



Office of the State Superintendent of Education

Charter School Closure Policy

FREQUENTLY ASKED QUESTIONS FOR SCHOOL LEADERS

School Year 2014-2015¹

GENERAL

Q1 When does a charter school provide notification to OSSE of its closure, and how?

A1 A closing charter school must provide OSSE with written notification of the closure within ten (10) calendar days of any official action taken by the public charter school's authorizer. OSSE will accept PCSB Public Notice as notification. The notification and other related correspondence should be sent to:

**Office of the State Superintendent of Education
Office of Grants Management and Compliance**
810 First Street, NE, 9th floor | Washington, DC 20002
Email: osse.grantscompliance@dc.gov

Q2 Must a charter school provide notification to OSSE if the charter school is merging with, consolidating, or being acquired by another charter school?

A2 Yes, any action affecting the status of a charter school must be communicated to OSSE in writing as described in A1. The notification will ensure all records required for federal reporting purposes are obtained in advance of a charter school's closure, and prior to departure of the school's key personnel acquainted with and responsible for collecting and reporting this data to OSSE.

Q3 What information needs to be included in the written notification?

A3 If a closing charter school does not submit PCSB Public Notice as written notification, then the school should complete Charter School Closure Written Notification template on OSSE website (www.osse.dc.gov) Please refer to the OSSE Charter School Closure Policy.

FUNDING

Q4 Can a closing school request amendments for adjustments to current grants?

A4 Yes, charter schools can request amendments to current grants. A closing school must provide an amendment request to OSSE that addresses grants received for the current fiscal year and include Tydings carryover funds from previous fiscal years.

Specifically, the request for amendment shall include the following:

1. Changes in key personnel (34 C.F.R. § 80.30(d)(3));
2. Revisions to the scope of changes of the program (34 C.F.R. § 80.30(d)(1))

Q5 Can OSSE reduce and/or reallocate federal funds of closing charter schools?

A5 Yes, according to Subgrantee Policy for Carryover and Reallocation, "OSSE has the option to reduce an LEA's award in proportion to the amount for which the LEA did not show need during that period (per ESEA 1126(c))." Reallocation determinations will be made in April, if an LEA has not met expected targets for Title I Part A and Title III Part A (Expected Targets: <38% by March 31 of Initial grant cycle and >90% by March 31st of the Tydings carryover period).

For more information:

**Office of the State Superintendent of Education
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810 First Street, NE, 9th floor | Washington, DC 20002
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SPECIAL EDUCATION SERVICES

Q6 What actions must a closing District charter school (i.e., a charter school that has elected DCPS to serve as its LEA for purposes of the Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq. ("IDEA")) take with regard to special education services and funding?

A6

A District Charter School must:

1. Contact the Office of Special Education at DCPS in order to coordinate the activities related to special education services and funding.
2. Identify students needing Extended School Year (ESY) services and send the list to DCPS.
3. Ensure student's Individualized Education Programs (IEP) and all other documentation is updated in SEDS.
4. Ensure all other plans are updated and available for transfer to the students' new LEA, including without limitation, a Section 504 Plan developed pursuant to the Rehabilitation Act of 1973 (29 U.S.C. § 794), and/or the Americans with Disabilities Act (42 U.S.C. § 12132 et seq.).
5. Review a student's records for the existence of a Hearing Officer's Determination (HOD) or Settlement Agreement resulting from an IDEA due process complaint and ensure transfer to the new LEA for continuing implementation.
6. Address all outstanding student-level findings of noncompliance with IDEA that have been identified by OSSE through on-site monitoring, database review, or other means.
7. Provide OSSE with a status report of all outstanding student level findings prior to the LEA closure

Q7 What actions must an independent charter school LEA (i.e., a charter school that has NOT elected DCPS to serve as its LEA for IDEA purposes) take with regard to special education services and funding?

A7

An independent charter school LEA must:

1. Notify all parents that the charter school will be closing and send a separate letter to parents of special education students informing them of their due process rights and responsibilities under the IDEA along with a copy of the Notice of Procedural Safeguards. For more guidance, see Q10.
2. Ensure that all students Individualized Education Programs (IEPs) are updated (i.e. not expired or about to expire) and that all information is entered into the Special Education Data System (SEDS). Any other special education documents maintained in the student's hard copy file must be faxed into the SEDS system using the appropriate SEDS fax cover sheet or the miscellaneous cover sheet. For more guidance, see Q11.
3. Provide a copy of the student's file to his/her parent(s) to facilitate the transition of special education students to their new schools.
4. Establish a list of 12th graders or seniors in high school who are NOT graduating and send a letter to these student's parents (or adult students where educational rights have transferred) informing them of their child's right to continue school until age 22.

Q8 I am an independent charter school LEA. What must the letter to parents of special education students include?

