

Charter School Expansion – Supplemental Affidavit

Updated for State Fiscal Year 2015

This document provides instructions and forms to submit a supplemental affidavit (affidavit) to the Minnesota Department of Education (MDE) prior to a charter school expanding to add grades or additional enrollment sites beyond those approved by MDE. The request is submitted by an approved authorizer on behalf of an operational charter school. Affidavit requests are based on statutory requirements and are evaluated against the terms and conditions set forth in the commissioner-approved authorizer application and quality of materials submitted. **This instructional document specifies the form and manner authorizers shall submit supplementary affidavits to MDE in state fiscal year (SFY) 2015.**

Minnesota Statutes, section 124D.10, Subdivision 4(j):

A charter school may apply to the authorizer to amend the school charter to expand the operation of the school to additional grades or sites that would be students' primary enrollment site beyond those defined in the original affidavit approved by the commissioner. After approving the school's application, the authorizer shall submit a supplementary affidavit in the form and manner prescribed by the commissioner. The authorizer must file a supplemental affidavit by October 1 to be eligible to expand in the next school year. The supplementary affidavit must document that the school has demonstrated to the satisfaction of the authorizer the following:

- 1) the need for the expansion with supporting long-range enrollment projections;*
- 2) a longitudinal record of demonstrated student academic performance and growth on statewide assessments under chapter 120B or on other academic assessments that measure longitudinal student performance and growth approved by the charter school's board of directors and agreed upon with the authorizer;*
- 3) a history of sound school finances and a finance plan to implement the expansion in a manner to promote the school's financial sustainability; and*
- 4) board capacity and an administrative and management plan to implement its expansion.*

The commissioner shall have 30 business days to review and comment on the supplemental affidavit. The commissioner shall notify the authorizer in writing of any deficiencies in the supplemental affidavit and the authorizer then has 20 business days to address, to the commissioner's satisfaction, any deficiencies in the supplemental affidavit. The commissioner must notify the authorizer of final approval or disapproval within 15 business days after receiving the authorizer's response to the deficiencies in the affidavit. The school may not expand grades or add sites until the commissioner has approved the supplemental affidavit. The commissioner's approval or disapproval of a supplemental affidavit is final.

Please Note:

- An eligible organization must be approved to authorize charter schools prior to submitting an affidavit to MDE (per Minn. Stat. § 124D.10, Subd 3(c)).
- An approved authorizer must first review and evaluate the school's expansion application according to Minnesota Statutes, section 124D.10, Subdivision 3(d)(6) and the process articulated in the commissioner-approved authorizer application prior to submitting an affidavit to MDE.

Instructions:

The authorizer must address the requirements contained below to submit a supplemental affidavit to MDE (per Minn. Stat. § 124D.10, Subd. 4(j)).

NOTE: *Tips are provided based on previously successful affidavits. Instructions provided in the tips may clarify statute, where applicable, and are designed to ensure a comprehensive affidavit response.*

Part A – Submission Eligibility and Affidavit Forms

Proof of meeting eligibility criteria must be submitted as part of the affidavit and eligibility criteria must be met *before* an affidavit will be reviewed. Provide all requested information.

- I. Complete the Supplemental Affidavit Cover Sheet (Form 1).
- II. Complete the Authorizer Eligibility Certification (Form 2) and include attachments, if applicable.
- III. Complete the Authorizer Assurance and Certification (Form 3).
- IV. Complete the School Assurance and Certification (Form 4).

Part B – School Expansion Documentation - Updated for SFY 2015!

Minnesota Statutes, section 124D.10, Subdivision 4(j). Please limit this part to five single-spaced pages.

Describe your evaluation and analysis of “I-IV” below, as contained in the school’s expansion request to your organization:

