Charter Amendments

Ashley Baquero
Consultant
Office of Charter Schools
Governing Law

• G.S. §115C-218.7 “A material revision of the provisions of a charter shall be made only upon the approval of the State Board of Education.”
Governing Policy

• CHTR-014: Charter Amendments for Existing Public Charter Schools

• The policy divides types of amendments into two categories: those that SBE must approve and those that OCS may approve.
Key Point

• Any changes to your school’s SBE-approved charter application must go through the amendment process BEFORE implementing the change.
Amendment Process Overview

School requests amendment from OCS
• OCS determines if amendment requires SBE approval

OCS requests necessary documentation – assigns in Epicenter

If amendments are not in compliance with law or policy, OCS works with school to revise

OCS approves OR OCS makes recommendation to CSAB

CSAB reviews & makes recommendation to SBE
• Next month SBE discusses
• Following month SBE approves/denies
CFU- Check for Understanding

• At a board meeting, your board discusses revising the bylaws.
• Will this change require an amendment?
• What’s the first step in the amendment process?
Amendments Requiring SBE Approval

1. Enrollment growth greater than 30% for charters not currently low-performing or grade expansion not in the approved charter
2. Relocation outside a 5-mile radius or approved LEA
3. Transferring the charter to another non-profit entity
Amendments Requiring SBE Approval

4. Altering the mission or targeted student population
5. Employing or terminating a management company
6. Change to the charter application with respect to the National School Lunch program
CFU – Check for Understanding

• Your board decides to change the school’s mission statement.
• Does this require SBE approval?
• How long can you expect this process to take?
Amendments OCS can process

1. Bylaws
2. Charter School name
3. The Articles of Incorporation
4. Relocation within 5 mile radius
5. Class sizes as stated in the application
6. Length of school day and/or academic year
Amendments OCS can process

7. Curriculum changes
8. Student transportation changes
9. Food service plan changes
10. One year delay and/or using year 2 enrollment
SBE Approval

- Any proposed amendments not contained in the previous slides must be SBE approved.
Required documentation

1. Board meeting minutes reflecting the vote of the Board of Directors for the school.
   - Need to clearly show a motion to approve the proposed amendments and forward to OCS
   - Proposed amendments should be clearly reflected in minutes
What’s wrong with these minutes?

• The board moves to change the charter application. Motion passes.
Required documentation

• 2. Cover letter fully explaining/justifying the request signed by the Board Chair and the lead administrator of the school.
  – Both signatures required (unless an administrator has not been hired)
  – Note: Fully explaining/justifying the request
What’s wrong with this request letter?

Dear OCS,

Our board would like to amend our school’s mission statement.

Thank you, Board of Directors/Administrator
Required documentation

• 3. Strikethrough version of the original charter application
• 4. Clean version of the original charter to include the new language
The name of the proposed charter school is **ABC Charter**.

The name of the proposed charter school is Biltmore Charter.

The mission of ABC Charter School is to provide each student a diverse education in a safe, supportive environment that promotes self-discipline, motivation, and excellence in learning through experiential hands-on learning.

The mission of ABC Charter School is to provide each student a diverse education in a safe, supportive environment that promotes self-discipline, motivation, and excellence through experiential hands-on learning.
Document Collection

• After request received via email, tasks will be assigned through Epicenter for the collection of all required documentation.
CHTR-014
GOVERNING POLICY FOR CHARTER AMENDMENTS
OCS or SBE??

- Mission statement
- Relocation 4 miles away
- Bylaws
- Employing a management company
- Curriculum changes
- Student transportation
- National school lunch program
- Grade expansion not in charter
Questions??

Send amendment requests to:
Ashley Baquero
ashley.baquero@dpi.nc.gov
919-807-3979