A8

The letter must:

- Inform parents of their responsibility, under the District of Columbia compulsory school attendance law, (D.C. Official Code §38-202), to enroll the child in another school, including a DCPS school or another public charter school. The obligation applies to all students including those placed by the closing charter school in a nonpublic special education school.
- Provide assistance to parents in obtaining information about available school options and procedures for enrolling their child in a new school.
- Inform the parents as to how their child's IEP will be viewed by the child's next school.
- Encourage the parents of all special education students to make an enrollment decision as early as possible in order to ensure a smooth transition and a continuously-implemented IEP.
- Strongly encourage parents of students who require Extended School Year (ESY) services to enroll their child in a new LEA as soon as possible, but no later than July 1st, in order to ensure that the new LEA has an opportunity to provide ESY services over the summer.
- Encourage parents to inquire about the status of their child's IEP during the summer.
- Inform parents (or adult students where educational rights have transferred) of 12th grade special education students' rights to continue their education in the public school system up to the age of 22 if they are not graduating.
- Encourage parents to contact the Public Charter School Board (PCSB) if they experience difficulty or resistance in enrolling their child at another DC Public Charter School.

Q9 I am an independent LEA. What does an updated SEDS file include?

A9

At a minimum, up-to date SEDS files must include:

- Students' current IEPs, including Behavior Intervention Plans (BIPs) if appropriate, entered into the SEDS interface (please note: a hard copy paper IEP faxed into the system is not sufficient);
- IEP and Multi-Disciplinary Team (MDT) meeting notes;
- IEP report cards/progress reports;
- All evaluations completed within the past 3 years (including Functional Behavioral Assessments (FBAs), if appropriate); and
- All service trackers.

Q10 If a charter school is closing and a child receives ESY, which LEA is responsible for ESY?

A10

When a child with ESY enrolls in a new LEA, the new LEA is responsible for providing ESY.

Q11 If a charter school is closing and a child receives ESY and has not been accepted or enrolled in a new LEA, which LEA is responsible for ESY?

A11 The parent always has the right to enroll their child(ren) in a DCPS neighborhood school. Upon enrollment, DCPS will work with the student and family to ensure that equitable services are made available.

Q12 May a student with a disability attending a nonpublic special education school remain at that school when the charter school or LEA in which the student is enrolled is closing?

A12 Students attending nonpublic special education schools may remain at that school, but must enroll in DCPS or another public charter school to maintain District funding and appropriate oversight by a Local Educational Agency (LEA). The closing charter school or LEA must notify parents of those students attending nonpublic special education schools to enroll the student in a DCPS or public charter school to continue attendance at that school. For more guidance, see Q9.

PROPERTY MANAGEMENT

Q13 What happens to property purchased with federal grants in excess of \$300? What close out procedures should closing charter schools follow?

A13 Property purchased with federal grants in excess of \$300 remains property of OSSE, unless OSSE declares the property to be “excess” or designates it as “exempt property.”

Property purchased with federal funds cannot be liquidated and must be transferred according to the following procedures:

1. Similar public charter schools with same federal grant entitlements have forty-eight (48) hours from the time of publication of a list of the property to request items;
2. Other public charter schools can claim the property after the first 48 hours; and
3. In the event that no public charter schools claim the property, such property will be transferred to District of Columbia Public Schools.

Q14 Does a closing charter school need to submit a log of all equipment and supplies to OSSE?

A14 Yes, closing charter schools must submit a log of all equipment and supplies purchased with federal grants to date. Schools should refer to PCSB for equipment and supplies purchased with UPSFF funds

Q15 What does the inventory log need to include? When does the inventory log need to be submitted to OSSE?

A15 The inventory log must include:

1. Each item in excess of \$300 (computers, PDAs, cell phones, and other equipment);
2. An identification number that corresponds to a tag on that item;
3. The cost of the item, purchase date, and grant source of funds;
4. The physical location of the item in the PCS; and
5. Name and contact information for person(s) handling liquidation.

The inventory log must be submitted to OSSE at least forty-five (45) days prior to the Revocation or Relinquishment Date. During the 45 day period, the following will take place:

1. Review of inventory log;
2. Visit schools to audit items; and
3. Contact schools about inventory and/or post remaining inventory in PCSB newsletter.

DATA COLLECTION

Q16 What reporting requirements must a closing charter school follow?

A16 The closing charter school must complete its reporting obligations by providing OSSE with required state and federal data. This includes, without limitation, demographic, enrollment, and withdrawal information, all information related to the following five categories:

1. Student (including student-level discipline and assessment data);
2. Staff and Teachers data;
3. School-specific data;
4. LEA-specific data; and
5. Fiscal (including meal claims for the Federal Free and Reduced Meals program).

Closing charter schools must also submit program related material, such as information for students with disabilities in the Special Education Data System (SEDS) and related data systems, and records information related to transfer students. Additionally, closing charter schools are responsible for submitting any data that was not submitted during the year, and all data with later due dates, such as the National Public Education Financial Survey (NPEFS).

Q17 What is the deadline for submitting data to OSSE?

A17 While the deadline for fulfilling the data requirements may be after the close of the school year, public charter schools must address these data requirements and supply OSSE with data available to the school. The data is also mandated for reporting within the year in which the school is closing and earlier than the normal due date. This will ensure all appropriate data is provided to OSSE prior to the departure of the school's key personnel acquainted with and responsible for collecting and reporting this data to OSSE.