

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: May 11, 2004

TO: **BOARD OF EDUCATION**

FROM: Dr. J. Hairston, Superintendent

SUBJECT: **MANUAL OF PROCEDURES FOR PUBLIC CHARTER SCHOOLS IN BALTIMORE COUNTY**

ORIGINATOR: **Christine Johns, Deputy Superintendent of Curriculum and Instruction**

RESOURCE

PERSON(S): Phyllis Bailey, Executive Director of Special Programs, PreK-12

INFORMATION

That the *Manual of Procedures for Public Charter Schools in Baltimore County* is presented to the Board of Education as an information item. This Manual includes the application, processes, instructions, and timelines for applying for Charter School status within the Baltimore County Public Schools. Multiple references to the Manual of Procedures for Public Charter Schools in Baltimore County were incorporated within Rule 1600, Community Relations: Public Charter Schools submitted along with Policy 1600, and sent to the State Board of Education by November 2003.

Appendix I: Manual of Procedures for Public Charter Schools in Baltimore County

Baltimore County Public Schools



Manual of Procedures

for

Public Charter Schools

in Baltimore County

Baltimore County Public Schools
6901 Charles Street
Towson, Maryland 21204-3711

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Maryland Public Charter School Program
Baltimore County Public Schools
2003-2004 Guidance/Application

6901 Charles Street
Towson, Maryland 21204-3711
(410) 887-2880

Certification Form

Applicant Name

[If applicant is a public or private organization (i.e., corporation),
state name of body or organization.]

Potential Name of School

Submission Date no later than _____

I certify all information contained in this application is complete and accurate, realizing that any misrepresentation could result in disqualification from the charter application process or revocation after award. I understand that incomplete applications will not be considered.

The charter school applicant acknowledges that he/she has read all Maryland statutes regarding charter schools and that, if approved, he/she is subject to and will ensure compliance with all relevant federal, state, and local laws and requirements. The public charter school applicant acknowledges that, if approved to operate a charter school, he/she must execute a charter contract with the Board of Education of Baltimore County within _____ months of the date of approval of the charter. Educational services must be provided within _____ months of execution of the contract or within _____ months of approval of the charter, whichever date occurs later. Failure to do so may result in revocation of the charter approval and, if applicable, termination of the contract and revocation of the charter.

Authorized Agent (please print)

Signature of Authorized Agent

Date

All information presented in this application becomes part of the charter contract and may be used for accountability purposes throughout the term of the charter contract.

INTRODUCTION

The Maryland Public Charter School Program

During the 2003 General Assembly session, the Maryland Public Charter School Act was passed and Governor Robert L. Ehrlich, Jr. signed the measure into law on May 22, 2003 (SB 75 Chapter 358 2003 Laws of Maryland). The new law authorizes the establishment of public charter schools in Maryland (*see Appendix A for a copy of the law*). With the enactment of the new law, Maryland joins a growing number of states that encourage the development and operation of public charter schools. The Maryland statute invites the creation of public charter schools to help introduce alternative means within the public school system to provide innovative learning opportunities and creative educational approaches to improve the education of all students.

Maryland's law defines a "public charter school" as a "public school" that is nonsectarian, is chosen by parents for their children, and is open to all students on a space available basis. A charter school can be either a newly created school or a conversion of an already operating public school. A public charter school operates with the approval of a local board of education in accordance with a written charter executed between the local board of education and the administrative entity operating the public charter school. Just as any other public school, a public charter school is subject to federal, state, and local laws prohibiting discrimination and must comply with all applicable health and safety laws.

Chartering Authority and Eligibility in Maryland

A "charter" is a formal agreement or contract entered into by a chartering authority and a statutorily authorized applicant. This guidance/application document provides assistance to those interested in sponsoring a charter school. Baltimore County Public Schools will help applicants understand the application process, consult with applicants concerning all requirements, and provide guidance throughout the application process.

The Board of Education of Baltimore County is the charter authority and is responsible for final approval of all applications. Approval is based on standards that are consistent with the state law authorizing public charter schools. Maryland's Public Charter School Law defines a charter school as a public school. Therefore, support provided to a charter school is similar to support provided to other public schools within the system.

