



# Charter Institute at Erskine

## Charter Amendment Process

Throughout the 10-year term of your charter, your School may wish to make changes to some of the key components of the charter itself or to the founding documents of the School. It is important to note that changes to the material terms of your charter or contract may be made only with the approval of the Institute Board. This is because the act of approving your charter was, in essence, an agreement to the specified terms of the written charter between the Institute Board and the charter school board. Execution of the charter contract formalized the agreement of those material terms between parties.

Please note that if the School has made an amendment without notifying the Institute, it would constitute a breach of the terms of your charter and contract. The Institute would need to document this as an instance of noncompliance and escalate in alignment with its compliance procedures. Therefore, if you have any questions about the significance of a proposed change, please outreach to the Director or Chief of Authorization for a review of the proposed change.

*On a case-by-case basis, the Institute may request alternate documentation of extenuating circumstances in waiver of the amendment form.*

Listed below are sections and/or terms of your charter that the Institute considers to be material. This is in alignment with Section 12.1 of the model charter contract.

- a) Curricular or educational model
- b) Educational structure
- c) Charter goals, objectives, and plan for assessment
- d) Change of location of the school
- e) Change to grades served as outlined in the charter
- f) Any plans to procure, enter into a contract, or amend services provided by an Education Management Organization (“EMO”), Charter Management Organization (“CMO”), Charter Network Organization (“CNO”), incubator, Educational Service Provider (“ESP”), or other significant service provider
- g) School name
- h) School mission
- i) Changes to the founding documents (including your Articles of Incorporation and bylaws)
- j) Changes to the employment structure
- k) Changes to enrollment (including enrollment preferences, lottery procedures, admissions materials and protocol)
- l) Student conduct (including methods for determining attendance, discipline, and expulsion)
- m) Changes to offering transportation and/or food services
- n) Addition or removal of preschool

## Timeline of the Amendment Process

**Step 1:** Contact the Director or Chief of Authorization at the Institute if you are unsure whether your proposed change is material to the terms of your charter or contract.

**Step 2:**

- a) If the Institute confirms that the proposed change is material and requires a formal amendment, proceed to Step 3.
- b) If it is determined that the change is not material, and does not require approval of the Institute Board, the charter school board may discuss and act on those changes in their public board meeting. This ensures transparency and an opportunity for feedback from key stakeholders in decision-making.

**Step 3:** Complete and submit the Request Form and supplemental documents listed below at least 60 days prior to the desired date of effectiveness in order to allow adequate time for Institute review and inclusion in the agenda for an upcoming Institute Board Meeting.

**Required Documentation:**

- Charter Amendment Request Form.
- Provide the Institute a copy of the Charter Board Resolution (A written resolution adopted by the Charter School Board and signed by the members voting in favor of amending the charter must be submitted. A quorum of the members must have voted in favor of amending the charter. Include printed names of Board members as well as signatures. If multiple amendment requests are being made, include all board resolutions.)
- An original and redlined version of the charter language or materials that the School is proposing to amend.

**Step 4:** The Institute will review the submitted forms for completion and initiate an internal review. Please note: Many times, a significant change requires consideration of its impact to other material terms of the charter. For example, changing a school's enrollment will likely impact the budget, key components of the educational program, the educational structure, and even required student services and contract planning. Therefore, dependent upon the request, the Institute may seek additional documentation as part of the review to ensure the School has fully accounted and planned for the impact of the proposed change(s).

**Step 5:** The Institute will generate a recommendation report and present it at the scheduled Institute Board meeting. This report will be shared with the School and Institute Board prior to the meeting. The School should have representation from both the Board and administration at the meeting in order to represent the amendment and respond to any questions the Institute Board may have.

**Step 6:** If the amendment request is approved by the Institute Board, staff will establish any required implementation benchmarks that must be satisfied prior to the agreed upon effective date of the amendment. These will be entered into Let's Work Smart and treated as milestones.

## Amendment Request Form

**Name of the School:** Click or tap here to enter text.

**Name of the Board Chair:** Click or tap here to enter text.

**Desired Date of Effectiveness for the Request:** Click or tap to enter a date.

1. Have you spoken with a representative of the Institute prior to submitting this form? (Yes/no)
2. Describe your amendment request?
3. How does this amendment further the mission of your charter?
4. Has your board conducted the necessary due diligence in advance of making this request, including review of the charter and founding documents? Please provide evidence.
5. Has the board notified affected stakeholders of the proposed change (this may include teachers, administrators, staff, parents, students and other community members)? Please provide evidence.
6. Have the identified stakeholders been presented with an opportunity to provide feedback or discuss the amendment in a public board meeting? Were methods utilized to ensure support for the proposed change (e.g. survey)? Please provide evidence.
7. Does this amendment impact your location or facility? For material facility changes, provide a layout and description of the proposed changes. Describe the financing plans, proposed budget, the fiscal impact of the facility changes and projected timeline from start to finish.
8. Does this amendment require a change to your five year or ten-year budget? If so, please include in your submission a revised budget.
9. Does this amendment require changes to your proposed staffing model or educational structure (e.g. the terms of employment or your administrative structure)? If so, please include a revised organizational chart, employee policies and/or handbook, as well as revised job descriptions for new or impacted administrative positions.
10. Does this amendment pertain to procuring management services for the school? If so, please respond to the narrative requirements of Plan II, Section 2 of the new school application located here: <https://ed.sc.gov/districts-schools/school-choice/charter-schools-program/charter-school-application-information/2020-charter-school-application/>.
11. For enrollment changes, please provide an explanation and a revised enrollment projections table.

As the Charter School Board Chair, I understand that incomplete submissions will not be processed. I also understand that any proposed charter amendment that is determined to be material in nature should be presented to the Institute staff and Board prior to implementation.

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Printed Name of the Board Chair

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Phone Number

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Email

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Signature of the Board Chair

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Date

*This document must be notarized.*