

## 2.1 Statement of Assurances

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### Attachment 10

#### 14 Del. C. §§ 512(1)-(14)

The Board of Directors of this charter school certifies that it will:

1. Comply with all federal, state and local laws and regulations applicable to the operation and management of a charter school.
2. Update the application to incorporate any modifications and/or conditions identified as pre-conditions to final approval by the Secretary of Education and State Board of Education and operate the program in accordance with the content of the updated and approved charter granted by the Delaware Department of Education (DDOE) and State Board of Education. The school's Board of Directors (Board) will not implement any modifications to the charter school program or operation without the express written consent of the DDOE.
3. No later than June 15<sup>th</sup> immediately preceding the authorized opening date of the school, secure a Certificate of Occupancy, either temporary or final, for the premises in which the school is to be located; provided that any temporary Certificate of Occupancy must permit occupancy at the premises by school staff and students for school purposes, in accordance with 14 Del. C., § 511 (l). If the charter is approved and the charter holder shall subsequently fail to obtain the necessary Certificate of Occupancy as required by 14 Del. C., § 511 (l), the opening of the school shall be delayed by one year from the date previously authorized by the approving authority and the charter shall be placed on probation subject to the terms and conditions imposed by the Department of Education with the consent of the State Board of Education. No waivers are available for this requirement.
4. Comply with Department of Technology and Information (DTI) standards for technology.
5. Comply with all aspects of the School Choice law, including use of only the standard form published by the DDOE and adherence to the established timeline.
6. Notify the DDOE in writing within 30 days when the school's administrative head or any member of the Board changes.
7. Provide the DDOE with copies of all the policies and bylaws of the school and the Board and inform the DDOE in a timely manner when bylaws change.
8. Comply with the provisions of a Performance Agreement, as required by the Secretary of Education.
9. Conduct all meetings of the Board in a manner consistent with the Freedom of Information Act, 29 Del. C. Ch. 100 (e.g. post meeting notices, agendas, minutes, etc.).
10. Include a member of the Board who is a certificated educator from at least one of the charter schools operated by the Board and at least one parent of a student enrolled in a charter school operated by the Board, consistent with 14 Del. C. § 512(1).

11. Ensure that by April 1<sup>st</sup> each year, the school shall have enrolled at least 80% of the total authorized number of students and that it has notified each school district of information about enrolled students.
12. Disclose any ownership or financial interest in the charter school, including but not limited to the building and real property to be used in the operation of the charter school, by the charter school Founding Group and the Board of the proposed charter school, in accordance with 14 *Del. C. § 511(o)*.
13. Annually certify to the DDOE, on a form to be provided by the DDOE, that prior to the payment of any fees or other sums to a management company employed by the Board, the Board will ensure that sufficient revenues of the school are devoted to adequately support the school's proposed educational program, pursuant to 14 *Del. C. § 512(14)*.
14. Prior to hiring any staff, obtain an unemployment insurance number from the Delaware Department of Labor's Division of Unemployment Insurance and provide it to the Government Support Services office in the Delaware Office of Management and Budget.
15. Provide the results of a criminal background check and a check of the Child Abuse Registry for each charter school Founding Group member and Board member for review as part of the application process and on an ongoing basis if new Board members are seated or current Board members are convicted of a crime or are placed on the Child Abuse Registry, in accordance with 14 *Del. C. § 511(p)*. The background checks must be within the last 12-month period prior to the date of submission of the charter school application. All Board members must go through the same background checks required under 11 *Del. C. § 8571(a)*.
16. Advise any person or entity offering a loan to the school that the debts of the school are not debts of the State of Delaware and that neither the State nor any other agency nor instrumentality of the State is responsible for the repayment of any indebtedness.
17. Maintain corporate status as required by 14 *Del. C. § 504*.
18. Not discriminate against any student in the admissions process because of race, creed, color, gender, disability, income, or national origin or because a student's school district of residence has a per-student local expenditure lower than another student seeking admission.
19. Comply with 14 DE Admin. Code § 610 provisions regarding limitations on seclusion and restraint, including training and reporting requirements.
20. Not operate in a sectarian manner or include religious practices in its educational program.
21. Participate in the State's mandatory assessments and comply with the requirements of the State Public Education and Accountability System pursuant to 14 *Del. C. §§ 151-154, and 157, and DDOE rules and regulations implementing Accountability, to specifically include the Delaware Comprehensive Assessment System. See 14 DE Admin. Code § 275.4.2.1.1.*

