

DDOE Charter School Closure Protocol

Notification and Initial Steps

Timeline from closure decision	Description of Required Actions	Responsible Party	Completion Date	Status
	<p>Notify Parents/ Guardians of Closure Decision Within one day of the authorizer’s decision to close the charter school, authorizer staff and charter staff/board collaborate to ensure that parents/guardians are notified regarding the closure decision. Such notification includes:</p> <ol style="list-style-type: none"> 1. Assurance that instruction will continue through the end of the school year or the date when instruction will cease 2. Cancellation of any planned summer programs 3. Assurance that parents/students will be assisted in the enrollment process 4. Inform parents about processes regarding records and transcripts 5. FAQ about the charter closure process – develop and post on DOE website 6. Contact information for parents/guardians with questions 7. Schedule a public meeting, in coordination with DOE, to which all School stakeholders, including parents, students, teachers, partners, are invited, to provide clear information about the school’s current operating status <p>DOE shall maintain a copy of this notice including a list of names/addresses of recipients, and proof that notifications were sent.</p>	DOE/CSO		
	<p>Notify School Districts Materially Impacted Within two days of the authorizer’s decision to close the charter school, notify districts material impacted by the closure decision including:</p> <ol style="list-style-type: none"> 1. Copy of the letter sent to parents 2. Closure FAQ 3. Information about the plan being developed to ensure an orderly closure process 4. Contact information for questions <p>DOE shall maintain a copy of this notice including a list of names/addresses of recipients, and proof that notifications were sent.</p>	DOE/CSO		
	<p>Review Budget</p> <ol style="list-style-type: none"> 1. Review budget to ensure that funds are sufficient to operate the school through the end of the school year, if applicable 2. Emphasize the leg requirement to set aside sufficient funds to cover the salaries owed to those employees who are paid over a 12-month period, 14 Del. C. 	DOE/Budget and Finance		

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	<p>§512(16), and to limit expenditures to only those in the approved budget, while delaying approved expenditures that might no longer be necessary until a revised budget is approved.</p> <ol style="list-style-type: none"> 3. Acknowledge that there are unique expenditures associated with closure for both the authorizer and school and that the parties will meet to identify these expenditures and funding sources. 4. Ensure that the school continues to collect revenues included in the school's budget, if applicable. 			
	<p>Meet with Parents and Families DOE shall meet with parents and families face to face to discuss:</p> <ol style="list-style-type: none"> 1. Coordinating choice fair for students to talk with prospective new schools 2. Where to get transcripts once the school is closed 3. Having a group meeting to answer questions 	DOE		
	<p>Meet with Charter School Faculty and Staff Principal and charter board chair meet with the faculty and staff to:</p> <ol style="list-style-type: none"> 1. Discuss reasons for the closure decision 2. Emphasize importance of maintaining continuity of instruction through the end of the school year 3. Discuss plans for helping students find new schools 4. Identify date when last salary check will be issued, when benefits terminate, and last day of work 5. Describe assistance, if any, that will be provided to faculty and staff to find new positions – make arrangements with Department of Labor (1) to help employees with unemployment forms; and (2) to have workshops on resumes, interviewing 6. Upon closure, provide each employee a printed record of accumulated sick leave 	LEA Leadership and Charter Board/DOE TA		
	<p>Send Additional and Final Notifications Notify parents and affected school districts in writing when the closure decision is made. In the letter to parents after the closure decision is made, include:</p> <ol style="list-style-type: none"> 1. The last day of instruction 2. Any end-of-the-year activities that are planned to make the transition easier for parents and students 3. Assistance that will be provided to families in identifying new schools. This may include a list of school options, choice fairs, and individual meetings with families <p>DOE shall maintain a copy of this notice including a list of names/addresses of recipients, and proof that notifications were sent.</p>	School Leadership and Charter Board		

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Develop/Monitor Implementation of the Closure Plan

Timeline	Description of Required Actions	Responsible Party	Completion Date	Status
	<p>Establish Transition Team, Develop Closure Plan, and Assign Roles Transition team includes:</p> <ol style="list-style-type: none"> 1. Lead person from authorizer staff 2. Charter school board chair 3. Lead administrator from the charter school 4. Lead finance person from the charter school <p>Develop plan, exchange contact information and assign roles.</p>	DOE/CSO		
	<p>Establish a Schedule for Meetings and Interim Status Reports Agree on a meeting schedule to review progress and interim, written status reports to include:</p> <ol style="list-style-type: none"> 1. Enrollment of students at new schools 2. Return or distribution of assets 3. Transfer of student records 4. Notification to entities doing business with the school 5. The status of the school's finances 6. Submission of all required reports and data to the authorizer and/or state 	DOE/CSO		
	<p>Submit Final Report Submit a final report to the authorizer detailing completion of the closure plan.</p>	Charter Board		

