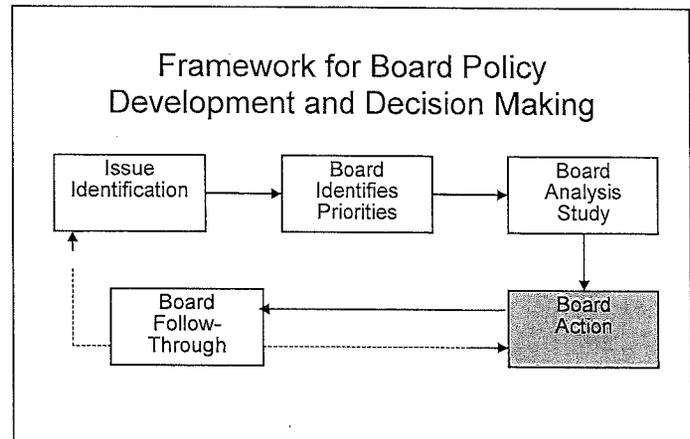


# Iowa State Board of Education

## Executive Summary

November 14, 2012



**Agenda Item:** Des Moines Public Charter School – Revoke Charter

**Iowa Goal:** All PK-12 students will achieve at a high level.

**State Board Role/Authority:** The State Board of Education may approve or deny the application for a charter school. Iowa Code section 256F.3(7). A contract for the establishment of a charter school may be revoked by the State Board if one of the conditions outlined in Iowa Code section 256F.8(1) occurs.

**Presenter:** Isaiah McGee, Consultant  
Bureau of School Improvement

**Attachments:** 1

**Recommendation:** It is recommended that the State Board take action to revoke the charter for the Des Moines Public Charter School.

**Background:** In 2010, the Iowa State Board of Education (State Board) granted the Des Moines Independent Community School District Board of Education (DMPS Board) a charter to operate the Des Moines Public Charter School. The charter school was in operation for two years. Because of an absence of evidence indicating progress toward achieving the mission and goals of the charter school, difficulty recruiting staff, and the inability to recruit a highly qualified director for the charter school, the DMPS Board requested an amendment to the charter that would allow them to suspend classes at the charter school for the 2012-2013 school year. The State Board denied this

request to amend the charter, indicating that given the history with the charter school it would be unlikely that the DMPS District and Board would be able to address the concerns with a meaningful plan.

The District failed to open the Des Moines Public Charter School at the beginning of this school year. Because it is in substantial violation of the terms of the contract, the State Board gave notice in September 2012 of its intent to revoke the charter per Iowa Code section 256F.8, and is now taking action to revoke the charter.

**Document 1 of 1****Source:**

Iowa Code/IOWA LAW 2011 MERGED IOWA CODE AND SUPPLEMENT/2011 MERGED IOWA CODE AND SUPPLEMENT/TITLE VII EDUCATION AND CULTURAL AFFAIRS/SUBTITLE 1 ELEMENTARY AND SECONDARY EDUCATION/CHAPTER 256F CHARTER SCHOOLS AND INNOVATION ZONE SCHOOLS/256F.8 Procedures for revocation or nonrenewal of contract.

**256F.8 Procedures for revocation or nonrenewal of contract.**

1. A contract for the establishment of a charter school or innovation zone school may be revoked by the state board, the school board that established the charter school, or the innovation zone consortium that established the innovation zone school if the appropriate board or consortium determines that one or more of the following occurred:

- a. Failure of the charter school or innovation zone school to abide by and meet the provisions set forth in the contract, including educational goals.
- b. Failure of the charter school or innovation zone school to comply with all applicable law.
- c. Failure of the charter school or innovation zone school to meet generally accepted public sector accounting principles.
- d. The existence of one or more other grounds for revocation as specified in the contract.
- e. Assessment of student progress, which is administered in accordance with state and locally determined indicators established pursuant to rules adopted by the state board, does not show improvement in student progress over that which existed in the same student population prior to the establishment of the charter school or the innovation zone school.

2. The decision by a school board or an innovation zone consortium to revoke or to fail to take action to renew a charter school or innovation zone school contract is subject to appeal under procedures set forth in **chapter 290**.

3. A school board or a board participating in an innovation zone consortium that is considering revocation or nonrenewal of a charter school or innovation zone school contract shall notify the advisory council, the parents or guardians of the students enrolled in the charter school or innovation zone school, and the teachers and administrators employed by the charter school or innovation zone school, sixty days prior to revoking or the date by which the contract must be renewed, but not later than the last day of classes in the school year.

4. If the state board determines that a charter school or innovation zone school is in substantial violation of the terms of the contract, the state board shall notify the school board or innovation zone consortium and the advisory council of its intention to revoke the contract at least sixty days prior to revoking a contract and the school board or the school boards participating in the innovation zone consortium shall assume oversight authority, operational authority, or both oversight and operational authority. The notice shall state the grounds for the proposed action in writing and in reasonable detail. The school board or innovation zone consortium may request in writing an informal hearing before the state board within fourteen days of receiving notice of revocation of the contract. Upon receiving a timely written request for a hearing, the state board shall give reasonable notice to the school board or innovation zone consortium of the hearing date. The state board shall conduct an informal hearing before taking final action. Final action to revoke a contract shall be taken in a manner least disruptive to students enrolled in the charter school or innovation zone school. The state board shall take final action to revoke or approve continuation of a contract by the last day of classes in the school year. If the final action to revoke a contract under **this section** occurs prior to the last day of classes in the school year, a charter school or innovation zone school student may enroll in the resident district.

5. The decision of the state board to revoke a contract under **this section** is solely within the discretion of the state board and is final.

6. A school board revoking a contract or a school board, innovation zone consortium, or advisory council that fails to renew a contract under **this chapter** is not liable for that action to the charter school or innovation zone school, a student enrolled in the charter school or innovation zone school or the student's parent or guardian, or any other person.

2002 Acts, ch 1124, §8, 16; 2003 Acts, ch 79, §7, 8; 2010 Acts, ch **1001, §19, 20**

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