

Title 10: Education Institutions and Agencies

Part 403

Part 403 Chapter 4. Criminal Background Checks

Rule 4.1 *Criminal Background Checks for Applicants of Employment in Charter Schools.* The Mississippi Charter School Authorizer Board is committed to the use of all reasonable means to ensure the safety of the students and employees at every charter school. The employment background screening process is designed to make the school environment safe and to screen out those persons who could be harmful to students or staff.

Pursuant to Section 37-28-49 of the Mississippi Code Annotated, all charter school teachers and other school personnel, as well as members of the governing board and any education service provider with whom a charter school contracts, are subject to criminal history record checks and fingerprinting requirements applicable to employees of other public schools.

The Mississippi Charter School Authorizer Board shall require that current criminal record background checks and current child abuse registry checks are obtained. All criminal record information and registry check are to be on file at the charter school for any new hires applying for employment.

In order to determine an applicant's suitability for employment, the applicant must be fingerprinted. If no disqualifying record is identified at the state level, the fingerprints must be forwarded by the Department of Public Safety to the Federal Bureau of Investigation for a national criminal history record check. The applicant may be required to pay the fee for such fingerprinting and criminal history record check, not to exceed fifty dollars (\$50.00). Under no circumstances may a member of the Mississippi Charter School Authorizer Board, member of the charter school governing board or any individual other than the subject of the criminal history record checks disseminate information received through the checks except as may be required to fulfill the purposes of this section. The determination whether the applicant has a disqualifying crime must be made by the appropriate state or federal governmental authority, which must notify the charter school whether a disqualifying crime exists.

If the fingerprinting or criminal record checks disclose a felony conviction, guilty plea or plea of *nolo contendere* to a felony of possession or sale of drugs, murder, manslaughter, armed robbery, rape, sexual battery, sex offense listed in Section 45-33-23(g), child abuse, arson, grand larceny, burglary, gratification of lust or aggravated assault which has not been reversed on appeal or for which a pardon has not been granted, the new hire is not eligible to be employed at the charter school. However, the charter school, in its discretion, may allow any applicant aggrieved by the employment decision under this section to show mitigating circumstances that exist and may allow, subject to the approval of the Mississippi Charter School Authorizer Board, the new hire to be employed at the school. The authorizer may approve the employment depending on the mitigating circumstances, which may include, but need not be limited to: (a) age at which the crime was committed; (b) circumstances surrounding the crime; (c) length of time since the conviction and criminal history since the conviction; (d) work history; (e) current employment and character references; and (f) other evidence demonstrating the ability of the person to perform the

employment responsibilities competently and that the person does not pose a threat to the health or safety of children. Any employment contract or notification letter for a new hire executed by the charter school shall be voidable if the new hire receives a disqualifying criminal record check.

No charter school, charter school employee, member of the charter school governing board, the Mississippi Charter School Authorizer Board or member or employee of the Mississippi Charter School Authorizer Board may be held liable in any employment discrimination suit in which an allegation of discrimination is made regarding an employment decision authorized under this section.

A charter school shall terminate any teacher or administrator for committing one or more of the following acts:

- (a) Engaging in unethical conduct relating to an educator-student relationship as identified by the Mississippi Charter School Authorizer Board;
- (b) Fondling a student as described in Section 97-5-23 or engaging in any type of sexual involvement with a student as described in Section 97-3-95; or
- (c) Failure to report sexual involvement of a charter school employee with a student as required by Section 97-5-24.

Source: *Miss. Code Ann.*, § 37-28-49.

Part 403 Chapter 5. Equal Employment Opportunity

Rule 5.1: Policy on Equal Employment Opportunity. The State of Mississippi is an equal opportunity employer and assures equal employment opportunities to all persons regardless of political affiliation, race, color, handicap, genetic information, religion, national origin, sex, religious creed, age, or disability. In order to implement the State's equal employment policy and to assure non-discriminatory personnel administration, the Mississippi Charter School Authorizer Board ("MCSAB") promotes non-discriminatory practices and procedures in all phases of State Service personnel administration and prohibits any form of unlawful discrimination. Equal employment opportunity can only be attained through State agency commitment to complying with all applicable laws affording equal employment opportunities to individuals. Accordingly, it is imperative that State agencies make all personnel decisions in accordance with MCSAB policies, practices, and procedures.

The selection process and criteria must ensure fair and equitable treatment of all applicants and employees and not disqualify them if they have disabilities which prohibit or limit their ability to perform nonessential or marginal job functions. The Americans with Disabilities Act of 1990 requires state agencies to make reasonable accommodations for the known physical and mental limitations of otherwise qualified individuals with disabilities who are applicants or employees, provided such accommodations do not cause undue hardships to state agency operations. Qualified individuals with disabilities are persons with disabilities who meet the job-related requirements of an employment position and who can perform the essential functions of the position with or without reasonable accommodations. A person with a disability is considered an individual with a physical or mental impairment that substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such impairment.

Equal employment opportunity does not guarantee an employee any rights not otherwise provided by law.

Source: Miss. Code Ann., § 37-28-43.

Part 403 Chapter 6: Employee Code of Ethics

Rule 6.1: Code of Ethics Policy. Each educator, upon entering the teaching profession, assumes a number of obligations, one of which is to adhere to a set of principles which defines professional conduct. These principles are reflected in the following code of ethics which sets forth to the education profession and the public it serves standards of professional conduct and procedures for implementation.

A. This code shall apply to all persons licensed according to the rules established by the Mississippi State Board of Education and employed as an educator or administrator by a charter school and protects the health, safety and general welfare of students and educators.

B. Ethical conduct is any conduct which promotes the health, safety, welfare, discipline and morals of students and colleagues.

C. Unethical conduct is any conduct that impairs the license holder's ability to function in his/her employment position or a pattern of behavior that is detrimental to the health, safety, welfare, discipline, or morals of students and colleagues.

D. Any educator or administrator license may be revoked or suspended for engaging in unethical conduct relating to an educator/student relationship (Rule 6.5). Charter schools shall report to the Office of Educator Misconduct, within the Office of Educator Licensure of the Mississippi Department of Education, license holders who engage in unethical conduct relating to an educator/student relationship (Rule 6.5).

E. Charter schools shall report infractions according to the guidance outlined under Rule 14.10 under Miss. Code Ann. § 37-3-2 to the Office of Educator Misconduct, within the Office of Educator Licensure of the Mississippi Department of Education. Mississippi Code Annotated, § 37-3-2(15) authorizes the Commission on Teacher and Administrator Education, Licensure and Development, to promulgate procedures for reporting infractions delineated under § 37-3-2. The Commission has provided the procedures to be followed by all educators required to hold a certificate/license. These procedures will ensure compliance with Mississippi law. Charter school leaders should adhere to the guidance and procedures for reporting provided by the Mississippi Department of Education and available through Office of Educator Misconduct.

Source: Miss. Code Ann. § 37-28-47

Rule 6.2: Professional Conduct. An educator should demonstrate conduct that follows generally recognized professional standards.