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Finalize School Affairs: Governance and Operations

Timeline	Description of Required Actions	Responsible Party	Completion Date	Status
	<p>Maintain all Board Operations Maintain Charter Board operations and assistance in closure of the school including:</p> <ol style="list-style-type: none"> 1. Submit minutes to DOE meetings for all board meetings within three business days of each meeting 2. Send an updated list of all current Board members to DOE, including name, contact, address, telephone number, and email address 3. Institute a requirement for board approval of transactions about \$2,500 in a single transaction or of a cumulative \$2,500 in expenditures to a single vendor 	Charter Board		
	<p>Designate a School Contact Person to Send/Receive Communication from DOE Regarding Closure Elect by a vote of the Board, a Board member or committee, who will be responsible for:</p> <ol style="list-style-type: none"> 1. Ensuring that closing procedures are completed, especially after school employees have been discharged 2. Providing contact information to DOE including affiliation with school, contact address, telephone number, and email address 3. Retain Delaware Public Archives retention schedule and use schedule to process school and student records 4. <i>IF NECESSARY</i> Securing school records pending transfer to DOE. School records shall include, but not be limited to, finance, payroll, personnel, contracts, vendor payments, purchase orders, payment vouchers, evidence of years of experience, evidence of participation in mentoring program 5. <i>IF NECESSARY</i> Securing student records (transcripts) pending transfer to DOE. Student records shall include, but not be limited to, cumulative folder, evaluations, Individual Education Plan folder, Individual Improvement Plan, health records, attendance records, end of year grades, assessment results from the State Assessment System 6. Signing off on all transactions , transfer of records, to be evidenced by written report 7. Providing DOE with assurance that the school has adequately safeguarded the facility, its assets and contents and at a minimum provide DOE with a listing of who has physical access to facility outside school hours (key holders). DOE recommends that keys be collected or card access be restricted to those with a critical need 	Charter Board and School Leader		

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	8. Providing DOE assurance that sufficient reserve funds have been set aside to meet the remaining financial obligations at the end of instruction			
	<p>Maintain Identifiable Location Maintain the school’s current location through the process of finalizing its affairs or relocate its business records and remaining assets to a location with operational telephone service that has voice message capability.</p>	Charter Board		
	<p>Notify Commercial Lenders/Bond Holders Within 10 days after the decision on the charter school closure, notify banks, bond holders, etc., of the school’s closure and a likely as to when an event of default will occur as well as the projected date of that last payment by the school toward its debt.</p>	Charter Board		
	<p>Terminate EMO/CMO Agreement (if applicable) Review the management agreement and take steps needed to terminate the agreement at the end of the school year or when the charter contract expires.</p> <ol style="list-style-type: none"> 1. The management company should be asked for a final invoice and accounting, including an accounting of any retained school funds and the status of grant funds 2. The school and the management company should agree upon how the company will continue to provide educational services until the last day of instruction 3. The school and the management company agree when other services including business services will end 	Charter Board		
	<p>Protect School Assets Protect the school’s assets and any assets in the school that belong to others against theft, misappropriation and deterioration</p> <ol style="list-style-type: none"> 1. Maintain existing insurance coverage on assets, including facility and vehicles, until the disposal of such assets in accordance with the closure plan 2. Negotiate school facility insurance with entities that may take possession of school facility- lenders, mortgagors, bond holders, etc. 3. Obtain or maintain appropriate security services. Action may include moving assets to secure storage after closure or loss of facility 	Charter Board and School Leader		
	<p>Maintain Corporate Records Maintain all corporate records related to:</p> <ol style="list-style-type: none"> 1. Loans, bonds, mortgages and other financing 2. Contracts 3. Leases 4. Assets and asset distribution 	Charter Board		

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	<ol style="list-style-type: none"> 5. Grants – records relating to all state and federal grants must be kept in accordance with code 6. Governance (Minutes, bylaws, policies) 7. Employees (background checks, personnel files) 8. Accounting/audit, taxes and tax status, etc. 9. Personnel 10. Employee benefit programs and benefits 11. Any other items listed in the closure plan <p>Determine where records will be stored after dissolution.</p>			
	<p>Maintain Student Records Continue to submit all required reports to DOE. Maintain student data in eSchoolPlus. Submit a student records transition plan, to DOE and districts where student reside, to include:</p> <ol style="list-style-type: none"> 1. The name(s) and contact information for the person(s) responsible for completion of student transcripts, including insertion of final grades 2. The name(s) and contact information for the person(s) responsible for transition of student records and for providing assistance to students and parents in transferring from the charter school to the public or private school chosen 3. Details about where records will be transferred or stored prior to transfer to DOE 4. Notification of parents/guardians and districts of residence of the availability of student records upon request. Transfer as many student records as possible to receiving school or districts, upon request. Transfer remainder of student records to DOE 5. In the event student records are requested by an out-of-state or non-public school, send copies of student record. The cumulative file will be transferred to the DOE, in archivable condition 6. A timeline for the completion of this transfer 7. In disposition of each student file, a record of the chain of custody must be maintained, which will include the name, state ID and DOB of the child, the type of file being transferred, the date, time, and signature of the person relinquishing the record and the person accepting the record. This record is to take the form of individually numbered hand receipts. 	Charter school personnel		
	<p>Notify Employees and Benefit Providers Formally notify all employees of termination of employment to include date of termination of all benefits in accordance with applicable law and regulations and eligibility for Delaware Unemployment Insurance pursuant to any regulations of the Delaware Department of Labor. Notify benefit providers of pending termination of all employees, to include:</p> <ol style="list-style-type: none"> 1. Medical, dental, vision plans 	Charter Board		

