



## **STANDARD OPERATING PROCEDURE 2.5**

### **PROCEDURE TITLE: Community School Suspension Process**

**Department: Legal Department**

**Proposed by: General Counsel**

**Effective Date: 09/01/2013**

#### **PURPOSE**

The COMMUNITY SCHOOL SUSPENSION PROCESS is designed to maintain the health, safety, and welfare of students by establishing procedures under which the governing authority of the school will be held accountable for their compliance with the terms of their contract and law. The purpose of the COMMUNITY SCHOOL SUSPENSION PROCESS is to ensure all necessary notifications and requirements are met by deadlines established by the sponsor and as required by rule and law. The process provides for adequate notice, monitoring and communication of all suspension notices.

#### **SCOPE**

The COMMUNITY SCHOOL SUSPENSION PROCESS is primarily managed by the Legal Department and is used to guide any applicable school and CSS staff through all phases of the suspension process including cessation of operations due to the suspension.

#### **PROCEDURE**

1. The COMMUNITY SCHOOL SUSPENSION PROCESS begins with review of statutory reasons as outlined in R.C. 3314.072 (Suspending operation of a noncomplying school).
  - a. CSS staff members could also identify the potential need for suspension during an enrollment and financial review, on-site visit, during preparation of site visit reports and/or while conducting annual performance monitoring.
    - i. Conditions that may trigger intervention and suspension include, but are not limited to:
      1. Violation of rule and/or law
      2. Violation of community school contract



3. Excessive decrease in enrollment
  4. Financial instability
  5. Organizational/Operational deficiencies
  6. Failure to respond to reasonable requests from sponsor
  7. Failure to adequately address deficiencies from the school being placed on probation
  8. Failure to make adequate academic progress or meet local report card measures
2. Documentation noting conditions that may trigger intervention and suspension 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
  - h. Email correspondence with sponsor or CSS
  - i. Probation notices
3. If possible, a school will be placed on an intervention(see INTERVENTION PROCESS) and probation (see COMMUNITY SCHOOL PROBATION PROCESS) prior to being placed on suspension.
- a. If a school is not complying with the terms of its intervention plan and/or probation, General Counsel shall consult the President to determine if the school should move to suspension.
    - i. General Counsel and President may consider and collect data relevant to the timeliness of documentation submitted, severity of corrective deficiencies warranting intervention, history of school's compliance with intervention plan or corrective action plan/probation requests and number of times a school has been placed on corrective action/probation or required interventions.
4. If the deficiency is severe, CSS staff member suggesting suspension reviews data collected during the enrollment and financial reviews, on-site visits and while completing annual performance monitoring. If the CSS staff member notes a potential deficiency requiring suspension, he/she will discuss with department manager to determine if there is a deficiency that should be investigated and documented.



5. CSS staff member or department manager may conduct further investigation, including contact 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.
6. After completion of the investigation, department manager discusses potential deficiency with President to determine that suspension is warranted.
7. Once suspension is determined to be the correct course of action, the Legal Project Manager will prepare a draft and send to General Counsel for review and final approval from the President and St. Aloysius.
8. Upon President and St. Aloysius approval of the document, the following occurs:
  - a. General Counsel finalizes the intent to suspend letter ('letter') per R.C. 3314.072 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.
  - c. The governing authority shall be provided five (5) business days to submit to the sponsor a proposal to remedy the conditions cited as reasons for the suspension.
  - d. The Legal Department, President and CSS Management Team shall review the proposed remedy within ten (10) business days after receipt.
  - e. If the sponsor approves of the remedy proposed, the governing authority and school will not be suspended and will be permitted to continue operating under conditions provided in a response.
    - i. The Legal Department shall draft the response and submit to the President for approval.
    - ii. The Legal Project Manager will provide the response 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 next governing authority meeting.
  - f. If the sponsor disapproves the remedy proposed by the governing authority, if the governing authority fails to submit a proposed remedy in the manner prescribed by the sponsor, or if the governing authority fails to implement the remedy as approved by the sponsor, the sponsor may suspend operation of the school per R.C. 3314.072.



9. The Legal Department shall provide an official notice of suspension 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 next governing authority meeting.
  - a. The Legal Project Manager will submit the suspension notice via Epicenter to the Ohio Department of Education.
10. Upon suspension of the school, the school shall cease all operations on the next business day.
11. The Legal Department shall implement the closure process which also applies to suspended schools (see SCHOOL CLOSURE PROCESS).
12. If the governing authority of the school fails to provide a proposal to remedy the conditions cited by the sponsor as reasons for the suspension, to the satisfaction of the sponsor, by the thirtieth day of September of the school year immediately following the school year in which the operation of school was suspended, the charter contract between the governing authority and the school shall become void and the school will be permanently closed.

## **DOCUMENTATION / VERIFICATION**

### *Location of documentation:*

- S:/CORRECTIVE ACTION PLANS/

### *Naming convention:*

- Year + School + Issue Date
- Ex: CORRECTIVE ACTION PLANS/SY/SYABC School/PROBATION letter [Date]

### *Supporting documentation included with this process:*

1. Initial communication to the school/board advising of the decision to place the school on probation.
2. Sample follow up communication regarding outstanding issues or missed deadlines
3. Letter releasing the board from probation.



## **DOCUMENT HISTORY**

Orig. Date Sept. 2013  
Rev. Date March 2017  
Rev. Date November 2018  
Rev. Date August 2019  
Rev. Date June 2023

## **REVIEW AND APPROVAL**

Reviewer of the COMMUNITY SCHOOL PROBATION PROCESS is as follows:

Reviewed By: Management Team Date: 06/30/2023

Approved By: President: David L. Cash, Jr. Date: 06/30/2023

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.