A. Ethical conduct includes, but is not limited to, the following:

1. Encouraging and supporting colleagues in developing and maintaining high standards
2. Respecting fellow educators and participating in the development of a professional teaching environment
3. Engaging in a variety of individual and collaborative learning experiences essential to professional development designed to promote student learning

4. Providing professional education services in a nondiscriminatory manner
 5. Maintaining competence regarding skills, knowledge, and dispositions relating to his/her organizational position, subject matter and pedagogical practices
 6. Maintaining a professional relationship with parents of students and establish appropriate communication related to the welfare of their children
- B. Unethical conduct includes, but is not limited to, the following:
1. Harassment of colleagues
 2. Misuse or mismanagement of tests or test materials
 3. Inappropriate language on school grounds or any school-related activity
 4. Physical altercations
 5. Failure to provide appropriate supervision of students and reasonable disciplinary actions

Source: Miss. Code Ann. § 37-28-47

Rule 6.3: Trustworthiness. An educator should exemplify honesty and integrity in the course of professional practice and does not knowingly engage in deceptive practices regarding official policies of the charter school board and the MCSAB policies.

- A. Ethical conduct includes, but is not limited to, the following:
1. Properly representing facts concerning an educational matter in direct or indirect public expression
 2. Advocating for fair and equitable opportunities for all children
 3. Embodying for students the characteristics of honesty, diplomacy, tact, and fairness
- B. Unethical conduct includes, but is not limited to, the following:
1. Falsifying, misrepresenting, omitting, or erroneously reporting any of the following:
 - a. employment history, professional qualifications, criminal history, certification/recertification
 - b. information submitted to local, state, federal, and/or other governmental agencies
 - c. information regarding the evaluation of students and/or personnel
 - d. reasons for absences or leave
 - e. information submitted in the course of an official inquiry or investigation
 2. Falsifying records or directing or coercing others to do so

Source: Miss. Code Ann. § 37-28-47

Rule 6.4: Unlawful Acts. An educator shall abide by federal, state, and local laws and statutes and charter school board policies.

A. Unethical conduct includes, but is not limited to, the commission or conviction of a felony or sexual offense. As used herein, conviction includes a finding or verdict of guilty, or a plea of nolo contendere, regardless of whether an appeal of the conviction has been sought or situation where first offender treatment without adjudication of guilt pursuant to the charge was granted.

Source: Miss. Code Ann. § 37-28-47

Rule 6.5: Educator/Student Relationships. An educator should always maintain a professional relationship with all students, both in and outside the classroom.

- A. Ethical conduct includes, but is not limited to, the following:
1. Fulfilling the roles of mentor and advocate for students in a professional relationship. A professional relationship is one where the educator maintains a position of teacher/ student authority while expressing concern, empathy, and encouragement for students.
 2. Nurturing the intellectual, physical, emotional, social and civic potential of all students
 3. Providing an environment that does not needlessly expose students to unnecessary embarrassment or disparagement
 4. Creating, supporting, and maintaining a challenging learning environment for all students
- B. Unethical conduct includes, but is not limited to the following:
1. Committing any act of child abuse
 2. Committing any act of cruelty to children or any act of child endangerment
 3. Committing or soliciting any unlawful sexual act
 4. Engaging in harassing behavior on the basis of race, gender, national origin, religion or disability
 5. Furnishing tobacco, alcohol, or illegal/unauthorized drugs to any student or allowing a student to consume alcohol or illegal/unauthorized drugs
 6. Soliciting, encouraging, participating or initiating inappropriate written, verbal, electronic, physical or romantic relationship with students

Examples of these acts may include but not be limited to:

1. sexual jokes
2. sexual remarks
3. sexual kidding or teasing
4. sexual innuendo
5. pressure for dates or sexual favors
6. inappropriate touching, fondling, kissing or grabbing
7. rape
8. threats of physical harm
9. sexual assault
10. electronic communication such as texting
11. invitation to social networking
12. remarks about a student's body
13. consensual sex

Source: Miss. Code Ann. § 37-28-47

Rule 6.6: Educator/Collegial Relationships. An educator should always maintain a professional relationship with colleagues, both in and outside the classroom.

- A. Unethical conduct includes but is not limited to the following:
1. Revealing confidential health or personnel information concerning colleagues unless disclosure serves lawful professional purposes or is required by law
 2. Harming others by knowingly making false statements about a colleague or the school system
 3. Interfering with a colleague's exercise of political, professional, or citizenship rights and responsibilities

4. Discriminating against or coercing a colleague on the basis of race, religion, national origin, age, sex, disability or family status
5. Using coercive means or promise of special treatment in order to influence professional decisions of colleagues

Source: Miss. Code Ann. § 37-28-47

Rule 6.7: Alcohol, Drug and Tobacco Use or Possession. An educator should refrain from the use of alcohol and/or tobacco during the course of professional practice and should never use illegal or unauthorized drugs.

A. Ethical conduct includes, but is not limited to, the following:

1. Factually representing the dangers of alcohol, tobacco and illegal drug use and abuse to students during the course of professional practice

B. Unethical conduct includes, but is not limited to, the following:

1. Being under the influence of, possessing, using, or consuming illegal or unauthorized drugs
2. Being on school premises or at a school-related activity involving students while documented as being under the influence of, possessing, or consuming alcoholic beverages. A school-related activity includes but is not limited to, any activity that is sponsored by a school or a school system or any activity designed to enhance the school curriculum such as club trips, etc. which involve students
3. Being on school premises or at a school-related activity involving students while documented using tobacco

Source: Miss. Code Ann. § 37-28-47

Rule 6.8: Public Funds and Property. An educator shall not knowingly misappropriate, divert, or use funds, personnel, property, or equipment committed to his or her charge for personal gain or advantage.

A. Ethical conduct includes, but is not limited to, the following:

1. Maximizing the positive effect of school funds through judicious use of said funds
2. Modeling for students and colleagues the responsible use of public property.

B. Unethical conduct includes, but is not limited to, the following:

1. Knowingly misappropriating, diverting or using funds, personnel, property or equipment committed to his or her charge for personal gain
2. Failing to account for funds collected from students, parents or any school-related function
3. Submitting fraudulent requests for reimbursement of expenses or for pay
4. Co-mingling public or school-related funds with personal funds or checking accounts
5. Using school property without the approval of the charter school board

Source: Miss. Code Ann. § 37-28-47

Rule 6.9: Remunerative Conduct. An educator should maintain integrity with students, colleagues, parents, patrons, or businesses when accepting gifts, gratuities, favors, and additional compensation.