Beyond The Education Program

Public charter school sponsors are responsible for the management and administrative functions of the charter schools and adherence to Board of Education policy. The new Public Charter School Law permits a local school system and the designated leadership of a prospective charter school to negotiate a broad range of options that may be mutually agreed upon by both the school system and the chartering school leadership. Board of Education policy can be found at <http://www.bcps.org/>.

Federal Education Program Requirements The “No Child Left Behind Act”

Charter schools are subject to a number of requirements under the No Child Left Behind Act of 2001, which reauthorized the Elementary and Secondary Education Act of 1965 (ESEA). This act contains the bulk of laws authorizing most federal education programs, including the federal charter schools grant program. Because charter schools are public schools, charter schools that receive funds under any of the ESEA programs are required to comply with the ESEA requirements for use of the funds. For example, a charter school receiving ESEA Title I Part A funds must comply with (1) the accountability requirements, (2) Title I public school choice provisions, (3) supplemental educational services provisions, (4) corrective action, and (5) the qualifications of teachers and paraprofessionals.

Master Plan

The Baltimore County Public Schools has developed a Comprehensive Master Plan, which sets forth eight performance objectives to guide the BCPS toward achievement of its goals. To achieve its objectives and thus its mission, the eight goals are as follows:

- Goal 1: By 2007, all students will reach high standards, as established by the Baltimore County Public Schools and State proficiency levels in reading/language arts, mathematics, science, and social studies.*
- Goal 2: By 2007, all English Language Learners will become proficient in English and reach high academic standards in reading/language arts, mathematics, science, and social studies.*
- Goal 3: By 2005-2006, all students will be taught by highly qualified teachers.*
- Goal 4: All students will be educated in school environments that are safe and conducive to learning*
- Goal 5: All students will graduate from high school.*
- Goal 6: Engage parents/guardians, business, and community members in the educational process.*
- Goal 7: Involve principals, teachers, staff, stakeholders, and parents/guardians in the decision-making process.*
- Goal 8: All students will receive a quality education through the efficient and effective use of resources and the delivery of business services.*

Special Education Requirements

As all other public schools, charter schools are required to comply with federal and state special education laws and regulations as well as all applicable laws. A Local School System (LSS) shall ensure that the authorizing process for a public charter school and the application address the roles and responsibilities of the LSS and the applicants and operators of the public charter school consistent with the 1997 Individuals with Disabilities Education Act (IDEA) Amendments and Code of Maryland Regulations (COMAR) 13A.05.01 Provision of a Free Appropriate Public Education and COMAR 13A.05.02 Administration of Services for Students with Disabilities. Furthermore, the State Board of Education shall provide technical assistance to the operators of a public charter school to help the school meet requirements of federal and state laws, including 20 U.S.C. § 1400, et seq. and § 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794.

Note: *As required by the Maryland Public Charter School Act, the Board of Education of Baltimore County will not grant a charter to a public school whose operation would be inconsistent with any public policy initiative, court order, or federal improvement plan governing the provision of special education and related services.*

Getting Started

It is important that the applicant(s) and the chartering authority establish open and effective communications. Additionally, there are a number of national information resources relating to virtually all aspects of establishing and operating good charter schools (*see Appendix B*).

Note: *Baltimore County Public Schools is not responsible for content of the national information resources.*

There are important responsibilities that need to be addressed when establishing a public charter school. A solid planning process can help prevent serious problems. Areas that are frequently identified as potential problems are:

- (1) inadequate capital funding and facilities;
- (2) cash flow and the difficulty of securing credit;
- (3) a large number of laws and regulations such as the extensive reporting requirements which apply to all schools whether traditional or chartered;
- (4) difficulties managing the business of the schools; and
- (5) inadequate planning.

The Application Process

During the application process, the prospective charter school organizing body and staff designated by the Superintendent of the Baltimore County Public Schools will schedule a time to meet and examine all aspects of the proposed educational program. This will include a preliminary application concept proposal, which must be approved prior to final application submittal. Those interested in applying to operate a public charter school must submit a proposal to the Superintendent prior to January 1. