

**RICHLAND ACADEMY OF THE ARTS  
OVERSEEING COMMUNITY SCHOOL CLOSURE POLICY**

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*Adopted:* Thursday, November 19, 2015  
*Revisited*

**POLICY: OVERSEEING COMMUNITY SCHOOL CLOSURE**

**SUBJECT: COMMUNITY SCHOOL SPONSORSHIP DUTIES**

**PURPOSE: TO ESTABLISH A POLICY THAT OVERSEES THE SUSPENSION AND CLOSURE OF A COMMUNITY SCHOOL PER ODE'S COMMUNITY SCHOOLS GUIDANCE LETTER # 2010-4. COMMUNITY SCHOOL SUSPENSION AND CLOSURE PROCEDURES**

**STATUORY**

**REQUIREMENT: OHIO REVISED CODE SECTION**  
**3314.015 Oversight of sponsors.**  
**3314.07 Expiration, termination or nonrenewal of contract for community school.**  
**AND**  
**3314.072 Suspending operation of non-complying school.**

**INTRODUCTION**

Pursuant to ODE Community Schools Guidance Letter #2010-4  
Effective Date: July 1, 2010  
Updated: July, 2015  
Community School Suspension and Closing Procedures

The School's governing authority and the sponsor will execute the Suspension or Closing Assurance Form and maintain it with copies sent to the Office of Quality School Choice.

**Objective**

To provide procedures for use by a community school's governing authority, as overseen by its sponsor, to ensure the orderly and complete wind-up of a community school's operations when the school suspends operations and/or closes.

**Statutory Requirement for Closure**

**Ohio Revised Code Section 3314.015 Oversight of sponsors.**

Division (E) The department shall adopt procedures for use by a community school governing authority or sponsor when the school permanently closes and ceases operation, which shall include at least procedures for data reporting to the department, handling of student records, distribution of assets in accordance with section 3314.074 of the Ohio Revised Code (ORC), and other matters related to ceasing operation of the school. A suspended school has ceased operations. To facilitate an orderly close-out, should a

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suspended school fail to remedy the conditions that caused its suspension, the guidance and checklist have been expanded to include suspended schools.

**Statutory Requirement for Suspension**

**Ohio Revised Code Section 3314.072 Suspending operation of non-complying school.**

Suspension procedures are in place to protect the health, safety and welfare of students when a school is non-compliant with their contract terms and state and federal law. The conditions under which a school may be suspended, as well as the school's procedural rights are described in ORC Section 3314.072. As soon as the sponsor notifies the school that it is suspended, the school's governing authority is required to immediately notify school employees and students' parents of the suspension and reasons for the suspension. The suspension becomes fully effective if the school's governing authority fails to provide the sponsor with an approvable remedy within 5 days of the suspension notice. To prevent a school from remaining in suspended status indefinitely, without any realistic expectation of reopening, in 2013, the law was amended to impose a date by which the contract becomes void if no approvable remedy has been found. A school that is suspended must provide a remedy for the conditions leading to the suspension by 9/30 of the following school year. At that point, the contract becomes void.

**ODE Policy**

Sponsors must provide and execute a plan for an orderly winding-up of a community school's affairs when a community school is closing its doors, including when a school suspends its operations. A school is suspended when the sponsor notifies the department that the school is ceasing operations for the time being. A suspended school has until September 30<sup>th</sup> of the school year immediately following the school year in which the operation of school was suspended to provide the sponsor with an acceptable remedy to resume operations. Otherwise, the school's contract becomes void on that date and it is considered closed. A school is officially closed when instruction is no longer taking place and the governing authority or sponsor issues an official notice which states the reason for and date of the school's closure. The sponsor and a representative of the governing board are required to complete and sign the *Suspension & Closing Assurance Form* attached to this guidance letter. The role of the sponsor in this process is to assure that the community school's governing authority has taken all reasonable and required actions to fully address suspension or closing issues and/or to take those actions itself if the governing authority is no longer able or functioning. Inasmuch as a plan for school closure is a required part of the school's contract with the sponsor, final preparations as part of that plan should be in place prior to the last day students are in attendance