- A. Ethical conduct includes, but is not limited to, the following:
 - 1. Insuring that institutional privileges are not used for personal gain
 - 2. Insuring that school policies or procedures are not impacted by gifts or gratuities from any person or organization
- B. Unethical conduct includes, but is not limited to, the following:
 - 1. Soliciting students or parents of students to purchase equipment, supplies, or services from the educator or to participate in activities that financially benefit the educator unless approved by the charter school board
 - 2. Tutoring students assigned to the educator for remuneration unless approved by the charter school board
 - 3. The educator shall neither accept nor offer gratuities, gifts, or favors that impair professional judgment or to obtain special advantage. (This standard shall not restrict the acceptance of gifts or tokens offered and accepted openly from students, parents, or other persons or organizations in recognition or appreciation of service.)

Source: Miss. Code Ann. § 37-28-47

Rule 6.10: Maintenance of Confidentiality. An educator shall comply with state and federal laws and charter school board policies relating to confidentiality of student and personnel records, standardized test material, and other information covered by confidentiality agreements.

- A. Ethical conduct includes, but is not limited to, the following:
 - a. Keeping in confidence information about students that has been obtained in the course of professional service unless disclosure serves a legitimate purpose or is required by law
 - b. Maintaining diligently the security of standardized test supplies and resources
- B. Unethical conduct includes, but is not limited to, the following:
 - a. Sharing confidential information concerning student academic and disciplinary records, health and medical information family status/income and assessment/testing results unless disclosure is required or permitted by law.
 - b. Violating confidentiality agreements related to standardized testing including copying or teaching identified test items, publishing or distributing test items or answers, discussing test items, and violating charter school board or state directions for the use of tests
 - c. Violating other confidentiality agreements required by state or charter school policy

Source: Miss. Code Ann. § 37-28-47

Rule 6.11: Breach of Contract or Abandonment of Employment. An educator should fulfill all of the terms and obligations detailed in the contract with the charter school board or educational agency for the duration of the contract.

- A. Unethical conduct includes, but is not limited to, the following:
 - 1. Abandoning the contract for professional services without prior release from the contract by the school board
 - 2. Refusing to perform services required by the contract

Source: Miss. Code Ann. § 37-28-47

Part 403 Chapter 7: Charter School Contract

Rule 7.1: Grant of Charter Contract. The Mississippi Charter School Authorizer Board shall grant an initial charter to each qualified applicant that has been approved pursuant to Section 37-28-19.

Source: Miss. Code Ann. § 37-28- 21

Rule 7.2: Term of Charter Contract: The charter contract shall be for a term of five (5) operating years. The term of the charter shall commence on the charter school's first day of operation. An approved charter school may delay its opening for one (1) school year in order to plan and prepare for the school's opening. If the school requires an opening delay of more than one (1) school year, the school must request an extension from the authorizer. The authorizer may grant or deny the extension depending on the particular school's circumstances.

Source: Miss. Code Ann. § 37-28- 21

Rule 7.3: Performance Expectation and Measures: The authorizer and the governing board of the approved charter school shall execute a charter contract that clearly sets forth the academic and operational performance expectations and measures by which the charter school will be judged and the administrative relationship between the authorizer and charter school, including each party's rights and duties. The performance expectations and measures set forth in the charter contract must include, but need not be limited to, applicable federal and state accountability requirements. The performance provisions may be refined or amended by mutual agreement after the charter school is operating and has collected baseline achievement data for its enrolled students.

Source: Miss. Code Ann. § 37-28- 21

Rule 7.4: Execution of Charter Contract. All charter school contracts must be approved by the authorizer board. The charter contract must be signed by the chairman of the authorizer board and the president of the charter school's governing board. A charter school may not commence operations without a charter contract executed in accordance with this section and approved in an open meeting of the authorizer board.

Source: Miss. Code Ann. § 37-28- 21

Rule 7.5: Preopening Requirement. The authorizer may establish reasonable preopening requirements or conditions to monitor the start-up progress of a newly approved charter school and to ensure that the school is prepared to open smoothly on the date agreed and that the school meets all building, health, safety, insurance and other legal requirements before the school's opening.

Source: Miss. Code Ann. § 37-28-21

Rule 7.6: Charter Contract Amendments. Charter operators that seek amendments to executed charter contracts must notify the authorizer of such amendments in writing, according to a procedure developed and implemented by the authorizer. Material amendment require approval

of the authorizer and the charter operator's governing board. All contract amendments must be done in compliance with the authorizer board's contract amendment policy.

Source: Miss. Code Ann. § 37-28-21

Rule 7.7: Charter Contract Amendments Initiated by the Authorizer. The authorizer may also initiate contract amendments. All material contract amendments initiated by the Board must also be approved by the charter operator's governing board. Any change in the authorizer board's policy or regulations constitute a non-material amendment.

Source: Miss. Code Ann. § 37-28-21

Part 403 Chapter 8. Renewal Policy

Rule 8.1: Charter School Renewal Policy. The Mississippi Charter School Authorizer Board shall issue a charter school performance report and charter renewal application guidance to a charter school whose charter will expire the following year. These documents provide both the authorizer and the charter school the time to review the information needed to evaluate the progress of the submitting charter school and also will guide charter schools through a self-assessment that becomes an update to the original application and a "roadmap" to future improvement.

Source: Miss. Code Ann. § 37-28-33.

Rule 8.2: Terms of Renewal. A charter may be renewed for successive five-year terms of duration. The authorizer may grant renewal with specific conditions for necessary improvements to a charter school and may lessen the renewal term based on the performance, demonstrated capacities and particular circumstances of each charter school.

Source: Miss. Code Ann. § 37-28-33.

Rule 8.3: Charter School Performance Report and Charter Renewal Application. Before September 30, the authorizer shall issue a charter school performance report and charter renewal application guidance to any charter school whose charter will expire the following year.

A. The performance report must summarize the charter school's performance record to date, based on the data required by this chapter and the charter contract, and must provide notice of any weaknesses or concerns perceived by the authorizer which may jeopardize the charter school's position in seeking renewal if not timely rectified. The charter school must respond and submit any corrections or clarifications for the performance report within ninety (90) days after receiving the report.

B. The charter renewal application guidance must provide, at a minimum, an opportunity for the charter school to:

- (i) Present additional evidence, beyond the data contained in the performance report, supporting its case for charter renewal;
- (ii) Describe improvements undertaken or planned for the school; and
- (iii) Detail the school's plans for the next charter term.

C. The charter renewal application guidance must include or refer explicitly to the criteria that will guide the authorizer's renewal decision, which must be based on the performance framework set forth in the charter contract and consistent with this chapter.

D. Before February 1, the governing board of a charter school seeking renewal shall submit a renewal application to the authorizer pursuant to the charter renewal application guidance issued by the authorizer. The authorizer shall adopt a resolution ruling on the renewal application no later than ninety (90) days after the filing of the renewal application.

Source: Miss. Code Ann. § 37-28-33.

Rule 8.4: Renewal Decision: In making each charter renewal decision, the authorizer must:

(A) Ground its decision in evidence of the school's performance over the term of the charter contract in accordance with the performance framework set forth in the charter contract;

(B) Ensure that data used in making the renewal decision is available to the school and the public; and

(C) Provide a public report summarizing the evidence that is the basis for the renewal decision.

