
 - (iii) Title 53G, Chapter 9, Part 7, Suicide Prevention;
 - (iv) Title 53G, Chapter 8, Discipline and Safety;
 - (v) Title 52, Chapter 4, Open and Public Meetings Act;
 - (vi) Title 63G, Chapter 6a, Utah Procurement Code; and
 - (vii) the IDEA and Rule R277-750, with no unresolved audit exceptions;
 - (viii) Rule R277-113, Local Education Agency (LEA) Fiscal and Auditing Policies;
 - (ix) Section 53G-9-207, Child sexual abuse prevention; and
 - (x) Subsection 63G-7-301(3) and Rule R277-322;
- (b) the request is consistent with the charter school's charter agreement;
- (c) all schools operating under the governance of the existing charter school are performing:
- (i) consistent with or above the charter school's stated academic goals; or
 - (ii) if no student performance goals have been established, above the standardized student assessment measures of other comparable nearby schools;
- (d) the charter school has maintained a net lease adjusted debt burden ratio of under 25% for each of the last three years;
- (e) the charter school's financial statements report revenues in excess of expenditures for at least three of the last four years;
- (f) the charter school provides a market analysis, including documentation of the school's potential for enrollment stability, covering all public schools within a ten mile radius, including analysis of whether nearby schools are at enrollment capacity; and
- (g) the charter school provides any additional information or documentation requested by the charter school authorizer.
- (3) An authorizer may not consider an application for a satellite school from a charter school governed by a different authorizer.
- (4) An authorizer shall provide documentation of an applicant school's eligibility to apply under Subsection (2) to the Superintendent upon request.
- (5) An authorizer may only approve an application from a charter school for a satellite school if:
- (a) the charter school is meeting the terms of its charter agreement;
 - (b) the charter school has maintained for each of the last three years:
 - (i) a re-enrollment rate of at least 80%;
 - (ii) a wait list of at least 40% of its annual enrollment; or
 - (iii) there is a demonstrated demand for the proposed satellite, taking into consideration the market analysis required under Subsection (2)(f);
 - (c) the charter school is academically and operationally successful, taking into consideration at least two years of academic performance data of students at the charter school, including whether the charter school is performing at or above:
 - (i) the academic goals established in the charter school's agreement; and
 - (ii) the average academic performance of other district and charter schools in the area or schools targeting similar populations or demographics;
 - (d) the charter school has plans for the new school to:
 - (i) provide educational services consistent with state law and Board rule;

(ii) administer and have capacity to carry out statewide assessments including proctoring statewide assessments, consistent with Section 53E-4-303 and Rule R277-404; and

(iii) provide evidence-based instruction for special populations as required by federal law;

(e) the charter school has adequate qualified administrators and staff to meet the needs of the proposed student population at the new school;

(f) the school is in compliance with all public school legal obligations;

(g) the charter school is in good standing with its authorizer; and

(h) the charter school is financially viable, as evidenced by the charter school's financial records, including the charter school's:

(i) most recent annual financial report (AFR);

(ii) annual program report (APR); and

(iii) audited financial statements.

(6) An authorizer shall:

(a) approve a proposed satellite school before October 1 of the state fiscal year prior to the school year that the proposed school intends to first serve students;

(b) provide the total number of students by grade that the satellite school is authorized to enroll to the Superintendent on or before October 1 of the state fiscal year prior to the school year that the proposed school intends to first serve students; and

(c) ensure that a proposed school that will receive School LAND Trust funds has a charter trust land council and satisfies all requirements of Rule R277-477, including transparency of information for parents.

(7) A charter school and all of the charter school's satellite schools are a single LEA for purposes of public school funding and reporting.

(8) If a satellite charter school does not open within 36 months of approval, the approval shall expire.

(9) If an authorizer denies an application for a satellite school, the school may immediately apply for a new charter in accordance with an authorizer's approved processes.