**ODE Guidance**

This guidance provides a *Suspension & Closing Assurance Form* required to be submitted by the sponsor of each closed community school. By completing this assurance, sponsors attest that proper notifications have occurred, required data have been submitted (or a plan is in place if data must be submitted after the close of the school), records have been properly distributed, assets have been properly disposed with dates recorded as indicated, a final student enrollment (FTE) review has been conducted,

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and the state audit will be scheduled within 30 days of the closure. Preferably, the FTE review will be completed within 7 business days of the school's ceasing operations, if possible, or within 7 business days of the Area Coordinator's notification of the school's suspension or closing by the department. Completing the FTE review before the original student records have been sent to the district(s) of residence is desirable. The sponsor should be aware of the school's actions to accomplish both the FTE review and scheduling of the audit, so that if the school has not made these arrangements in a timely fashion, the sponsor can make these arrangements so that this timeline can be met.

There are five sections that comprise the community school sponsor *Suspension & Closing Assurance Form*. Four sections, *Initial Notifications, Student Records and School Records; Disposition of Assets; Payments to Creditors; and Preparation of Itemized Financials*, are to be completed as soon as practicable after the closure of the school. In the event that refunds are generated at a later date, the Sponsor shall follow the instructions in the *Preparation of Itemized Financials* section and complete the fifth section, *Final Payments and Adjustments*.

If conditions delay timely submission of a completed *Suspension & Closing Assurance Form*, the sponsor shall submit the Closing Assurance, noting any item which is incomplete, and make arrangements with the Office of Quality School Choice to send in an updated Closing Assurances at a later, expected date.

**Records**

Sponsors are required to see that all school records that are needed by the Ohio Department of Education, Ohio Auditor of State, U. S. Department of Education, and other interested entities are secured and available for completing the school's closing. Records generally describe an account in permanent form, preserving knowledge or information about facts, transactions, or events maintained and kept for the proper administration of the school, and include student, staff, and administrative/financial information. Please note the following categories and types of records should not be considered as the entire list of documents which might be examined during a closing procedure. Other records may be requested during an FTE review or final audit.

**Student records** include but are not limited to: documents normally found in permanent record folders that are necessary for these reviews and audits, include attendance records that detail enrollment and attendance history; grades and grade levels achieved; transcripts, particularly for students enrolled in grades 9-12 and for graduates of the school; proof of residency documents that identify a student's home district; two (2) SOES reports, one with names and SSID numbers, and one with SSID numbers only; special education folders; and other such information that may be maintained and kept in a student permanent record folder.

**Staff records** include but are not limited to: employment agreement or contract; salary and benefits information; attendance and leave information; employee licenses; LPDC status and record of continuing education; and other such information that may be maintained in an employee record folder.

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**Administrative/financial records** include but are not limited to: lease or rental agreement; deed if property is owned; inventories of furniture and equipment, including purchase price, source of funds for payment, date purchased, and property tag number; bank and financial reports, including all financial statements created by the fiscal officer; bank statements and checks; schedule of unpaid debt detailing amount, vendor and date of obligation; invoices, receipts, vouchers, and purchase orders that detail expenditures, grant records, including detail of federal and state grant awards and final expenditure reports, contracts; and other such information that may be maintained to serve as the administrative/financial records for the school.

**Record Retention** for all school records (student, personnel, fiscal, etc.) shall be secured by the sponsor prior to closing and shall be maintained until such time as detailed under records retention requirements. In the case of student records, see in particular the procedures detailed in Initial Notifications, Student Records and School Records on the Assurance Form. All records should be retained based on the following federal and state requirements:

Record retention is governed by the record retention requirements of the governing entity's record retention requirements. The DAS site for records retention schedules can be found [here](#). The federal records retention schedules can be found [here](#). All such records are to be secured by the sponsor prior to closing and shall be maintained until such time as detailed under records retention requirements. In the case of student records, see in particular the procedures detailed in Initial Notifications, Student Records and School Records on the Closing Assurance Form

Governing authorities should submit the Closing Assurance Form by uploading it into Epicenter.

The School's governing authority and the sponsor execute the Suspension or Closing Assurance Form and maintain it with copies sent to the Office of Quality School Choice.

**Additional Resource**

The National Association of Charter School Authorizers has a helpful document describing closure assurances which can be found [here](#).