22. Manage the school within all State administrative and financial systems listed in 14 *Del. C.* §512(9), including accounting, payroll, purchasing, retirement, and benefits. All school funds will be managed through the school's accounts set up in the First State Financials (FSF). If the school will opt out of the State's retirement and/or benefits system, notice must be provided to the Department.
23. By October 1<sup>st</sup> of the school's second year and annually thereafter, submit independent audits pursuant to 14 *Del. C.* § 513(a).
24. Comply with the Citizen Budget Oversight Committee requirements pursuant to 14 *Del. C.* 1508 and 14 *DE Admin. Code* 736.
25. Initiate and maintain direct communication with other public and nonpublic schools to ensure efficient notification and transfer and exchange of records.
26. By the first day of instruction each school year, ensure that all educators meet the certification requirements of the Delaware Charter Law and are properly listed in the PHRST and DEEDS systems.
27. Employ only staff who have complied with the requirement of having a successful criminal background check, and report to the DDOE by September 1<sup>st</sup> of each school year that the school is in full compliance with state law related to this requirement.
28. Cooperate fully with the DDOE's requests for reporting information and activities related to *monitoring the school's compliance with the charter and applicable state and federal laws and regulations.*
29. Distribute copies of the DDOE's Frequently Asked Questions About Delaware Charter Schools/Parent Guide to Delaware Charter Schools to all parents seeking to enroll their child(ren), as well as to parents of enrolled children.
30. Comply with the requirements for reporting school crimes as described in 14 *Del. C.* § 4112.
31. Comply with the certification required by 14 *Del. C.* §506(c)(3) relating to attendance for a least one school year.
32. Participate in all training offered by the DDOE to charter schools prior to the opening of the school.
33. Establish a student application and admissions process that is fair, open and enables the school to provide the local districts in which the students reside with a preliminary roster of students for the subsequent year on or before April 1 each year.
34. Comply with the Individuals with Disabilities Education Act (IDEA), Delaware statutes and related regulations, and 14and14 *Del. C.* Ch. 31 and the federal and state regulations adopted pursuant to them.
35. Comply with Section 504 of the Rehabilitation Act of 1973 and with the Americans with Disabilities Act of 1990, and the *regulations adopted pursuant to them.*

36. Comply with Title VI and VII of the Civil Rights Act of 1964.
37. Comply with Title IX of the Education amendments of 1972.
38. Have certified special education educator(s) providing services for students with disabilities.
39. Ensure that students have physical examinations prior to enrollment.
40. Ensure that required immunizations and screenings (lead, TB, etc.) are in compliance.
41. Administer medications and medical treatments, including first aid, by a registered nurse.
42. Screen for health problems (vision, hearing, postural/gait, etc.) by a registered nurse.
43. Monitor student health and maintain health records.
44. Ensure emergency care for known and unknown life-threatening health conditions.
45. Ensure health representation on Individualized Education Program (IEP) teams when student's needs require such.
46. Participate and receive training in the use of the DDOE's Pupil Accounting system, eSchoolPLUS.
47. *Comply with all additional curriculum regulations including 14 DE Admin. Code §§ 501, 502, 503, 525 and any other curricular regulations.*
48. Follow the Family Education Rights and Privacy Act (FERPA), and implement federal and state regulations regarding disclosure of student records.
49. Develop and maintain closure procedures pursuant to 14 Del. C. § 510 (16).
50. Provide low or no cost breakfast and lunch meals to qualifying students pursuant to 14 Del. C. § 506(f).
51. *Complete and maintain comprehensive Emergency Preparedness Plan pursuant to 14 Del. C. § 8237.*
52. Ensure that the Principal/School Leader, or his/her designated school transportation supervisor, performs all responsibilities necessary to ensure an effective and compliant school transportation program.

1/2/2017


\_\_\_\_\_  
Date of Signature

Sussex Montessori School

\_\_\_\_\_  
Name of the Charter School

As members of the Board of Directors of the Charter Holder, we hereby agree to these assurances as a condition of the approval of the charter.

We have reviewed the Delaware Charter Law (14 Del. C. Ch. 5) and 14 DE Admin. Code § 275 in Department of Education regulations (Regulation 275), and have based the responses in this application on the review of these documents.


  
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Signature of the Chairperson of the Board of Directors

  
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Signature of Member of the Board of Directors

  
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*E. McCrae Harrison*

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Signature of Member of the Board of Directors

*[Signature]*

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