- I. The need for the expansion with supporting long-range enrollment projections;
 - TIP: Include enrollment projections with and without the proposed expansion.
 - TIP: Helpful documentation includes waiting list numbers, evidence of support from current or prospective families, enrollment statistics from nearby public schools, etc.
- II. A longitudinal record of demonstrated student academic performance and growth on statewide assessments under chapter 120B or on other academic assessments that measure longitudinal student performance and growth approved by the charter school’s board of directors and agreed upon with the authorizer;
 - TIP: Include how the school is successfully implementing the primary purpose of charter schools to improve all pupil learning and all student achievement per Minnesota Statutes, section 124D.10, Subdivision 1(a).
 - TIP: Minnesota’s charter school law (Minn. Stat. §124D.10, Subd. 10. Pupil Performance) requires that a charter school must design its programs to at least meet the outcomes adopted by the commissioner for public school students. Your response should reflect this requirement.
 - TIP: The response to this section must evidence clear alignment with the performance standards of the authorizer’s commissioner-approved authorizer application and the academic outcomes in the authorizer’s charter contract with the school. Include specific page number citation(s) from the approved authorizer application and the charter contract when discussing how the school’s academic performance and growth meet the authorizer’s standards.
 - TIP: Statute now provides that academic assessments **other than** statewide assessments can be used to measure longitudinal student performance and growth for a supplemental affidavit request. The other measures **must be** approved by the charter school’s board of directors and agreed upon by the authorizer.
 - TIP: If other academic indicators are required for expansion per your organization’s approved authorizer application, include these data.

- TIP: Any areas of low performance or growth should be explained along with the school's plans to address student performance/growth in these areas.
- III. A history of sound school finances and a finance plan to implement the expansion in a manner to promote the school's financial sustainability; and
- TIP: Include an analysis of the school's fund balance history (in annual dollar amount and annual percentage over several years) and discuss the school's multi-year cash flow projections to finance the proposed expansion.
 - TIP: If the expansion will require an additional site or build-out of the current site, include an analysis of the facility options considered and 5-year budget projections (with and without the proposed expansion).
 - TIP: Include a brief analysis of potential changes to staffing, food service, transportation and other expansion-related services in terms of financial impact.
 - TIP: If applicable, the response to this section must evidence clear alignment with the performance standards of the authorizer's commissioner-approved authorizer application and the financial outcomes in the authorizer's charter contract with the school. Include specific page number citation(s) from the approved authorizer application and the charter contract when discussing how the school's financial status meets the authorizer's standards.
 - TIP: If other financial indicators are required for expansion per your organization's approved authorizer application, include these data.
- IV. Board capacity and an administrative and management plan to implement its expansion.
- TIP: Provide an analysis of the school's current governance and management structures and describe anticipated changes resulting from the proposed expansion.

Part C – Authorizer Capacity

Minnesota Statutes, section 124D.10, Subdivision 3(d)(2). Please limit this part to two single-spaced pages.

- I. Explain how the expansion of this school is consistent with the "Capacity and Infrastructure" section of your approved authorizer application.
- TIP: In discussing how the expansion of this school is consistent with the "Capacity & Infrastructure" section of your approved authorizer application, include the size and type of schools in your existing portfolio.
 - TIP: Clearly identify the authorizer liaison and other individual(s) who will oversee the expansion of this school and indicate the amount of personnel time dedicated to the expanded charter school.
 - TIP: Explain the need for any changes in the capacity or structure of your organization if the expansion is approved.

Part D – Authorizer's Review Process

Minnesota Statutes, section 124D.10, Subdivision 3(d)(3). Please limit this part to three single-spaced pages.

- I. Consistent with your commissioner-approved authorizer application, describe the application and review process used to determine approval of *this* charter school's expansion.
- TIP: Provide a summary of *review data* including quantitative results (e.g., scores, ratings, rankings) and qualitative results (e.g., evaluative comments, interview feedback, strengths and weaknesses) generated by the authorizer's review process. Indicate how any identified weaknesses were specifically addressed during the review process.

- TIP: Provide a summary of *review process activities* conducted by the authorizer (e.g., review activities, timeline/key dates, names of reviewers, involvement of organizational leadership in process, final action). Include specific page number citation(s) from the commissioner-approved authorizer application to demonstrate the expansion application was reviewed consistent with approved plans.
- TIP: Provide an *analysis of the review process results that justifies approval* of the expansion request. Describe how any weaknesses identified during the review process were satisfactorily addressed before submission to MDE.

Part E – Oversight and Compliance

Minnesota Statutes, section 124D.10, Subdivision 3(d)(5). Please limit this part to two single-spaced pages.