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	<ol style="list-style-type: none"> 2. Life insurance 3. 403 (b), retirement plans, pension <p>Consult legal counsel as specific rules and regulations may apply to such programs. Provide to DOE a copy of this notice including a list of names/addresses of recipients, and proof that notifications were sent.</p>			
	<p>Notify Contractors and Terminate Contracts</p> <ol style="list-style-type: none"> 1. Notify all contractors of school closure 2. Retain records of past contracts and payments 3. Terminate contracts for goods and services as of the last date such goods or services will be needed 	Charter Board		
	<p>Transfer Student Records and Testing Material</p> <p>Send student records, including final grades and evaluations, to the authorizer, including:</p> <ol style="list-style-type: none"> 1. Individual Education Programs (IEPs) and all records regarding special education and supplemental services 2. Student health/immunization records 3. Attendance records 4. Any testing materials required to be maintained by the school 5. Student transcripts and report cards 6. All other student records <p>Document the transfer of records to include:</p> <ol style="list-style-type: none"> 1. The number of general and special education records transferred 2. Date of transfer 3. Signature and printed name of the charter school representative releasing the records 4. Signature and printed name of the authorizer’s representative who receives the records 	LEA Personnel		
	<p>Inventory Assets</p> <p>Inventory school assets, and identify items:</p> <ol style="list-style-type: none"> 1. Loaned from other entities 2. Encumbered by the terms of a contingent gift, grant or donation, or a security interest 3. Belonging to the EMO/CMO, if applicable, or other contractors 4. Purchased with federal grants (dispose of such assets in accordance with federal regulations) 5. Purchased with State Performance Funds and/or State general funds (transfer assets to another school within the district or state) <p>Return assets not belonging to school where appropriate documentation exists. Keep records of assets returned.</p>	Charter Board and School Leader		
	<p>Notify Food and Transportation Services and Cancel Contracts</p>	Charter Board		

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Cancel school district or private food and/or transportation services for summer school/next year			
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Finalize School Affairs: Finance

Timeline	Description of Required Actions	Responsible Party	Completion Date	Status
	<p>Review and Revise School Budget</p> <ol style="list-style-type: none"> 1. Review the school’s budget and overall financial condition 2. DOE will provide school with monthly statement of financial position, to include accrued payroll obligations. The school will certify that the statement is correct, or explain why it is not accurate and should be changed 3. Make revisions that take into account closure associated expenses while prioritizing continuity of instruction 4. Identify acceptable use of reverse funds 5. In the event that liabilities exceed assets, the DOE or the district charter schools administrator must be made aware of any negotiated settlements 	Charter Board		
	<p>Maintain Board Financial Duties</p> <p>On a monthly basis, the Board will provide written assurance that it has maintained sufficient funds to satisfy:</p> <ol style="list-style-type: none"> 1. Payment of instructional staff to ensure completion of the school’s instructional program (including an itemized schedule of current and projected payroll and payroll benefit payments, including payout of any accrued summer salaries) 2. All outstanding liabilities including but not limited to all contracts/leases and payoff of all debts 3. Payment of any costs associated with transition of students and records 4. Costs for a complete close-out financial audit – engage by a vote of the Board, an independent auditor, subject to DOE approval, selected in consultation with the Auditor of Accounts, to conduct a final close-out audit of the school. Submit a copy of the engagement letter and an estimated timeline for the start and completion of the audit 5. All other known costs associated with closure 	Charter Board		
	<p>Maintain IRS 501(c)(3) Status (if applicable)</p> <p>Maintain IRS 501(c)(3) status, including:</p> <ol style="list-style-type: none"> 1. Notify IRS regarding any address change 	Charter Board		

