Minnesota Department of Education

CHARTER CONTRACT PROVISIONS

FY 2012

Minnesota Statutes, section 124D.10, Subdivision 6, addresses charter contract requirements. A charter contract must be in writing and contain at least the following 13 elements:

1. a declaration of the purposes in subdivision 1 that the school intends to carry out and how the school will report its implementation of those purposes;
2. a description of the school program and the specific academic and nonacademic outcomes that pupils must achieve;
3. a statement of admission policies and procedures;
4. a governance, management, and administration plan for the school;
5. signed agreements from charter school board members to comply with all federal and state laws governing organizational, programmatic, and financial requirements applicable to charter schools;
6. the criteria, processes, and procedures that the authorizer will use for ongoing oversight of operational, financial, and academic performance;
7. the performance evaluation that is a prerequisite for reviewing a charter contract under subdivision 15;
8. types and amounts of insurance liability coverage to be obtained by the charter school;
9. consistent with subdivision 25, paragraph (d), a provision to indemnify and hold harmless the authorizer and its officers, agents, and employees for any suit, claim, or liability arising from any operation of the charter school, and the commissioner and department officers, agents, and employees notwithstanding section 3.736;
10. the term of the contract, which may be up to three years for an initial contract plus an additional preoperational planning year, and up to five years for a renewed contract if warranted by the school's academic, financial, and operational performance;
11. how the board of directors or the operators of the charter school will provide special instruction and services for children with a disability under sections 125A.03 to 125A.24, and 125A.65, a description of the financial parameters within which the charter school will operate to provide the special instruction and services to children with a disability;

12. the process and criteria the authorizer intends to use to monitor and evaluate the fiscal and student performance of the charter school, consistent with subdivision 15; and

13. the plan for an orderly closing of the school under chapter 308A or 317A, if the closure is a termination for cause, a voluntary termination, or a nonrenewal of the contract, and that includes establishing the responsibilities of the school board of directors and the authorizer and notifying the commissioner, authorizer, school district in which the charter school is located, and parents of enrolled students about the closure, the transfer of student records to students' resident districts, and procedures for closing financial operations.

A fully-executed charter contract may be scanned and submitted via email as PDF(s) to marsha.davis-busch@state.mn.us, hand-delivered (one complete hard copy), or sent via U.S. Mail (one complete single-sided hard copy) to:

MDE Charter Center
ATTN: Marsha Davis-Busch
1500 Highway 36 West
Roseville, MN 55113-4266

MDE's Charter Center reviews charter contracts to verify compliance with statutory requirements listed above. Only complete and signed charter contracts will be acknowledged. Please contact Marsha Davis-Busch at (651) 582-8297 with questions regarding submission of charter contracts to MDE.