

## Action on a Request to Approve the Non-Instrumentality Charter School Contract with Hmong American Peace Academy, Ltd. for Hmong American Peace Academy (HAPA) to Begin with the 2018-2019 School Year

### **Background**

Hmong American Peace Academy (HAPA) was established as a non-instrumentality charter school beginning with the 2004-2005 school year. The current contract is for up to a maximum of 1692 full-time-equivalent (FTE) pupils in grades K4 through 12. HAPA has two campuses, HAPA Happy Hill, located at 7171 W. Brown Deer Rd., which serves grades K4 through 2, and HAPA main campus, located 4601 N. 84<sup>th</sup> St., which serves grades 3 through 12.

HAPA's mission is to provide students with rigorous academics, character development and Hmong cultural values, preparing them to excel in college, universities and careers. HAPA envisions that students will enjoy college and career success, value Hmong culture and heritage, and exhibit responsible and peaceful leadership in local and global communities.

On January 25, 2018, the Board approved a five year renewal for HAPA and authorized the Administration, in collaboration with the Board's Designee and the Office of the City Attorney, to begin contract negotiations with representatives from the Hmong American Peace Academy, Ltd for HAPA.

In June 2018, representatives from Hmong American Peace Academy, Ltd. for HAPA, the MPS Office of Board Governance, the Office of the City Attorney and the MPS Administration reviewed and negotiated the proposed modifications to the model non-instrumentality charter school contract and agreed to the attached redline contract.

Contingent upon the Board's approval, Hmong American Peace Academy, Ltd for HAPA accept the attached, non-instrumentality charter contract with the following modifications:

- a. Whereas clause has been added to clarify that charter school's governing board is a party to the contract to reflect current law;
- b. Language has been updated for technical purposes and to provide for clarity;
- c. Performance measures have been updated to reflect current practices and to provide for local performance measures;
- d. Language has been updated to provide clarity and to be consistent with statutory language relating to charter school governance;
- e. Language relating to requirements for admission to school has been added to align with current law;
- f. Language has been clarified as to financial and performance audits to reflect current practices and to reflect selection of method for financial and performance audits;
- g. Language has been updated to clarify practice relating to notice of deviations to budget items;
- h. Language has been updated to reflect selection of disciplinary guidelines;
- i. Language has been updated to reflect current practice as to facilities, indemnification and insurance;

- j. Language has been updated as to the effect of the establishment of the Charter School on the liability of the Board to reflect current practices;
- k. Language relating to background screening has been updated to reflect current practice;
- l. Language has been updated to reflect current practice and law relating to right to inspect and receive requested information and reports;
- m. Language relating to purchasing has been updated to align with current law and practices for certification of non-debarment;
- n. Language has been updated to reflect the administrative fee;
- o. Language relating to transportation and nutrition has been updated to align with current laws and practices;
- p. Language relating to Local Education Agency (LEA) responsibilities and district's responsibilities as School Food Authority (SFA) have been updated to align with current practices;
- q. Language has been updated to reflect that Hmong American Peace Academy will serve students in grades K4 – 12 with up to a maximum of 1715 FTE pupils in 2018-19 school year, 1820 FTE pupils in 2019-20 school year, 1900 FTE pupils in 2020-21 school year, 1960 FTE pupils in 2021-22 school year, and 2010 FTE pupils in 2022-23 school year;
- r. Language relating to modification of contract has been revised to reflect current practices;
- s. Language added to demonstrate that parties drafted language jointly; and
- t. Technical revisions have been made throughout the contract.

### **Fiscal Impact**

The funds for this charter school contract are included as part of the FY19 budget process. The per-pupil funding will be based on the state-determined amount for students in grades K5-12. Students in grade K4 will be funded at 0.6 FTE of the per-pupil amount.

### **Implementation and Assessment Plan**

Upon approval, the contract will be effective starting with the 2018-2019 school year and ending with the 2022-2023 school year.

A copy of the contract will be forwarded the Wisconsin Department of Public Instruction.

### **Recommendation**

The Administration recommends that the Board approve the attached non-instrumentality charter school contract with Hmong American Peace Academy, LTD. for Hmong American Peace Academy to begin with the 2018-2019 school year and end on the last regularly scheduled day of the 2022-2023 school year.