Source: Miss. Code Ann. § 37-28-33.

Rule 8.5: Revocation or Nonrenewal of Charter. A charter contract must be revoked at any time or not renewed if the authorizer determines that the charter school has done any of the following or otherwise failed to comply with the provisions of this chapter:

(A) Committed a material and substantial violation of any of the terms, conditions, standards or procedures required under this chapter or the charter contract;

(B) Failed to meet or make sufficient progress toward the performance expectations set forth in the charter contract;

(C) Failed to meet generally accepted standards of fiscal management; or

(D) Substantially violated any material provision of law which is applicable to the charter school.

Source: Miss. Code Ann. § 37-28-33.

Rule 8.6: Revocation and nonrenewal process. The authorizer shall develop revocation and nonrenewal processes that:

(A) Provide the governing board of a charter school with a timely notification of the prospect of revocation or nonrenewal and of the reasons for such possible closure;

(B) Allow the governing board a reasonable amount of time in which to prepare a response;

(C) Provide the governing board with an opportunity to submit documents and give testimony challenging the rationale for closure and in support of the continuation of the school at an orderly proceeding held for that purpose;

(D) Allow the governing board access to representation by counsel and to call witnesses on the school's behalf;

(E) Permit the recording of such proceedings; and

(F) After a reasonable period for deliberation, require a final determination to be made and conveyed in writing to the governing board.

(G) If the authorizer revokes or does not renew a charter, the authorizer must state clearly, in a resolution of adopted by the authorizer board, the reasons for the revocation or nonrenewal.

(H) Within ten (10) days after taking action to renew, not renew or revoke a charter, the authorizer shall provide a report to the charter school. The report must include a copy of the authorizer board's resolution setting forth the action taken, reasons for the board's decision and assurances as to compliance with all of the requirements set forth in this chapter.

Source: Miss. Code Ann. § 37-28-33.

Rule 8.7: Charter School with F Designation. Notwithstanding¹ any provision to the contrary, the authorizer may not renew the charter of any charter school that, during the school's final operating year under the term of the charter contract, is designated an “F” school under the school accreditation rating system.

Source: Miss. Code Ann. § 37-28-33.

Rule 8.8: Charter School Renewal Application and Guidance. The Mississippi Charter School Authorizer Board (hereinafter “MCSAB”) is tasked with approving, overseeing, and holding charter schools accountable. One of its most important functions in fulfilling this mission is to conduct a charter school renewal process once schools reach the end of their approved charter contract term. The 2019-2020 renewal cycle will be the MCSAB’s first renewal cycle. Per the law, this document provides the renewal eligibility criteria, a timeline, and an application.

A. Renewal Timeline

The MCSAB will adhere to the following timeline in the 2019-2020 renewal cycle. Any changes or clarifications to this timeline will be provided to renewal schools in writing.

Phase	Description	2019-2020 Timeline
Release of the Charter School Renewal Application and Guidance	By law, the Mississippi Charter School Authorizer Board releases the Charter School Renewal Application and Guidance each year before September 30.	Before September 30
Release of Renewal School Performance Reports	By law, the Mississippi Charter School Authorizer Board releases a Charter School Performance Report to each school that may be eligible for renewal before September 30.	Before September 30
Letter to Charter Schools in Their Final Contract Year	The Mississippi Charter School Authorizer Board will send a letter to each charter school eligible for renewal based on Academic Performance Framework Indicator 1. Schools that have reached their final year of a contract term but are rated an “F” after their	Before September 30 ¹

¹ In years in which the Mississippi Department of Education delays the release of school grades until October, the Mississippi Charter School Authorizer Board will delay this letter until the business day following the release of grades.

Phase	Description	2019-2020 Timeline
	penultimate contract year will receive a letter informing them that they are not eligible for renewal.	
Year 5 School Site Visit	The MCSAB and/or external evaluators will perform a Fall 2019 site visit per its usual process for all schools. Findings from this site visit which may update the Performance Report may be incorporated into the MCSAB's review process.	October-November, 2019
Submission of Corrections to the Performance Report	Charter schools must submit corrections, if any, to their Performance Report within 90 days of their receipt of the report for the MCSAB to consider the corrected information in the renewal decision-making process.	Within 90 days of receipt of the Performance Report
Submission of the Application for Charter Renewal	A school seeking renewal must complete and submit the charter school renewal application by 4 PM Central time no later than January 31. Late applications will not be accepted. Schools are strongly encouraged to submit applications prior to the deadline.	No later than January 31, 2020
Application Review	The Mississippi Charter School Authorizer Board staff and/or external evaluators will review the renewal application, the performance report, and any other relevant information about an applicant school collected by the Board throughout the charter contract term.	Within 90 days of application submission
DRAFT Renewal Recommendation Report Delivered to Schools	The MSCAB staff and/or external evaluators will prepare a renewal recommendation report that provides a recommendation to 1. renew <i>or</i> 2. non-renew and close. All recommendations to renew will also provide a recommendation for the length of the renewal term and whether any renewal conditions will apply. Per law, the report will further include the staff and/or external evaluators' reasons for their recommendation.	Within 60 days of application submission
Responses and Hearing Requests Due	All schools, particularly schools receiving a recommendation for non-renewal, are allowed to prepare a response to their recommendation and to submit documents which they feel will aid their case. These responses are due at 4 PM Central on December 20, 2019.	Within 14 days of receipt of the Draft Renewal Recommendation Report
Hearing for Non-Renewed Schools	The law allows schools that receive a recommendation of non-renewal to request a hearing. Hearings will occur in January 2020.	Within 30 days of request

Phase	Description	2019-2020 Timeline
Final Board Vote on Recommendations	The Mississippi Charter School Authorizer Board will vote to accept or deny the renewal recommendation of staff and/or external evaluators. They will also vote to adopt the renewal recommendation report, as finalized, as the resolution of their reasoning that is required by law.	Within 90 days of application submission
Board Resolution Delivered to Schools	Within ten days after taking action to renew or not renew a charter, the MCSAB will provide a report to the charter, including a copy of the Board resolution.	Within 10 days of Board decision

B. Renewal Decision-Making

The Mississippi Charter School Authorizer Board will use the currently adopted Performance Framework for all 2019-2020 renewal decisions, including determining each school's renewal *eligibility*, renewal *recommendation*, and, if renewed, *renewal term*. The Performance Framework has three domains: academic, financial, and organizational. The MCSAB will consider evidence from all three domains in making renewal decisions and will draw on the Annual Performance Report, school site visit reports, the renewal application, and other official data. For more information about how the Board interprets the provisions of the Performance Framework to create the Annual Performance Report, please see the document entitled "Performance Framework Guidelines for the Annual Performance Report."