- I. Consistent with your commissioner-approved authorizer application, describe the ongoing oversight plan the authorizer will use to assure this school will comply with both the provisions of applicable laws and rules, and with the charter contract.
 - TIP: Oversight plans should clearly reflect how performance under the primary purpose to improve all pupil learning and all student achievement per Minnesota Statutes, section 124D.10, Subdivision 1(a) will be evaluated.
 - TIP: Oversight plans should include a description of the types of performance data to be collected, when data will be collected and how data will be analyzed against performance indicators for the expanded charter school.

Submission Instructions - Updated for SFY 2015!

Minnesota Statutes, section 124D.10, Subdivision 4(k). Please review these instructions carefully.

- Supplemental affidavits must be submitted to MDE by 11:59 p.m. on October 1 to be eligible to expand in the next school year.
- Only complete affidavits will be reviewed.
- The commissioner then has 30 business days to review and comment on the affidavit.
- If not initially approved, the authorizer then has 20 business days to address, to the commissioner's satisfaction, any deficiencies in the initial affidavit.
- The commissioner must then notify the authorizer of final approval or disapproval within 15 business days after receiving the authorizer's response to the deficiencies in the affidavit.
- The commissioner's approval or disapproval of a supplemental affidavit is final.
- Page numbers should be included throughout the submission. Identify and sequence materials **in order** according to the outline above.
- When completing forms, type requested information into grey form fields **before** printing. Double-check to make sure all required signatures are present and visible.
- Assurance and Certification forms (Forms 3 and 4) need to be signed and dated by appropriate parties before being scanned with other elements.
- Submit affidavits electronically. Scan all elements **as one PDF** and email the PDF submission (as a single attachment) to: mde.charterschools@state.mn.us.
- MDE will confirm receipt of an affidavit within two business days of submission. Please contact Jodi Brenden Amir at (651) 582-8297 if a confirmation is not received within two business days of submission.

NEED ASSISTANCE?

Please email or call Jodi with questions. If submitting questions via email, reference "Supplemental Affidavit" in the subject line of your message.

Supplemental Affidavit Cover Sheet – Form 1

NAME OF APPROVED AUTHORIZER:

NAME AND LEA NUMBER OF CHARTER SCHOOL:

School Main Contact Information (Name, title, mailing address, phone number and email address)	
Authorizer Liaison's Contact Information (Name, title, mailing address, phone number and email address)	
Date of Proposed Expansion (Month, day, and year; if planned in stages, describe)	
Type of Expansion Check all that apply: <ul style="list-style-type: none"> <input type="checkbox"/> Expand to an additional site that will be a primary enrollment site Address/location of new site: Specify grades/programs to be served at new site: <input type="checkbox"/> Expand to serve additional elementary or secondary grades Grades presently served: Current elementary/secondary student enrollment: Grades served if expansion approved: <i>Additional elementary/secondary students to be served annually if expansion approved:</i> 	
Does this expansion incorporate online, digital, or blended learning ? If yes, an additional application and approval from MDE Online Learning may be required – contact Deborah.Proctor@state.mn.us for more information.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Does this expansion incorporate project-based learning ? If yes, an additional application may be required – contact Mary.Barrie@state.mn.us for more information.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Does this expansion incorporate work-based learning ? If yes, an additional application may be required – contact Al.Hauge@state.mn.us for more information.	<input type="checkbox"/> Yes <input type="checkbox"/> No

Supplemental Affidavit Authorizer Eligibility Certification – Form 2

NAME OF APPROVED AUTHORIZER:

NAME AND LEA NUMBER OF CHARTER SCHOOL:

Check the appropriate box (Minn. Stat § 124D.10, Subd 3(b)):

- Independent school district school board, intermediate school district board, or education district organized under Minnesota Statutes, sections 123A.15 to 123A.19.
- Charitable organization under section 501(c)(3) of the Internal Revenue Code of 1986 (exclusions apply; see Minn. Stat § 124D.10, Subd 3(b) for complete information.)

Include the following documentation immediately after this form; clearly label each attachment:

Attachment A: Documentation of the authorizer's *current* status under section 501(c)(3) of the Internal Revenue Code of 1986. TIP: Search the [IRS website](#), print results screen with date.

Attachment B: Documentation to evidence the authorizer's *current* membership with the [Minnesota Council of Nonprofits](#) or the [Minnesota Council on Foundations](#) (membership must be active when the affidavit is submitted).