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	2. File required tax returns and reports			
	<p>Notify Funding Sources/Charitable Partners Notify all funding sources, including charitable partners of school closure. Notify state and federal agencies overseeing the school's grants that the school will be closing.</p>	Charter Board		
	<p>List all Creditors and Debtors Formulate a list of creditors and debtors and any amounts accrued and unpaid with respect to such creditor or debtor.</p> <ol style="list-style-type: none"> 1. The list is not the same as the contractor list, above, but may include contractors 2. Creditors include lenders, mortgage holders, bond holders, equipment suppliers, service providers and secured and unsecured creditors. A UCC search should be performed to identify secured creditors 3. Debtors include persons who owe the school fees or credits, any lessees or sub-lessees of the school, and any person holding property of the school 	Charter Board		
	<p>Notify Creditors Notify all creditors of the school's closure and request a final bill. Provide to the DOE a copy of this notice including a list of names/addresses of recipients, and proof that notifications were sent.</p>	Charter Board		
	<p>Notify Debtors Contact all debtors and request payment. Provide to the DOE a copy of this notice including a list of names/addresses of recipients, and proof that notifications were sent.</p>	Charter Board		
	<p>Itemize Financials Review, prepare and make available the following:</p> <ol style="list-style-type: none"> 1. Fiscal year-end financial statements 2. Cash analysis 3. Bank statements for the year, investments, payables, unused checks, petty cash, bank accounts, and payroll reports including taxes <p>Collect and void all unused checks and destroy all credit and debit cards. Close accounts after transactions have cleared.</p>	Charter Board		
	<p>Close Out All State and Federal Grants Close out state, federal, and other grants. This includes filing any required expenditure reports or receipts and any required program reports, including disposition of grant assets.</p>	Charter Board		
	<p>Prepare Final Financial Statement Retain an independent accountant to prepare a final statement of the status of all contracts and other obligations of the school, and all funds owed to the school, showing:</p>	Charter Board		

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	<ol style="list-style-type: none"> 1. All assets and the value and location thereof 2. Each remaining creditor and amounts owed 3. Statement of all debts that have been collected or that good faith efforts have been made to collect same 4. Each remaining debtor and the amounts owed 			
	<p>Complete Final Financial Audit Complete a financial audit of the school in accordance with the Charter Law by a date to be determined by the authorizer.</p>	Charter Board		
	<p>Reconcile with Authorizer Reconcile authorizer billings and payments, including special education payments or other “lagged” payments. If the school owes the authorizer money, it should list the authorizer as a creditor and treat it accordingly.</p>	Charter Board		

Finalize School Affairs: Reporting

Timeline	Description of Required Actions	Responsible Party	Completion Date	Status
	<p>Prepare End-of-Year Reports Prepare and submit all required end-of-year reports to the authorizer, including:</p> <ol style="list-style-type: none"> 1. End of year enrollment report (ADA/ADM) 2. Discipline summary 3. Nurse’s summary 4. Close-out independent financial audit 5. How the Board ultimately disposed of assets and resolved any outstanding obligations 6. Notify DOE of any remaining funds after the settling of final accounts and the disposition of all assets 	Charter Board and School Leader		
	<p>Prepare Final Report Cards and Student Records Notice Provide parents/guardians with copies of final report cards and notice of where student records will be sent along with contact information.</p>	School Leader		

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Closing Administrative Procedures (After closure)

Timeline	Description of Required Actions	Responsible Party	Completion Date	Status
	<p>Prior to the end of the charter term:</p> <ol style="list-style-type: none"> 1. Identify person responsible for continued FSF access; provide contact information to DOE 2. Identify person responsible for continued PHRST access; provide contact information to DOE 3. Identify person responsible for approval of documents after school has closed; provide contact information to DOE 4. Determine how auditor will be compensated 5. Identify person responsible for overseeing pension details; provide contact information to DOE 6. Identify any hazardous chemicals that need disposal and notify DOE of any chemicals on site; set aside funds for chemicals disposal if necessary. 			

Ongoing DOE Responsibilities

Timeline	Description of Required Actions	Responsible Party	Completion Date	Status
	<p>Ongoing DOE responsibilities during closure process</p> <ol style="list-style-type: none"> 1. Assign roles and responsibilities among DOE staff 2. Notify leadership in executive branch 3. Notify OMB, Controller General, Legislature, Auditor of Accounts 4. Notify DOE staff (PIO statement) 5. Initiate review of automated financial statement. Continue until school is closed and assets are liquidated 6. Verify summer payroll (ACR) 7. Verify accuracy of inventory 8. Verify proper disposition of property 9. Reconcile student list. Account for every child 	DOE		

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	10. As outlined in 14 Del. C. Ch. 5 §5(15) (j), "Remaining State General Fund appropriations for that school year shall be returned to each district in an amount proportionate to the number of students received by each district."			
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Sample Closure Framework. (Colorado: Colorado Department of Education, Colorado League of Charter Schools, and the Colorado Charter School Institute, 2011) www.charterschoolquality.org