



Celebrating Chartering @ 30 – MINNESOTA'S STORY

Unlike the tweaks to the charter school law that were made almost every year since its enactment in 1991, the changes made in 2009 were substantial and comprehensive. In fact, there were changes in every one of the 26 subdivisions of the charter school law (MN Statute 124D.10) and 3 significant changes to MN Statute 124D.11, which dealt with charter school aid payments. The result of the 2009 legislation was a 2nd generation charter school law.

1 – SPONSORS/AUTHORIZERS:

- Sponsors became authorizers
- Authorizers had to apply and meet criteria
- New fee structure for authorizers
- Authorizers were required to have processes and procedures in place for authorizing schools
- Evaluation of authorizer performance every five years
- Criteria for creating single-purpose authorizers

2- CHARTER SCHOOL BOARDS:

- Prohibited related parties to serve on boards
- Required board member elections to take place by the end of the school's third year of operation
- Required a 30-day notice for board elections
- Established training requirements for board members
- Clarified which people could vote for the board
- The chief administrator and chief financial officer were made ex-officio non-voting board members
- Eliminated the teacher majority board member requirement
- Established a legal process for changing the structure of the board

3 – CONFLICTS OF INTEREST:

- Clarified who and what constituted a conflict of interest
- Allowed the commissioner to void contracts if there was a proven conflict of interest
- Prohibited an employee, agent, or board member of an authorizer from serving on the board of a school it authorized
- Prohibited an authorizer from making the granting or renewal of a charter contingent on a school being required to contract, lease, or purchase goods or services from the authorizer

4 – ADMISSIONS:

- Required a lottery policy be developed, published, and used when accepting students by lot
- Granted the authority to school boards to give enrollment preference for children of schoolteachers
- Prohibited a school from establishing any criteria or requirements for enrollment inconsistent with the law
- Prohibited the distribution of services or goods of value to students, parents, or legal guardians to induce, term, or condition enrolling in the school

5 – EMPLOYMENT:

- Clarified that employees must be given written description of the terms, conditions, and personnel policies when offers of employment are made
- Required charter school boards to establish qualifications for all persons holding administrative, supervisory, or instructional leadership roles
- Required professional development plans for those who hold administrative, supervisory, and instructional leadership positions and required documenting their progress in the annual report
- Clarified the timeline and eligibility of teachers from traditional districts to teach in charter schools

6- LEGAL REQUIREMENTS:

- Clarified that charters were exempt from all laws and rules that applied to a public school, school board, or school district unless the statute or rule specifically cited charters or if the charter school law listed that law or rule
- Required compliance with federal health and safety laws
- Required compliance with statewide accountability requirements about standards & assessments
- Clarified that charter schools and charter boards were subject to the MN Employment Law
- Required charter schools to comply with transfer of student record laws
- Required charter school boards to document that the school had appropriate liability insurance

7 – CHARTER CONTRACTS:

- Required contracts to have school closure plans
- Established a process for a mutual non-renewal and transfer of authorizer
- Established a timeline for non-renewal notices by authorizers

8- FACILITIES:

- Legalized affiliated building companies (ABC's)

- Established eligibility, criteria, and a process for creating affiliated building companies
- Clarified the types of entities that charter schools could lease space from

9 – FINANCES:

- Revised the state aid payment schedule for new schools
- Established procedures for aid payments owed by the school, or money the school needed to repay the state upon the school's closure
- Established that the commissioner had authority to withhold state aid to a charter for multiple reasons, including the school owing a government agency (TRA) or a school district

There were even more changes besides these. **2009 did create a 2nd generation charter school law.**

NEXT WEEK: The nation's first charter school opens its doors - September 7th, 1992.



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