

The U.S. Department of Education’s nonregulatory guidance of the Charter Schools Program recognizes that a charter school may enter into a contract with a for-profit entity to manage the day-to-day operations of the charter school. However, federal regulations mandate that a charter school grant recipient must “directly administer or supervise the administration of [the grant].” When administering or supervising the administration of the grant, the charter school that contracts with a Charter/Education Management Organization (C/EMO) should ensure that it and its governing board are independent of the for-profit C/EMO.

A copy of Charter Schools Program, Title V, Part B of the ESEA, Nonregulatory Guidance can be found at: <http://www.fldoe.org/core/fileparse.php/7694/urlt/2014-Non-regulatory-Guaidance.pdf>.

All CSP sub-recipients must complete the Charter/Education Management Organization questionnaire found below. This will assist the Charter Schools Office at the Florida Department of Education to fulfill its responsibility to ensure that grant recipients utilizing the services of a C/EMO are independent of that management organization.

If your school does not or will not have a contract with a C/EMO, please indicate ‘N/A’ in the Name of Charter/Education Management Organization (C/EMO) section below. Should your school have or will have a contract with a C/EMO, respond completely to *all* questions.

Relevant excerpts from the charter school contract application reviewed and approved by a district sponsor may be used (please indicate if the information provided was included in the charter school application that was approved by the sponsor). **The C/EMO questionnaire must be signed by the governing board chair of the charter school.**

CHARTER/EDUCATION MANAGEMENT ORGANIZATION (C/EMO) QUESTIONNAIRE

Charter School Name: _____

CSP ID#: _____ District: _____

Name of Charter/Education Management Organization (C/EMO):

- a) Are any of the charter school’s governing board members selected by the C/EMO? ___ Yes ___ No

- b) Does the governing board include members who are employees of the C/EMO? ___ Yes ___ No

- c) Does the charter school have an attorney that is independent from the C/EMO? ___ Yes ___ No

- d) Does the charter school have an accountant that is independent from the C/EMO? ___ Yes ___ No

- e) Does the charter school have an audit firm that is independent from the C/EMO? ___ Yes ___ No

Grant funds will not be released until the C/EMO questionnaire has been thoroughly completed, signed, and submitted for program office review and approval. Completed questionnaire should be uploaded into the CSP Grant Tracking System.

f) Was the contract between the charter school and the C/EMO negotiated at ‘arm’s length’? Yes No
Please explain how the C/EMO was selected?

g) Does the contract between the charter school and C/EMO clearly describe each party’s rights and responsibilities, and specify reasonable and feasible terms under which either party may terminate the contract? (e.g. the charter school does not lose the right to use facilities)? **Attach a copy of the management agreement to this questionnaire.**

h) Explain the fee structure for the management services being provided by the C/EMO.

i) Are there any other agreements (e.g., loans, leases, etc.) between the charter school and the C/EMO?
 Yes No

If yes, are they fair and reasonable, documented appropriately, align with market rates, and include terms that will not change if the management contract is terminated?

By signing electronically below, I certify to the best of my knowledge and belief all of the statements contained herein are true, correct, complete, and made in good faith.

Name of Individual Completing Form: _____

Title: _____

Signature: _____ Date: _____

Note: The C/EMO questionnaire must be signed by the governing board chair of the charter school. This form may not be signed by a management company representative or consultant. Digital signature with date and time stamp is required for an electronic signature.

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