

CHARTER SCHOOL OPERATING AGREEMENT

There shall be a *Charter School Operating Agreement* executed between the Orleans Parish School Board and the governing board of each OPSB-authorized charter school, which shall define the rights and responsibilities of each party. A charter school without a signed operating agreement does not have legal authority to operate and may be prohibited from opening, receiving student-based funds and/or occupying or continuing to occupy an OPSB facility.

In accordance with La. R.S. §17:10.7.1, the School Board shall approve charter operating agreements for all charter schools under the board's jurisdiction that are limited to provisions which are common to all such charter contracts, unless terms specific to an individual school are authorized pursuant to OPSB policy in accordance with applicable state law. Pursuant to this requirement, the Superintendent shall present a common charter operating agreement to the School Board for approval. Authorized school specific terms (e.g. grade levels served, educational mission and goals, and admission requirements) may be included in an appendix to the common operating agreement.

Once a charter school has been approved for an initial or renewal term and has satisfied all conditions established by OPSB, the Superintendent shall develop and ensure the execution of an operating agreement for the charter school prior to July 1st of the school year in which the operating agreement will take effect. The School Board President shall be authorized to sign the charter operating agreement on behalf of OPSB, or, in the absence of the President, the Vice-President, and a duly authorized officer of the charter school governing board shall be authorized to sign the charter agreement on behalf of the charter school.

Modifications / Amendments to Charter Operating Agreement

Modifications to the common charter operating agreement and amendments to individual charter operating agreements may be made in accordance with the procedures outlined below.

- A. Modifying the Common Charter Operating Agreement. The School Board may approve modifications to the common charter operating agreement upon recommendation of the Superintendent. Modifications approved by the School Board shall be incorporated into all new and renewal charter operating agreements executed on or after the date of approval.
- B. Material Amendments to Individual Charter Operating Agreement. Material amendments are amendments to school-specific terms of the charter operating agreement initiated by the charter school's governing board that fundamentally affect a school's mission, governance, organizational structure, or education

program. For the purposes of this policy, material amendments shall include, but not be limited to, changes to a charter school's:

- a. Grade levels served;
- b. Mission;
- c. School-specific elements of the Educational Program;
- d. Assignment of or changes in contractual relationships with an Educational Management Organization (EMO) or Charter Management Organizations (CMO) providing or planning to provide substantially all of the school's educational services;
- e. Change in Local Education Agency (LEA) status.

Requests for proposed material amendments must be submitted to OPSB in writing for consideration. Upon recommendation of the Superintendent, the School Board may vote to approve, deny or modify the request for a material amendment by a two-thirds majority vote at a public meeting, in accordance with La. R.S. § 17:3992(B).

C. Non-Material Amendments to Individual Charter Operating Agreement: Non-material amendments to the charter operating agreement are those that do not fundamentally affect a school's mission, governance, organizational structure, or education program. For the purposes of this policy, non-material amendments shall include, but not be limited to:

- a. Name;
- b. Change in school location;
- c. Mailing address, phone and fax number of Charter Board and Charter School; and
- d. Changes in Charter Board President.

Requests for proposed non-material amendments must be submitted to the Superintendent in writing, along with a copy of the resolution of the Charter Board authorizing the proposed change, and shall be considered for approval by the Superintendent.

Ref: La. Rev. Stat. Ann. §§17:10.7.1, 17:3971, 17:3991, 17:3992; Bulletin 126, Charter Schools, Louisiana Department of Education.