

Merit Academy Charter Contract – Executive Summary

On April 13, 2022, the WPSD Board of Education adopted a Memorandum of Understanding with Merit Academy establishing a period of no longer than 90 days to complete and sign a charter contract for a term of five years to begin on July 1, 2022.

At its regular meeting on May 11, 2022, the Board is expected to hold a public hearing and then consider a Charter School Contract with Merit Academy. Below are highlights of the proposed Charter School Contract:

- **Term:** The term of the contract is five years (July 1, 2022 – June 30, 2027). Merit would need to submit a renewal application at the end of the term.
- **Students Served:** Merit would be approved to serve students K-12 and, beginning with the 2023-2024 school year, may serve preschool students. Merit will serve students with disabilities, students identified as gifted, and English Language Learners.
- **Nondiscrimination/Nonreligious:** Merit agrees to operate as a nonreligious, nonsectarian school, and, consistent with applicable law and District policy. Merit agrees it will not discriminate against any person on the basis of race, color, creed, national origin, sex, marital status, sexual orientation, gender identity, gender expression, religion, ancestry, disability, or any other protected category under federal or state law
- **District Access to Records:** The District has the right to review Merit’s records, including financial, personnel, student, and charter board records. Merit has affirmative reporting obligations to the District, including use of the District’s student information management system. The District may make announced or unannounced visits to Merit to fulfill its oversight responsibilities.
- **State Standards/Graduation Requirements:** Merit’s educational program, student performance standards and curriculum will meet or exceed state content standards. Merit’s graduation requirements will meet Colorado’s Higher Education Admissions Recommendations (HEAR).
- **Expulsions:** The District will maintain the authority to handle expulsions.
- **Revenue:** Merit receives per pupil revenues minus central administrative overhead costs of up to 5% of PPR. Merit receives a proportionate share of the District’s Mill Levy Override and Local Sales Tax funding.
 - Estimated per pupil to Merit in 2022-2023: \$2,700,000
 - Estimated Mill Levy Override to Merit in 2022-2023: \$144,000
 - Estimated Sales Tax funding to Merit in 2022-2023: \$306,000
- **Responsibility for Operations:** Merit is responsible for its operations, and has authority independently to exercise the following powers:
 - contracting for goods and services and responsibility for all debts and loan obligations
 - preparation of budgets and audits (Merit will use the District’s auditor)
 - selection, supervision, evaluation, and determination of compensation for personnel

- o lease or otherwise acquire facilities for school purposes (Any Facility Use Agreement with the District is negotiated separately from the Charter School Contract.)
 - o selection, delivery and assessment of curriculum
 - o meet established insurance requirements to cover its potential liabilities
- **Waivers of Law and Policy:** Merit and the District will jointly submit to the Colorado State Board of Education a request for Merit to waive certain state statutes not automatically waived for charters (Attachment 6 of the contract). Merit will waive certain District policies (Attachment 7) and will provide the District with its replacement policies by August 15, 2022.
- **Dispute Resolution/Termination:** The contract includes provisions for dispute resolution (including mediation) and addresses contract termination or nonrenewal pursuant to state law.