



# COMMUNITY SCHOOL PROBATION PROCESS

EFFECTIVE DATE 09/01/2013

SOP 2.4

SIGNATURE

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PROPOSED BY General Counsel

## PURPOSE

The purpose of the COMMUNITY SCHOOL PROBATION PROCESS is to ensure a complete understanding of how a school may be placed on and removed from probation status. The process provides for adequate notice, monitoring and communication with all stakeholders.

## SCOPE

The COMMUNITY SCHOOL PROBATION PROCESS is managed by the Legal Department and is used to guide any applicable school through all phases of probation.

## PROCEDURE

1. CSS staff members could identify the potential need for probation during an enrollment and financial review, on-site visit, during preparation of site visit reports, while attending a governing authority meeting, while conducting annual performance monitoring and/or at any other time while providing monitoring, oversight and technical assistance to a school.
2. Conditions that may trigger intervention and probation include, but are not limited to:
  - a. Violation of rule and/or law
  - b. Violation of community school contract
  - c. Excessive decrease in enrollment
  - d. Financial instability
  - e. Organizational/Operational deficiencies
  - f. Failure to respond to reasonable requests from sponsor
  - g. Failure to adequately address issues in a corrective action plan
  - h. Failure to make adequate academic progress or meet local report card measures



3. Documentation noting conditions that may trigger intervention and probation may include, but is not limited to, the following:
  - a. Enrollment and financial review documents
  - b. Communication from the Ohio Department of Education or other stakeholders (i.e. Auditor of State)
  - c. Site Visit Reports
  - d. Audit Reports
  - e. Board Meeting Reports
  - f. Complaints
  - g. Corrective Action Plans
4. If possible, a school will be placed on a corrective action (see CORRECTIVE ACTION PLAN PROCESS) prior to being placed on probation.
  - a. If a school is not complying with the terms of its corrective action plan, General Counsel shall consult the President and St. Aloysius to determine if the school should move to probation.
    - i. The Management Team may consider and collect data relevant to the timeliness of documentation submitted, severity of corrective conditions warranting corrective action, history of school's compliance with corrective action plan requests and number of times a school has been placed on corrective action or required interventions.
5. If the deficiency is severe and the school should move directly to probation, CSS staff member suggesting probation reviews the documentation and data collected and discusses with the Department Manager if there is a deficiency that should be investigated and documented.
6. CSS staff member or department manager may conduct further investigation, including contacting school personnel, governing authority members, management company representatives and governing authority legal counsel.
  - a. The investigation may include verbal conversations, email correspondence and document collection.
7. After completion of the investigation, the department manager discusses the potential deficiency with the President to determine that probation is warranted.
8. Once probation is determined to be the correct course of action, the Legal Department will prepare a draft and send it to the General Counsel or designee for review and final approval from the President.
9. Upon President approval of the document, the following occurs:
  - a. General Counsel or designee finalizes the probation letter ('letter') with any necessary revisions and sends the letter to the Legal Project Manager.
  - b. The Legal Project Manager sends the letter electronically to all governing authority members with cc to governing authority counsel, school leader, management company representative (if applicable), CSS President, CSS Management Team, and Office Manager for distribution prior to the next governing authority meeting.
    - i. Legal Project Manager submits the probation notice via Epicenter to the Ohio Department of Education.
  - c. The School shall be provided five (5) business days after the upcoming governing authority meeting to respond to the probation letter.



- i. If the deficiency noted in the probation letter is time sensitive and needs to be addressed prior to the next governing authority meeting, the General Counsel or designee shall set an appropriate date for response.
        - d. Legal Project Manager updates the corrective action plan/probation tracking spreadsheet with date sent, reason and due date for response.
          - i. Legal Project Manager shall also share this spreadsheet at Staff Meetings to update staff on probation status of each school.
        - e. The Legal Department monitors the due date.
          - i. If a response is not received by the due date:
            1. General Counsel or designee shall decide if the school shall be given more time to respond.
            2. If the school fails to respond, the Legal Department and President discuss the next course of action, which may include suspension or termination.
  10. Upon receipt of the probation response from the governing authority, the following occurs:
    - a. The Legal Department will forward to the appropriate department manager for an initial sufficiency review.
      - i. The Department Manager will ensure all deficiencies have been addressed.
        1. If all deficiencies have not been addressed, the Department Manager will notify the Legal Department to send a request for additional information within five (5) business days to the governing authority. The Governing Authority will be given five (5) business days to provide additional information.
    - b. If the governing authority has adequately addressed all deficiencies:
      - i. The Department Manager will notify the Legal Department to send a notice to the governing authority noting receipt/approval and monitoring protocol as necessary within ten (10) business days of receipt of the final plan.
    - c. If the governing authority has not adequately addressed all deficiencies after two (2) requests:
      - i. The Legal Project Managers shall consult with the General Counsel to discuss next steps.
        1. The Legal Department can request additional information to be provided within five (5) business days.
        2. Upon receipt of additional information, repeat steps listed above.
        3. If additional information does not satisfy the original request, the General Counsel discusses with the Management Team to determine the consequences for not resolving the deficiency. The consequences may include, taking over operations of the school, suspension, or termination.
        4. Next steps will be communicated with the school within ten (10) business days.
11. Departments are responsible for adding a review of schools on probation and probation requirements to monthly department meeting agendas.
12. If a school is not released from probation by the end of the school year, the probation becomes void per the Ohio Revised Code.



- a. The President and Management Team shall then evaluate if the school needs to be placed on probation at the beginning of the following school year or other actions should be taken.

## **DOCUMENTATION / VERIFICATION**

*Location of documentation:*

- S:/CORRECTIVE ACTION PLANS/

## **DOCUMENT HISTORY**

Orig. Date Sept. 2013  
Rev. Date March 2017  
Rev. Date November 2018  
Rev. Date August 2019  
Rev. Date April 2020  
Rev. Date April 2021  
Rev. Date June 2022

## **REVIEW AND APPROVAL**

Reviewer of the COMMUNITY SCHOOL PROBATION PROCESS is as follows:

Reviewed By: Management Team Date: 06/02/2022

Approved By: President: David L. Cash, Jr. Date: 06/02/2022

The effective date is as of the date signed above. Processes are consistently reviewed and revised as necessary throughout the term. The COMMUNITY SCHOOL PROBATION PROCESS may be implemented as currently written and will be formally evaluated and revised as necessary going forward.