

281—68.4(256F,83GA,SF2033) Review process.

68.4(1) *Application to the department.* Upon a local school board's approval of an application for the proposed establishment of a charter school, the local school board must submit the application for such establishment to the department. The department shall appoint, at minimum, five individuals knowledgeable in student achievement and nontraditional learning environments to review each application for charter status. A reviewer shall not participate in the review of any application in which the individual may have an interest, direct or indirect.

68.4(2) *Ranking of applications.* Applications shall be ranked on a point system, and applications shall be recommended in rank order beginning with the application with the highest points. In the event that two or more applications tie, the applications will be reviewed until the tie is broken.

The maximum points for an application shall be 100. The maximum points for each criterion provided in Iowa Code section 256F.5 as amended by 2010 Iowa Acts, Senate File 2033, section 16, shall be as follows:

a. Overview. The mission, purpose, innovation, and specialized focus of the charter school. The maximum number of points that can be awarded is 40.

b. Organization and structure. The maximum number of points that can be awarded is 10. The description of the organization and structure shall include:

(1) The charter school governance and bylaws.

(2) The method for appointing or forming an advisory council for the charter school. The membership of an advisory council appointed or formed in accordance with this chapter shall not include more than one member of the local school board. The advisory council shall, to the greatest extent possible, reflect the demographics of the student population to be served by the public charter school.

(3) The organization of the school in terms of ages of students or grades to be taught along with an estimate of the total enrollment of the school.

(4) The method for admission to the public charter school. The admission policy shall support the purpose and specialized mission of the public charter school. A lottery process must be described in the application for a public charter school in the event that the number of applicants exceeds the capacity of the public charter school. The admission process shall not discriminate against prospective students on the basis of race, creed, color, sex, sexual orientation, gender identity, national origin, religion, ancestry, or disability, except if a charter school limits enrollment pursuant to Iowa Code section 256F.4(3).

(5) The number and qualifications of teachers and administrators to be employed. Hiring shall, to the greatest extent possible, reflect the demographics of the student population to be served by the public charter school.

(6) Procedures for teacher and administrator evaluation.

(7) Procedures for identification and implementation of professional development for teachers and administrators as required under 281—12.7(256,284,284A) and the Iowa teaching standards, including the opportunity to be responsible for the learning program at the school site.

(8) A plan of operation to be implemented if the public charter school revokes or fails to renew its contract.

(9) The specific statutes, administrative rules, and school board policies with which the public charter school does not intend to comply.

c. Facilities/financial support. The maximum number of points that can be awarded is 10. The description of the facilities/financial support shall include:

(1) The provision of school facilities.

(2) The financial plan for the operation of the school including, at minimum, a listing of the support services the school district will provide, and the public charter school's revenues, budgets, and expenditures.

(3) Assurance of the assumption of liability by the public charter school.

(4) The types and amounts of insurance coverage to be obtained by the public charter school.

(5) The means, costs, and plan for providing transportation for students attending the public charter school.

d. Student achievement. The maximum number of points that can be awarded is 40. The description shall include:

(1) Performance goals and objectives in addition to those required under Iowa Code section 256.7(21) and 281—Chapter 12, by which the school’s student achievement shall be judged, the measures to be used to assess progress, and the current baseline status with respect to the goals.

(2) The educational program and curriculum utilizing different and innovative instructional methodologies that reflect sensitivity to gender, racial, ethnic and socioeconomic backgrounds. Services to be offered to all prospective students, including students with disabilities pursuant to the requirements of 281—Chapter 41, English learners, and other students considered “at risk,” must also reflect the same sensitivities.

(3) A statement that indicates how the public charter school will meet the purpose of a public charter school as outlined in Iowa Code section 256F.1(3), and the minimum state and federal statutory requirements of a public charter school as outlined in Iowa Code section 256F.4(2).

68.4(3) State board review. The state board shall review the recommendations provided by the department. The state board shall, by a majority vote, approve or deny an application within 90 calendar days of receipt of the application and shall notify applicants within 5 days of the state board’s decision. An approved application shall be a part of the contract for the operation of the charter school. The terms of the contract for the operation of the charter school shall also outline the reasons for revocation or nonrenewal of the charter.

[ARC 9264B, IAB 12/15/10, effective 1/19/11; ARC 6724C, IAB 12/14/22, effective 1/18/23]