C. Renewal Eligibility Criteria

Per the Performance Framework, the MCSAB will use the following criteria to determine eligibility:

Academic Indicator 1	Financial Performance	Organizational Performance	Eligibility for Renewal
A	Meets or Approaches Expectations	Meets or Approaches Expectations	Eligible
	Fails to Meet Expectations	Fails to Meet Expectations	Not eligible*
B	Meets or Approaches Expectations	Meets or Approaches Expectations	Eligible
	Fails to Meet Expectations	Fails to Meet Expectations	Not eligible*
C	Meets or Approaches Expectations	Meets or Approaches Expectations	Eligible
	Fails to Meet Expectations	Fails to Meet Expectations	Not eligible*
D	Meets or Approaches Expectations	Meets or Approaches Expectations	<i>Additional Evidence Required</i>
	Fails to Meet Expectations	Fails to Meet Expectations	Not eligible*

F	Any rating	Any rating	Not eligible
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**Unless “evidence and specific circumstances” waivers applied for any financial and organizational performance rating of “fails to meet expectations”*

Please note: F-rated schools are not eligible for renewal; therefore, the MCSAB’s closure protocol applies to these schools. Please refer to the Board-adopted protocol for further information.

D. Additional Evidence Requirements for D-Rated Schools

D-rated schools must meet additional evidence requirements for academic performance in order to be eligible for renewal. These additional requirements take into account the school’s performance on Indicators 2-4 within the Academic Performance Framework, as follows:

1. Charter schools must earn a rating of “meets expectations” or “exceeds expectations” on at least 2 of the 3 additional indicators (Academic Performance Framework Indicators 2-4) in order to be eligible for renewal.
2. Schools that only meet one of the three additional indicators may receive a waiver from the Board for “evidence of significant growth over the charter term.” This evidence may include higher than average proficiency or growth gains on state assessments over time or other rigorous evidence of growth over time. Schools in this circumstance must make their case for this waiver within the renewal application, and the Board will determine whether that case warrants a waiver.

A summary of these requirements is below:

Indicators 2-4	Criterion Met?
1 of 3 additional indicators met (renewal year only)	No <i>UNLESS</i> evidence of significant growth over the charter term
2 of 3 additional indicators met (renewal year only)	Yes
3 of 3 additional indicators met (renewal year only)	Yes

E. For Schools That Fail to Meet Expectations for Financial and/or Organizational Performance

Charter schools that meet Academic Performance Framework requirements but have a rating of “fails to meet expectations” in either financial performance or organizational performance must earn a waiver in order to be considered for renewal. The MCSAB will grant a waiver to schools based on whether they can present “evidence and specific circumstances” that warrant the waiver for each domain in which they did not meet expectations.

F. Renewal Recommendation

All charter schools that are eligible for renewal will be renewed in the 2019-2020 cycle. However, by law, the MCSAB may impose conditions on the renewal of any school. The MCSAB will use the 2019 Performance Report to determine whether a school should be renewed with or without conditions. The following table describes the criteria that the MCSAB will use to impose

conditions. Schools must meet *all* of the criteria for “no conditions” to receive an unconditional renewal. Schools that meet *any* of the criteria for “will impose conditions” will receive a conditional renewal. The MCSAB will determine whether conditions will apply to schools that do not meet all of the criteria for an unconditional renewal but that also do not meet any of the criteria for a mandatory conditional renewal based on the findings of the renewal recommendation report.

Renewal Type	Academic Expectations	Financial Performance	Organizational Performance
No conditions	Meets or Exceeds Expectations on every indicator	Meets Expectations with no indicator scores of “no credit”	Meets Expectations with no metric scores of 0 or 1
May impose conditions	Approaches Expectations on any indicator	Meets Expectations with at least one indicator score of “no credit” OR Approaches Expectations	Meets Expectations with at least one metric score of 0 or 1 OR Approaches Expectations
Will impose conditions	Fails to Meet Expectations on any indicator	Fails to Meet Expectations	Fails to Meet Expectations

G. Renewal Term

In the 2019-2020 renewal cycle, the MCSAB will base the length of any granted renewal term primarily on the school’s grade as announced in Fall 2019 (after Year 4 of the initial term). The following decision table will apply:

Academic Indicator 1*	Renewal Outcome	Renewal Term Eligibility		
		Minimum	Additional Years Possible	Maximum
A	Full- or Short-Term Renewal	4 years	1 year, if financial <i>and</i> organizational performance “Meets Expectations”	5 years
B	Full- or Short-Term Renewal	4 years	1 year, if financial <i>and</i> organizational performance “Meets Expectations”	5 years
C	Short-Term Renewal	3 years	1 year, if financial <i>and</i> organizational performance “Meets Expectations”	4 years
D	Short-Term Renewal	3 years	None	3 years

Please note: Any school that receives an F after its fifth year (in Fall 2020 for 2019-2020 renewal schools) must be closed, per statute, regardless of whether a renewal term was earned. This closure requirement will be included in the new contract.

H. Application Instructions

The MCSAB requests that all charter school renewal applications abide by the following instructions. Charter applications that do not conform to these guidelines may be returned, and applicants may be asked to re-submit the information in the requested format.

1. Formatting and Submitting Applications

- a. **Page Formatting.** All narrative responses should use Times New Roman, Calibri, or Arial and a font size of 12. Tables may have a font size of 10. Margins should be 1 inch in all directions. Single-spaced responses are acceptable, but information must be readable. All documents should use page numbers for reference and should have in the top, left-hand header the name of the section as specified below. Please adhere to the requested page limits in order for the application to be processed as efficiently as possible.
- b. **Submission Format**
 - i. The renewal application will be accepted digitally through Epicenter. Please do not submit paper copies of any document to the MCSAB as these will not be considered. Schools that have trouble with Epicenter should contact ***charterschools@mississippi.edu*** for support.
 - ii. Schools must merge all of their application materials into a single, continuously numbered document prior to submission. The table below lists the section headers corresponding to each application section and page limits schools must use for the document. ***Schools should change all incidents of “School Name” to their own name.***

Section	Required Header Name	Page Limits
Executive Summary	Executive Summary_School Name	2
Application Checklist	Application Checklist_School Name	1
Record of Performance		
Effective Academic Program	Effective Academic Program_School Name	15
	Additional Academic Evidence_School Name	20
Financial Success	Financial Success_School Name	10
	Financial Policy Manual_School Name	20
	Additional Financial Evidence_School Name	20
Organizational Success	Organizational Success_School Name	15
	Additional Organizational Evidence_School Name	20
Future Plans		
Mission, Vision, and Essential Terms	Essential Terms_School Name	5
Governance	Governance Plan_School Name	10
	Governance Documentation_School Name	20
Fiscal Plan	Fiscal Plan_School Name	10
	Budget_School Name	10

Section	Required Header Name	Page Limits
Facility Plan	Facility Plan_School Name	5
Proposed Grades and Enrollment	Grades and Enrollment Plan_School Name	5
	Enrollment Projection Table_School Name	1

2. Due Date

Per the Renewal Timeline on pages 2-3, the application is due to Epicenter by 4 PM Central no later than January 31, 2020. ***Late applications will not be accepted.*** Charter schools are ***strongly*** encouraged to submit their application early in order to receive an earlier decision, as is in the best interests of charter school families.

