



Idaho Department
of Education

Charter Authorizer Basics

Becoming a District Authorizer in
Idaho



What are charter schools?

- Legislatively authorized **public** schools
- Mission-driven
- Free and available for **all** students
- Funded according to the state funding formula
- Held accountable for student achievement
- Held accountable for all federal and state laws
- Entrepreneurial and reform oriented
- Non-profit corporations
- Operated by **independent** board of directors
- Public entities



How do charters differ from other public schools?

Unlike other public schools, charter schools:

- Created by application to district/commission
- Operate as non-profit corporations and use business principles
- Require parent involvement
- Assume *all* children learn differently and benefit from a diverse range of educational approaches
- By design are entrepreneurial and/or reform oriented
- Accountable for results
- Can be closed for lack of results – academic, financial, or operational



What *isn't* a charter school in Idaho?

- Private/non-public school wanting to convert to a charter
- Service provider wanting to become a charter holder
- Homeschool cooperative, program, or assistance
- Programs – must offer a “complete” educational option

What is the legislative intent for charters?

- Improve student learning
- Increase learning opportunities
- Allow different and innovative teaching methods
- Utilize virtual and hybrid learning
- Create professional opportunities for teachers
- Provide expanded choices
- Increase accountability
- Reward effective charters with autonomy and freedom
- Foster and support charters

[House Bill 422](#)





Legal Requirements

Before submitting the charter:

- [Idaho Non-profit corporation](#)
- Articles of incorporation
- By-laws

Once approved:

- 501 (c)(3) Tax Exemption
- Non-profit requirements
- **SAM UEI** and **CAGE CODE**
- Employer Identification Number
- Code of Ethics

System of Award Management Unique Entity Identifier: used as a federal identifier for federal grant dollars

Commercial and Government Entity: used to identify vendors

Used for tax identification purposes



[Guidance on starting a non-profit in Idaho](#)

Legal Requirements (cont.)

Public Entity

- [Open meeting laws](#)
- [Public records](#)
- Financial disclosure laws
- Purchasing, contracting



School/Local Education Agency

- Reporting
- Academic requirements
- Finance

Accountability

- Requirements of the Charter Performance Certificate
- Federal and state requirements and laws
- Non-profit public business
 - [Open meeting laws](#)
 - [Public records](#)
- Stakeholder satisfaction



Accountability (cont.): Who holds whom responsible?

- The charter board maps out the charter and ensures that the director/leader/administrator follows it.
- The charter school leader and staff are accountable to the state and its authorizer for educational performance and growth.
- The charter board is accountable to the state and to the public for the management of the money and ensuring the laws are followed.

The Authorization Process



- Incorporate and establish a governing board
- Write the application
- Submit application to one authorizer at a time (District Board)
- Participate in hearing with authorizer (District Board)
- Application must be approved/denied within 90 days (unless the applicant agrees to a later date)

These are areas that must be designed and presented to the potential authorizer:

- Education Program
- Financial Plans
- Facilities
- Board and Governance Structure
- School Demand, Primary Attendance Area
- Educational Service Providers – if applicable

What does the authorizer look for in the petition?

- Is it complete?
- Does it have a clear mission, vision, and educational program?
- How will special services be provided? (Special Education, GT, ELL)
- What are the goals and measurable outcomes?
- Is the budget realistic?
- What are the plans for facilities, staffing, resources?
- What is the need and interest?
- Who are the developers? What is their experience/knowledge?

District Options (within 90 days)

- Approve the application and become the authorizer:
 - Charter part of district
 - State funding flows to charter school
 - Federal funding flows to district and requires working with charter
 - District has both responsibility and authority
 - LEA Charter authorized by the district
 - State and Federal funding flow to charter
 - District released of responsibility, but not authority
- Deny the application, at which time the applicant can appeal or go to another potential authorizer (Idaho Public Charter School Commission)

NOTE: The authorizing district will have no control over governance or day to day operations of the charter school.



Approved Initial Charter:

- 6-year term (unless authorizer grants a pilot charter with 3-year initial term)
- Approved charter may delay opening for 1 year (unless extended through agreement with authorizer)

The Performance Certificate:

- An agreement between the authorizing board and the charter board
- Developed within 75 days of approval
- Can be revised through collaboration of both boards
- Renewed after 6 years (unless the charter was opened for a pilot, 3-year term)
- Can be renewed for 12 years after initial period

Revocation of a Charter:

- A charter can be revoked by the authorizer if, after fair and specific notice from the authorizer, the public charter school:
 - Substantially violates the terms of the performance certificate
 - Fails to meet acceptable fiscal requirements
 - Substantially violates law

Duties of the Authorizer:

- Continually monitor the performance and legal compliance of the charter
- Collect, analyze data
- Prearranged site visits (if needed)
- If there is reason to believe that the charter holder has violated a law, the authorizer shall notify charter of possible violation
- Set an “authorizer’s fee” each year and document the fee to actual expenditures associated with authorizing

Duties of the Charter Holder in Relation to Authorizer:

- Notify the authorizer if:
 - If charter is not in compliance with performance certificate
 - If any changes are made to the Articles of Incorporation
 - If accreditation is in jeopardy
 - If any complaints are filed against the charter (including professional standards)
 - If there are any early warning signs related to enrollment reduction, excessive staff turnover, excessive board turnover
- Pay an annually-determined amount “authorizer fee” to the authorizer

NOTE:
Responsibility of reporting is between the *authorizing district school board* and the *board of the charter school* they authorize.

Support for the Charter School from the Idaho Department of Education:



- Apportionment from the state
- State funding goes directly to the charter school
- If the charter is its own LEA, then Federal funding also flows directly to the charter school

Support for the Charter School from the Idaho Department of Education (cont.):



- Technical assistance to the authorizer or the charter holder
- Annual public charter school workshop, annual new charter bootcamp
- Support and development programs (Idaho building capacity program)
- The Idaho Department of Education is always available to support in other ways

Take advantage of assistance!

- [National Charter School Resource Center](#)
- [National Association of Charter School Authorizers](#)
- [Idaho Charter Schools](#) (Idaho Dept. of Education)
- [Idaho School Board Association](#)
- [Idaho Charter School Network](#)
- [Idaho Public Charter School Commission](#)
- [Bluum](#)

Additional Resources:

- Idaho Public Charter School Commission
“Authorizer FAQ”
- <https://chartercommission.idaho.gov/about-the-ipcsc/authorizer-faq/>



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Thank you!

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