Attachment C: Documentation of the authorizer's "active" registration with the Office of the Minnesota Attorney General when the affidavit is submitted to MDE. TIP: Search the [Attorney General's website](#), print results screen with date.

Attachment D: Documentation to evidence the organization has been incorporated in the state of Minnesota and has been operating continuously as a nonprofit for at least five years from the date of affidavit submission. TIP: Search the [Minnesota Business and Lien System](#) on the Minnesota Secretary of State's website, print results screen with date.

Attachment E: Documentation to verify the organization does not operate a charter school. TIP: Include a signed letter, on organizational letterhead, to verify this requirement.

- Institution of higher education; check the authorizer category the organization meets:
- Minnesota private college that grants two- or four-year degrees and is registered with the Minnesota Office of Higher Education under Minnesota Statutes, section 136A;
 - Community college, state university, or technical college, governed by the Board of Trustees of the Minnesota State Colleges and Universities; or
 - The University of Minnesota.
- Chambers of Commerce, Boards of Trade, Exchanges – a nonprofit corporation subject to chapter 317A, described in section 317A.905, and exempt from federal income tax under section 501(c)(6) of the Internal Revenue Code of 1986, may authorize one or more charter schools if the charter school has operated for at least three years under a different authorizer and if the nonprofit corporation has existed for at least 25 years.

Include the following documentation immediately after this form; clearly label each attachment:

Attachment A: Documentation of the authorizer's *current* status under section 501(c)(6) of the Internal Revenue Code of 1986. TIP: Search the [IRS website](#), print results screen with date.

Attachment B: Documentation to evidence the organization has been incorporated in the state of Minnesota and has been operating continuously as a nonprofit for at least 25 years from the date of affidavit submission. TIP: Search the [Minnesota Business and Lien System](#) on the Minnesota Secretary of State's website, print results screen with date.

- Single-Purpose Authorizer – Charitable, nonsectarian organization formed under section 501(c)(3) of the Internal Revenue Code and incorporated in the state of Minnesota whose sole purpose is to charter schools.

Include the following documentation immediately after this form; clearly label each attachment:

Attachment A: Documentation of the authorizer's *current* status under section 501(c)(3) of the Internal Revenue Code of 1986. TIP: Search the [IRS website](#), print results screen with date.

Attachment B: Documentation of the authorizer's "active" registration with the Office of the Minnesota Attorney General when the affidavit is submitted to MDE. TIP: Search the [Attorney General's website](#), print results screen with date.

Supplemental Affidavit Authorizer Assurance and Certification – Form 3

NAME OF APPROVED AUTHORIZER:

NAME AND LEA NUMBER OF CHARTER SCHOOL:

Pursuant to Minnesota Statutes, section 124D.10, the authorizer assures the commissioner of education that the authorizing organization will: (initial each line)

_____ Ensure that the charter school's primary purpose is to improve pupil learning and student achievement per Minnesota Statutes, section 124D.10, Subdivision 1(a).

_____ Monitor the charter school's compliance with all applicable federal, state and local laws, ordinances, rules, regulations and provisions governing the operation of a charter school in Minnesota should the expansion be approved by the commissioner of the Minnesota Department of Education.

_____ Update the charter contract with the school that meets the provisions of Minnesota Statutes, section 124D.10, Subdivisions 6 and 15(c), including defining "the rights and responsibilities of the charter school for governing its educational program, controlling its funds, and making school management decisions."

_____ Abide by its "process to be used for providing ongoing oversight of the school consistent with the contract expectations that assures that the schools chartered are complying with both the provisions of applicable law and rules, and with the contract" from the organization's commissioner-approved authorizer application.

_____ Follow its "process for making decisions regarding the renewal or termination of the charter school based on evidence that demonstrates the academic, organizational, and financial competency of the school, including its success in increasing student achievement and meeting the goals of the charter school agreement" from the organization's commissioner-approved authorizer application.

_____ Along with the amended charter contract upon approval of this affidavit, complete and submit to the commissioner of the Minnesota Department of Education the Assurances for Authorizers relating to leases with sectarian organizations and other matters regarding the accommodation of religion in public schools.

Certification: I hereby assure and agree to fully comply with the above assurances and all applicable federal, state and local laws, ordinances, rules, regulations and provisions governing the authorization of a charter school and will submit documents and certifications as required of approved authorizers in Minnesota.