Source: Miss. Code Ann. § 37-28-33.

Application for Charter Renewal

I. EXECUTIVE SUMMARY:

A. FORM: This form will allow the MCSAB to briefly summarize your application. Please use the **Executive Summary template** for this section.

B. WHAT TO SUBMIT: Please title the Executive Summary as **Executive Summary_School Name** in the header. The Executive Summary should not exceed 2 pages.

II. APPLICATION CHECKLIST:

A. FORM: This form will ensure that a charter school submits all required information and will allow the MCSAB to quickly assess the completeness of the application. Please use the **Application Checklist template** for this section.

B. WHAT TO SUBMIT: Please title the Application Checklist as **Application Checklist_School Name** in the header. The checklist should not exceed 1 page.

III. RECORD OF PERFORMANCE

The MCSAB considers a charter school's record of performance not only in the year prior to renewal but for the entire term in determining whether a school should receive renewal with or without conditions. This section allows a charter school to provide the MCSAB with additional context about its academic performance. It is especially important for D-rated schools, which must meet additional evidence requirements in order to be eligible for renewal. Please see the section of this document entitled "Renewal Eligibility" for information about eligibility for renewal.

A. EFFECTIVE ACADEMIC PROGRAM

The Performance Framework requires all charter schools to provide students with an effective academic program. In this section, schools should make their case that they provide an effective academic program for students.

1. NARRATIVE RESPONSE: Schools should submit a narrative making their case for renewal. Please respond to the questions below relevant to your school.

a. For schools rated A, B, or C based on 2018-2019 data:

i. Please summarize the school's history of academic performance over the five-year term, with special emphasis on the most recent state data. Include

information about the school's challenges and its accomplishments. Use evidence.

- ii. or any Academic Performance Framework indicator rating of "approaches" or "fails to meet expectations" for the 2018-2019 school year, please describe what factors the school believes explain its performance and whether any improvements were undertaken during the charter term.

b. For schools rated D based on 2018-2019 data: D-rated schools must meet additional evidence requirements or satisfy the waiver provision in order to achieve renewal. Please answer the following questions to justify a positive renewal recommendation:

- i. Please summarize the school's history of academic performance over the five-year term, with special emphasis on the most recent state data. Include information about the school's challenges and its accomplishments. Use evidence.
- ii. If the school met at least 2 of 3 additional indicators (*an indicator rating of "meets" or "exceeds expectations"*): Please describe what factors the school believes explain its performance, particularly as to the indicator that the school did not meet, and whether any improvements were undertaken during the charter term.
- iii. If the school met only 1 of 3 additional indicators: Schools meeting only 1 of 3 additional indicators must receive a waiver from the MCSAB to be renewed. The waiver requires that schools "demonstrate evidence of significant growth over the charter term." Please describe the evidence that the school has demonstrated significant growth over the charter term. This response should be detailed and include quantitative analysis over the entire term.

2. ADDITIONAL INFORMATION: The school is invited to submit any additional evidence related to its academic performance that it believes will help it make its case for renewal. D-rated schools are required to submit additional evidence.

3. WHAT TO SUBMIT:

- a. *Required:* Please title the Effective Academic Program narrative as **Effective Academic Program_School Name** in the header. Please limit this sub-section to 15 pages.
- b. *As Relevant:* Please title any additional evidence as **Additional Academic Evidence_School Name** in the header. Please limit this sub-section to 20 pages.

B. FINANCIAL SUCCESS

The Performance Framework requires all charter schools to demonstrate financial success by receiving a meets or approaches expectations on the Financial Performance Framework. The information requested in this section will provide more context to the MCSAB as they make renewal decisions.

1. NARRATIVE RESPONSE: Please answer the following questions related to the school's financial success:

- a. Please provide an overview of the school's financial history, including its challenges and accomplishments as well as its financial model.
- b. Please describe the evidence that the school has achieved a sustainable financial model during the initial charter term.

- c. For any financial indicator on which the school did not receive full credit in the 2019 Performance Report, please explain the circumstances leading to lower performance and any actions already undertaken to improve performance in the future.
- d. If the school is under any financial corrective action plans, including as imposed by the Mississippi Department of Education, please explain the reason, the status of the plan's implementation, the required corrective actions, and the date the work will be complete.
- e. If the school has any outstanding Notices of Concern or Breach related to its financials, please explain the reason, the status of the Board's imposed corrective actions, and the date the work will be complete.
- f. For any school whose Financial Performance Indicator rating was "Fails to Meet Expectations" in the 2019 Performance report: Please explain what "evidence and specific circumstances" warrant a waiver from the Board in order to allow the school to be renewed. Be very specific.

2. ADDITIONAL INFORMATION: The school must submit its financial policies and procedures manual. It is also invited to submit any additional evidence related to its financial performance that it believes will help it make its case for renewal.

3. WHAT TO SUBMIT:

- a. Required: Please title the Financial Success response as **Financial Success_School Name** in the header. Please limit this response to 10 pages.
- b. Required: Please title the school's financial policies and procedures manual as **financial Policy Manual_School Name** in the header. Please limit this response to 20 pages, if possible.
- c. Optional: Please title any additional evidence as **Additional Financial Evidence_School Name** in the header. Please limit this attachment to 20 pages.

C. ORGANIZATIONAL SUCCESS

The Performance Framework requires all charter schools to demonstrate organizational success by receiving a meets or approaches expectations on the Organizational Performance Framework.

1. NARRATIVE RESPONSE: Please answer the following questions related to the school's organizational success:

- a. Please describe the evidence that the school has fulfilled its vision, mission, and Essential Terms as listed in its charter contract.
- b. For any metric on which the school was rated a 0 or 1 in the 2019 Performance Report, please explain the circumstances leading to lower performance and any actions already undertaken to improve performance in the future.
- c. If the school has any outstanding Notices of Concern or Breach related to its organizational performance, please explain the reason, the status of the Board's imposed corrective actions, and the date the work will be complete.
- d. If the school is under any corrective action plans imposed by the Mississippi Department of Education for any federal program, including special education, please explain the reason, the status of the plan's implementation, the required corrective actions, and the date the work will be complete.
- e. *For any school whose Organizational Performance Indicator rating was "Fails to Meet Expectations" in the 2019 Performance report:* Please explain what "evidence and specific circumstances" warrant a waiver from the Board in order to allow the school to be renewed. Be very specific.

2. ATTACHMENT: The school is invited to submit any additional evidence related to its organizational performance that it believes will help it make its case for renewal. Please combine documents into one attachment.

3. WHAT TO SUBMIT:

- a. *Required:* Please title the Organizational Success response as **Organizational Success_School Name** in the header. Please limit this response to 15 pages.
- b. *Optional:* Please title any additional evidence as **Additional Organizational Evidence_School Name** in the header. Please limit this sub-section to 20 pages.

D. FUTURE PLANS

This section of the renewal application allows each charter school to detail its plans for the next charter term, specifically the areas in which the school plans to make changes or improvements. The MCSAB will consider this information in determining what conditions to impose, if any, and in developing the proposed contract for charter renewal.

1. Vision, Mission, and Essential Terms

- a. **NARRATIVE RESPONSE:** If the school seeks any changes to its vision, mission, and/or Essential Terms as they are listed in its current contract, please answer the following:
 - i. Please describe the proposed changes to the school's vision, mission, and/or Essential Terms.
 - ii. For each changed element, please describe the school's rationale for the change, including any evidence to support the school's ability to provide a high-quality learning environment if the change is accepted.

If the school wishes to make no changes to its vision, mission, and/or Essential Terms, please write "Not Applicable" in the submitted document.

- b. **WHAT TO SUBMIT:** Title the proposed changes as **Essential Terms_School Name** in the header. Do not exceed 5 pages.

2. Governance

- a. **NARRATIVE RESPONSE:** As charter schools grow, they sometimes find it necessary to change their governance structure to ensure continued success. If the school has plans to change its governance structure, please provide the following:
 - i. the school's justification for needing a new governance structure,
 - ii. the actual governance structure proposed, and
 - iii. the school's explanation as to how the new governance structure will support student achievement at the school.

The response should provide details explaining changes to the by-laws or articles of incorporation, if any. If the proposed changes require starting or spinning-off a new organization or merging with another organization, the response should clearly explain the new organization as started or merged as well as the organization being merged with the charter school. If the school wishes to make no changes to its governance structure, please write "Not Applicable" in the submitted document.

- b. **ADDITIONAL INFORMATION:** In order for the MCSAB to assess the ability of the new governance structure to provide effective oversight, please submit changes to the by-laws or articles of incorporation, as relevant. If the school intends to start or spin-off a new

501(c)3 or merge its 501(c)3 with another, please submit the 501c3 letter of the new entity or legal paperwork attesting to the merger. Please combine documents into one attachment.

c. **WHAT TO SUBMIT:**

- i. *Required:* Title the Governance Plan as **Governance Plan_School Name** in the header. Please limit this sub-section to 10 pages.
- ii. *As Relevant:* Title any necessary supporting documentation as **Governance Documentation_School Name** in the header. Please limit this sub-section to 20 pages.

3. Fiscal Plan

- a. **NARRATIVE RESPONSE:** Please describe the school's fiscal plan over the next charter term, including expected needs, fiscal goals, and plans for fundraising. Explain how this plan will support the educational program of the school and why this plan is feasible at this stage of the school's development.
- b. **ADDITIONAL INFORMATION:** The school is required to prepare a proposed five-year budget using the **Budget template**.
- c. **WHAT TO SUBMIT:**
 - i. *Required:* Title the Fiscal Plan as **Fiscal Plan_School Name** in the header. Do not exceed 10 pages.
 - ii. *Required:* Please title the proposed five-year budget as **Budget_School Name** in the header. Do not add additional tabs to the workbook; do not exceed 10 pages.

4. Facility Plan

- a. **NARRATIVE RESPONSE:** Please describe the school's planned facility for the next charter term, including relevant details such as whether the school plans to move to a new facility, or renovate or expand its current facility, and how the facility plan will enable the school to fulfill its educational program. If the school plans to move, please provide details about the new facility or the status of the search for a new facility. If the school has no plans to change its facility, please submit a document stating so and explaining how the current facility is adequate for the school's educational program and enrollment.
- b. **WHAT TO SUBMIT:** Title the Facility Plan as **Facility Plan_School Name** in the header. Limit this section to 5 pages.

5. Proposed Grades and Enrollment

- a. **NARRATIVE RESPONSE:** If the school intends to add or subtract grades or otherwise alter its current enrollment, please describe the school's plan and explain how the school will continue to provide an effective education with the new grade structure and/or enrollment. If the school will not change its grades or enrollment, please write "Not Applicable" in the submitted document.
- b. **ATTACHMENT:** Please complete the **Grades and Enrollment template** with the school's proposed grades and enrollment.
- c. **WHAT TO SUBMIT:**
 - i. *Required:* Please title the Grades and Enrollment Plan as **Grades and Enrollment Plan_School Name** in the header. Please limit this document to 5 pages.
 - ii. *Required:* Title the Grades and Enrollment template as **Enrollment Projection Table_School Name** in the header. This sub-section should not exceed 1 page.

Part 403 Chapter 9. Closure Policy

Rule 9.1: Closure Policy. A charter school may close for a variety of reasons including, for example, voluntary relinquishment of a charter, charter revocation, or nonrenewal of a charter by the authorizing authority. A charter school closure is governed by applicable laws and regulations, and appropriate procedures established by the Mississippi Charter School Authorizer Board.

Source: Miss. Code Ann. § 37-28-35.

Rule 9.2: Charter School Protocol. Before implementing a charter school closure decision, the authorizer must develop a charter school closure protocol to ensure timely notification to parents, orderly transition of students and student records to new schools, and proper disposition of school funds, property and assets in accordance with the requirements of this chapter. The protocol must specify tasks, timelines and responsible parties, including delineating the respective duties of the school and the authorizer. If a charter school is to be closed for any reason, the authorizer shall oversee and work with the closing school to ensure a smooth and orderly closure and transition for students and parents, as guided by the closure protocol.

Source: Miss. Code Ann. § 37-28-35.

Rule 9.3: Funds of Closed Charter School. If a charter school closes, all unspent government funds, unspent earnings from those funds and assets purchased with government funds must revert to the local school district in which the charter school is located. Unless otherwise provided for in the charter or a debt instrument, unspent funds from nongovernmental sources, unspent earnings from those funds, assets purchased with those funds and debts of the school must revert to the nonprofit entity created to operate the school and may be disposed of according to applicable laws for nonprofit corporations.

Source: Miss. Code Ann. § 37-28-35.

Action: Approval to begin the Administrative Procedures Act process: To establish Board Policy, Title 10, Part 403, Chapter 10, Rule 10.1, “Compliance with State Law Regarding Diversity, Equity, and Inclusion Prohibitions, Complaint Process, and Investigations”

Background Information: During the 2025 Legislative Session, the legislature passed House Bill 1193, which became effective upon passage, April 17, 2025. House Bill 1193 is an act to prohibit public schools and public postsecondary educational institutions from taking certain actions and engaging in discrimination practices, specifically related to diversity, equity, and inclusion (“DEI”). It seeks to ensure that employment, academic opportunities, and student engagement are based solely on individual merit, qualifications and academic performance, without consideration of an individual's race, sex, color, national origin, or expressed opposition to, or refusal to affirm or participate in diversity, equity, and inclusion.

The law requires that within 90 days of passage, the Mississippi Charter School Authorizer Board shall adopt a model complaint process, investigative procedures, and all other policies and procedures for appropriately investigating violations under House Bill 1193.

The following policy has been developed, in conjunction with the Mississippi School Board Association and the Mississippi Department of Education and meets the requirements of House Bill 1193.

Chapter 10: Compliance with State Law Regarding Diversity, Equity, and Inclusion in Public Education.

Rule 10.1 This policy implements House Bill 1193,² passed by the Mississippi Legislature during the 2025 Regular Session. This act prohibits public schools and public postsecondary educational institutions from taking certain actions and engaging in discrimination practices, specifically related to diversity, equity, and inclusion (“DEI”). It seeks to ensure that employment, academic opportunities, and student engagement are based solely on individual merit, qualifications and academic performance, without consideration of an individual’s race, sex, color, national origin, or expressed opposition to, or refusal to affirm or participate in diversity, equity, and inclusion.

A. Diversity, Equity and Inclusion Prohibitions

As defined in House Bill 1193, State law prohibits public schools from:

1. Establishing or maintaining a diversity, equity and inclusion office.
2. Engaging in divisive concepts.
3. Hiring or assigning faculty, staff, or employees of the public school or contracting with a third party to perform the duties of a diversity, equity, and inclusion office.
4. Requiring, requesting, or considering diversity statements or similar materials from job applicants as part of the hiring process, contract renewal process, evaluation or promotion process.
5. Giving preference based on race, sex, color, or national origin to an applicant for employment, or when awarding a contract at the public school.
6. Maintaining any programs, including academic programs or courses, or offices that promote diversity, equity and inclusion, endorse divisive concept or concepts promoting transgender ideology, gender-neutral pronouns, deconstruction of heteronormativity, gender theory, sexual privilege or any related formulation of these concepts.
7. Requiring, as a condition of enrolling at, accepting employment with, or being awarded a contract at a public school, or as a requirement of continuing enrollment, employment, or contractual obligations at a public school, any person to participate in diversity, equity, and inclusion training.
8. Penalizing or discriminating against a student, employee, faculty, staff, or contractor on the basis of his or her refusal to support, believe, endorse, embrace, confess, act upon or otherwise assent to a diversity, equity or inclusion concept.
9. Requiring any “diversity training” or any other policies or procedures that result in any formal or informal education, seminars, workshops, or institutional program that focus

² Statutory reference shall be added once provided.

on increasing awareness or understanding of issues related to race, sex, color, gender identity, sexual orientation, or national origin.

B. Complaint Process

The Governing board of each charter school shall develop, adopt, and communicate complaint policies and processes to implement the requirements of House Bill 1193 with the minimum required elements.

1. Any employee, faculty, staff or contractor, or student who desires to assert a violation of House Bill 1193, may file a Formal Complaint. Any student under the age of 18 may file a complaint through a parent, guardian or next friend, and may file a complaint in his or her own name upon reaching the age of 18.
2. The Formal Complaint shall be written and signed by the complainant, and shall include the following:
 - a. The full name, address, and telephone number of the individual filing the complaint.
 - b. Name of potential individuals impacted by alleged violation.
 - c. Dated and/or times of the alleged violation.
 - d. Specific nature of the alleged violation, including identification of which section of House Bill 1193 was allegedly violated.
 - e. A statement explaining how the complainant has been harmed by the public school's alleged failure to comply with House Bill 1193.
 - f. Names of any potential witnesses.
 - g. A statement as to whether any internal or external grievance, charge, complaint, or civil action has been instituted by the complainant in any other form or forum, based upon the same allegation contained in the Formal Complaint, together with a statement as to the status or disposition of such other action.
 - h. Any other relevant information that would support an investigation.
3. The Formal Complaint shall be filed with the governing board of the charter school in which the violation occurred.
4. The Formal Complaint shall be filed within 30 days of the alleged violation.
5. The Governing board of the charter school shall prescribe the manner in which the Formal Complaint shall be delivered.

C. Investigations

The Governing board of each charter school shall develop, adopt, and communicate investigative policies and procedures to implement the requirements of House Bill 1193 with the minimum required elements.

1. Upon receipt of a complete, timely, and properly filed Formal Complaint, the governing board of a charter school shall investigate the reported violation or potential violation under the board's adopted procedures.
2. Within thirty (30) days of receipt of a complete, timely, and properly filed Formal Complaint, the governing board of a charter school shall take action on the Formal Complaint.

- a. If the governing board of a charter school determines there is no violation of House Bill 1193, they shall provide written notification reflecting that determination. Such final ruling shall be provided to the complainant.
- b. If the governing board of a charter school determines that a violation of House Bill 1193 has occurred, the governing board of a charter school shall provide written notification to the charter school superintendent/executive director with a copy sent to the complainant. The charter school shall have twenty-five (25) days from receipt of the formal notice of violation to cure the violation and to provide documentation of the curative actions to the governing board of the charter school. After the twenty-five (25) day period, the governing board of the charter school shall issue a final ruling to the charter school and complainant setting forth the violation and the curative response.
- c. Anyone aggrieved by a formal finding of the governing board is entitled to judicial review in accordance with House Bill 1193.

D. Assurances and Reporting

1. Within 90 days of this adoption of this policy, every charter school shall adopt and communicate policies, procedures, or other guidance governing the complaint process and investigative procedures regarding House Bill 1193.
2. The charter school superintendent/executive director shall, upon confirming the school's compliance with this policy, submit to the Mississippi Charter School Authorizer Board, a certification on behalf of the charter school, that the charter school complies with House Bill 1193.
3. The required form of certification shall be prescribed by the Mississippi Charter School Authorizer Board and shall be due annually by July 30th.
4. Beginning in 2026, by July 30 of each year, every superintendent/executive director shall submit to their governing board an annual report summarizing all formal complaints and the dispositions of those investigations and violations.
5. Each annual report submitted to the governing board of a charter school shall also be submitted to the Mississippi Charter School Authorizer Board by August 15 of each year.
6. The Mississippi Charter School Authorizer Board shall annually prepare a report to submit to the Legislature, as required by House Bill 1193, consisting of the reports from all charter schools, along with any recommendations.

E. Withholding of Funds

1. If a charter school is determined, through final adjudication of the administrative procedures process and exhaustion of all judicial appeals, to be in violation of any provision of the Act on two separate instances, and if the governing board determines that the second or subsequent violation remains uncured by the charter school beyond thirty (30) days of the exhaustion of all judicial appeals, the Mississippi Charter School Authorizer Board and the State Department of Education shall withhold disbursement of the state share of the total student funding formula funds to the charter school.

2. The Mississippi Charter School Authorizer Board and the State Department of Education shall provide written notification to the charter school of the disbursement withholding, along with the amount being withheld.
3. Funds shall be withheld until the governing board, the Mississippi Charter School Authorizer Board, or the State Board of Education, certify that the charter school is compliant with the Act and that certification is affirmed by the Mississippi Attorney General or a court of competent jurisdiction.

Source: House Bill 1193, Miss. Leg. 2025 (Reg. Session)