

Red Clay Consolidated School District 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 two days 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. Contact information for parents/guardians with questions 	RCCSD/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. Contact information for questions 	RCCSD/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 legislative 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. §512(16), and to limit expenditures to only those in the approved budget, while delaying approved expenditures that might no longer be necessary. 3. Ensure that the school continues to collect revenues included in the school’s budget, if applicable. 	RCCSD/Budget and Finance		
		RCCSD		
	Meet with Charter School Faculty and Staff	Charter Board and		

Red Clay Consolidated School District Charter School Closure Protocol

	<p>Principal and charter board chair meet with the faculty and staff to:</p> <ol style="list-style-type: none"> 1. Emphasize importance of maintaining continuity of instruction through the end of the school year if applicable 2. Discuss plans for helping students find new schools 3. Identify date when last salary check will be issued, when benefits terminate, and last day of work 4. 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 5. Upon closure, provide each employee a printed record of accumulated sick leave 	School Leadership		

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>	RCCSD/CSO		
	<p>Establish a Schedule for Meetings and Interim Status Reports Agree on schedule and plan 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 	RCCSD/CSO		
	<p>Submit Final Report</p>	Charter Board		

Red Clay Consolidated School District Charter School Closure Protocol

	Submit a final report to the authorizer detailing completion of the closure plan.		
--	---	--	--

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 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 above \$2,500 in a single transaction or a cumulative \$2,500 in expenditures to a single vendor 	Charter Board		
	<p>Designate a School Contact Person to Send/Receive Communication from RCCSD 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 RCCSD including affiliation with school, contact address, telephone number, and email address 	Charter Board and School Leader		

Red Clay Consolidated School District Charter School Closure Protocol

	<ol style="list-style-type: none"> 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 RCCSD. 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 RCCSD. 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 RCCSD with assurance that the school has adequately safeguarded the facility, its assets and contents and at a minimum provide RCCSD with a listing of who has physical access to facility outside school hours (key holders). RCCSD recommends that keys be collected or card access be restricted to those with a critical need 8. Providing RCCSD 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 business records to an accessible location with contact information for access in a timely manner.</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>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. 	Charter Board and School Leader		

Red Clay Consolidated School District Charter School Closure Protocol

	<p>3. Obtain or maintain appropriate security services. Action may include moving assets to secure storage after closure or loss of facility</p>			
	<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 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>Charter Board</p>		
	<p>Maintain Student Records Continue to submit all required reports to RCCSD and DOE. Maintain student data in eSchoolPlus. Submit a student records transition plan, to RCCSD 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 RCCSD 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 RCCSD 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 RCCSD, 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 	<p>Charter school personnel</p>		

Red Clay Consolidated School District Charter School Closure Protocol

	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.			
	<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 2. Life insurance 3. 403 (b), retirement plans, pension <p>Provide to RCCSD a copy of this notice including a list of names/addresses of recipients, and proof that notifications were sent.</p>	Charter Board		
	<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 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 Inventory school assets, and identify items:</p> <ol style="list-style-type: none"> 1. Loaned from other entities 	Charter Board and School Leader		

Red Clay Consolidated School District Charter School Closure Protocol

	<ol style="list-style-type: none"> 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>			
	<p>Notify Food and Transportation Services and Cancel Contracts Cancel school district or private food and/or transportation services for summer school/next year</p>	Charter Board		

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. School will provide a monthly statement of financial position, to include accrued payroll obligations. 3. Make revisions that take into account closure associated expenses while prioritizing continuity of instruction 4. In the event that liabilities exceed assets, the RCCSD and Charter board must be made aware of any negotiated settlements 	Charter Board		
	<p>Maintain Board Financial Duties 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 	Charter Board		

Red Clay Consolidated School District Charter School Closure Protocol

	<p>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</p> <p>5. All other known costs associated with closure</p>			
	<p>Maintain IRS 501(c)(3) Status (if applicable) Maintain IRS 501(c)(3) status, including:</p> <ol style="list-style-type: none"> 1. Notify IRS regarding any address change 2. File required tax returns and reports 	Charter Board		
	<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 	Charter Board		

Red Clay Consolidated School District Charter School Closure Protocol

	<p>3. Bank statements for the year, investments, payables, unused checks, petty cash, bank accounts, and payroll reports including taxes Collect and void all unused checks and destroy all credit and debit cards. Close accounts after transactions have cleared.</p>			
	<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 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> <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 	Charter Board		
	<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 	Charter Board and School Leader		

Red Clay Consolidated School District Charter School Closure Protocol

	<ol style="list-style-type: none"> 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 			
	<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		

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 LEA Responsibilities

Timeline	Description of Required Actions	Responsible Party	Completion Date	Status
----------	---------------------------------	-------------------	-----------------	--------

Red Clay Consolidated School District Charter School Closure Protocol

	<p>Ongoing DOE responsibilities during closure process</p> <ol style="list-style-type: none"> 1. Assign roles and responsibilities among LEA staff 2. Notify DOE 3. Notify OMB, Controller General, Legislature, Auditor of Accounts 4. Review summer payroll (ACR) 5. Review inventory 6. Verify proper disposition of property 7. Reconcile student list. Account for every child 	DOE		
--	---	-----	--	--

Sample Closure Framework. (Colorado: Colorado Department of Education, Colorado League of Charter Schools, and the Colorado Charter School Institute, 2011) www.charterschoolquality.org