Authorizer's Identified Official with Authority

(Provide the name, title and signature of person with legal authority to certify on behalf of the authorizer.)

Name:	Title:
Signature:	Date:

Supplemental Affidavit School Assurance and Certification – Form 4

NAME OF APPROVED AUTHORIZER:

NAME AND LEA NUMBER OF CHARTER SCHOOL:

Pursuant to Minnesota Statutes, section 124D.10, the charter school assures the commissioner of education that the charter school will: (initial each line)

_____ Ensure that the charter school's primary purpose is to improve pupil learning and student achievement per Minnesota Statutes, section 124D.10, Subdivision 1(a).

_____ Comply with all applicable federal, state and local laws, ordinances, rules, regulations and provisions governing the operation of a charter school in Minnesota should the supplemental affidavit be approved by the commissioner of the Minnesota Department of Education. If approved, the applicant will operate the expanded charter school according to the terms and conditions of this affidavit and the charter contract with the school's authorizer.

_____ Annually complete and submit to the commissioner of the Minnesota Department of Education the Assurances for Charter Schools relating to leases with sectarian organizations and other matters regarding the accommodation of religion in public schools.

Certification: I hereby assure and agree to fully comply with the above assurances and all applicable federal, state and local laws, ordinances, rules, regulations and provisions governing the operation of a charter school and will submit documents and certifications as required of charter schools in Minnesota.

School's Identified Official with Authority

(Provide the name, title and signature of person with legal authority to certify on behalf of the charter school, usually the chair of the school's board of directors.)

Name:	Title:
Signature:	Date:

Supplemental Affidavit– Review Rubric

(for informational purposes only)

Authorizer:		Charter School:		Date Affidavit Received:		Review Completed:	
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Type(s) of expansion(s): Additional enrollment site Additional elementary/secondary grades

The Charter Center applies the following definitions to the review rubric items:

Promising Practice: The authorizer’s fulfillment of this element meets “Satisfactory” criteria and demonstrates a promising practice of effective authorizing

Satisfactory: The documentation evidences compliance with state law and the authorizer’s fulfillment of their commission-approved plan.

Unsatisfactory: The documentation does not evidence compliance with state law and/or the authorizer’s fulfillment of their commissioner- approved plan. Specific deficiencies will be identified.

Part A – Submission Eligibility & Affidavit Forms	All Items Included & Correct <input type="checkbox"/> Missing or Incorrect Items <input type="checkbox"/>
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Feedback:

Part B– School Expansion Documentation

B.I - The need for the expansion with supporting long-range enrollment projections	Promising Practice <input type="checkbox"/> Satisfactory <input type="checkbox"/> Unsatisfactory <input type="checkbox"/>
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Feedback:

B.II - A longitudinal record of demonstrated student academic performance and growth on statewide assessments under chapter 120B or on other academic assessments that measure longitudinal student performance and growth approved by the charter school’s board of directors and agreed upon with the authorizer	Promising Practice <input type="checkbox"/> Satisfactory <input type="checkbox"/> Unsatisfactory <input type="checkbox"/>
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Feedback:

B.III - A history of sound school finances and a finance plan to implement the expansion in a manner to promote the school’s financial sustainability	Promising Practice <input type="checkbox"/> Satisfactory <input type="checkbox"/> Unsatisfactory <input type="checkbox"/>
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Feedback:

B.IV - Board capacity and an administrative and management plan to implement its expansion	Promising Practice <input type="checkbox"/> Satisfactory <input type="checkbox"/> Unsatisfactory <input type="checkbox"/>
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Feedback:

Part C – Authorizer Capacity

C.I - Capacity & Infrastructure	Promising Practice <input type="checkbox"/> Satisfactory <input type="checkbox"/> Unsatisfactory <input type="checkbox"/>
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Feedback:

Part D – Authorizer’s Review Process

D.I – Review Data, Activities & Analysis	Promising Practice <input type="checkbox"/> Satisfactory <input type="checkbox"/> Unsatisfactory <input type="checkbox"/>
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Feedback:

Part E – Oversight and Compliance
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E.I – Ongoing Oversight Plan	Promising Practice <input type="checkbox"/> Satisfactory <input type="checkbox"/> Unsatisfactory <input type="checkbox"/>
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Feedback: