

# Legal & Policy

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CSI New Leader Orientation  
July 29<sup>th</sup> & 30<sup>th</sup>, 2019



# Charter Contract



# Overview

## **\*Contract is between CSI Board and Governing Board of School\***

▷ Based on Charter Application

▷ Describes:

- Term
- Institute-School Relationship
- School Governance
- Operations
- Enrollment and Demographic Information
- Educational Program
- Financial Matters
- Personnel
- Facilities
- Renewal, Revocation, and Closure
- General Provisions
- Attachments: Articles of Incorporation, Bylaws, Milestones, Waivers, Enrollment Policy



# Charter Modifications: Material

**Material Modifications:** Require advanced approval + [Charter Modification Request Form](#)

- **Education Program** (overall school model - e.g., Montessori, Classical, Language Immersion, etc.)
- **Education Service Provider** (addition of or material change in services provided by an education service provider, including revisions to the management contract)
- **Addition of regular school-to-home, home-to-school transportation or purchase of transportation vehicle**
- **Addition of an online program**
- **Expansion** (depending on type of expansion; for additional information, see CSI's School Expansion Policy)

**Try to align with renewal**



# Charter Modification Request Form

- ▷ **Describe the proposed change.** For all changes, please describe the key change(s) being proposed.
- ▷ **Describe the rationale for the change.**
- ▷ **Describe all considered impacts (academic, organizational, financial).** For example, how will this change affect student performance, increase/decrease costs over time, or change the organizational structure, roles, or responsibilities of staff?



# Charter Modifications: Immaterial\*

Advanced notification but not board approval. Send the updates to [anastasiahawkins@csi.state.co.us](mailto:anastasiahawkins@csi.state.co.us).

- Name
- Mission/Vision
- Enrollment Policy
- Food Services
- Changes to Interim Assessments
- Program Plans (IEP, 504, GT, ELL)
- Location Modification (additional facility or change of facility)
- Insurance Coverage (reduction of coverage)
- Bylaws or Articles of Incorporation
- Board-Approved Budget (as updates are made, send to [davidsever@csi.state.co.us](mailto:davidsever@csi.state.co.us))
- Family Handbook
- School Calendar/Hours
- Addition of Special Programs (homeschool, before-and-after-school care, etc.)
- Significant Changes to Organizational Structure

**\*Note:** Although the above changes typically do not require advanced Institute approval, should a change materially affect the charter contact, pose a safety threat to the school community, or otherwise materially impact the academics, finances, or operations of the Institute School, the Institute reserves the right to require the Institute School to seek formal approval for the change. All modifications to any of these policies or documents must still be in accordance with both federal and state law.



# Grievances



# Charter Contract

## ▶ **Contract Provision [Paragraph 3.1(C)]**

- Complaints received by CSI are first directed to the School's administration and then the School's Board for resolution.
- Where the grievant has followed the School's Grievance Policy and brings a complaint to CSI, CSI will notify the School (School Leader and/or Board Chair) of any formal complaint within five (5) business days.
- If complainant requests to remain anonymous, CSI will honor that request to the best of their ability.





# CSI Grievance Policy

Each CSI School must have a Grievance Policy that meets the following requirements:

- Tiered Approach [ School→ School's Governing Board→ CSI]
- Clear information + timelines
- How to contact School's Governing Board + Board meeting info posted on website
- How to contact CSI

A [Sample policy](#) has been provided by CSI



# CSI Grievance Policy

- ▷ General CSI process when a complaint is received
  - What does CSI do with the complaint?
  - How is the information used?
  - Inclusion of Board Chair
  
- ▷ CSI may intervene prior to full exhaustion of the grievance process where the concern involves a safety issue, a student with an IEP or 504 plan, or other material violation of law/contract.
  
- ▷ Families and community members should be able to access the Board, particularly through the Board's open meetings.



# Notice to CSI



# When to Notify CSI

## Immediate Notice:

- i. Conditions that cause a school to vary from the terms of the Contract, policy, or law;
- ii. Circumstances that require an unplanned extended closure of school (natural disaster, emergency);
- iii. Circumstances requiring lockdown or other health/safety threats;
- iv. Arrest, dismissal, or resignation of any Board member or employee for a federal crime or other crime related to misappropriation of funds or theft;
- v. Misappropriation of funds;
- vi. Default on any obligations, including debts that are past due 60 days or more; and
- vii. Change in corporate status.



# When to notify CSI

## Timely Notice:

- i. The discipline of employees at the School arising from misconduct or behavior that may have resulted in harm to students or others, or that constituted violations of law;
- ii. Any complaints filed against the School or its employees, administration, or Board members by any governmental agency; and
- iii. Any changes in Board membership.



# Background Checks



# Background Checks

- ▷ All CSI Schools must conduct a background investigation, including a fingerprint-based criminal history record check, for all employees pursuant to CRS 22-30.5-110.5 and 110.7. CRS 22-30.5-511.5.
  
- ▷ All CSI Schools must have a Policy that addresses:
  - Fingerprinting and background checks of prospective employees
  - Fingerprinting and background checks of contractors
    - Independent contractors and outside companies that place employees in the school shall also complete the required background checks and provide evidence of such checks to the School.
  - Fingerprinting and background checks for volunteers
  - Recordkeeping



# Background Check Process

1. School sets up an account with CBI and CBI issues an account number
2. Employee then goes to the local law enforcement agency (call to confirm first)
3. Employee and law enforcement complete fingerprint card in black ink. Card is provided by law enforcement and has the following fields:
  - a. Name, DOB, Place of Birth, Sex, Race, Height, Weight, Eyes, Hair (use 3 letter abb. for eyes and hair – e.g., Bro, Blu)
  - b. OCA-CONCJXXXX (insert account number)
  - c. Employer and Address
  - d. Reason Fingerprinted – Charter School Applicants CRS 22-30.5-110.7





# Background Check Process

4. Send completed fingerprint card and processing fee to CBI. CBI accepts Visa/MasterCard, money order, bank check, or preprinted business check. No personal checks are accepted.



# Background Check Outcome

No teacher or administrator with a criminal record that would ordinarily preclude them from obtaining a teacher license or from public school employment pursuant to [C.R.S. 22-32-109.8](#) will be employed at the School, regardless of waivers that may have been granted to the School.

## This includes:

- Felony child abuse
- Crime of violence
- Felony involving unlawful sexual behavior
- Felony involving domestic violence
- Felony drug offense
- Felony indecent exposure



# Offer of Employment Process

## Offer of Employment Checklist:

- I. Start fingerprint and background check process
- II. Employee must certify, under penalty of perjury, either:
  - i. That he or she has never been convicted of committing any felony or misdemeanor, but not including any misdemeanor traffic offense or traffic infraction; or
  - ii. That he or she has been convicted of committing a felony or misdemeanor, but not including any misdemeanor traffic offense or traffic infraction. The certification shall specify the felony or misdemeanor for which the applicant was convicted, the date of the conviction, and the court entering the judgment of conviction.
- III. Offer of employment should clearly be contingent upon successful completion of fingerprinting and background checks



# Existing Employees Duties

- ▶ When a CSI School finds good cause to believe that an employee has been convicted of a felony or misdemeanor, other than a misdemeanor traffic offense or traffic infraction, the school shall require the person to submit a complete set of his or her fingerprints for a fingerprint-based criminal history record check.
- ▶ May trigger duty to monitor and provide notice per HB 18-1269.
  - See CSI Advisory Bulletin: Notification Regarding Employee Criminal Conduct and sample policy available [here](#).
- ▶ Duty to report to CDE and CSI offenses involving unlawful behavior involving a child and unlawful sexual behavior per CRS 22-30.5-110.5.



# Thanks!

## Any questions?

Contact us at:

[anastasiahawkins@csi.state.co.us](mailto:anastasiahawkins@csi.state.co.us)

[marisabayless@csi.state.co.us](mailto:marisabayless@csi.state.co.us)



# Credits

- ▶ Presentation template by [SlidesCarnival](#)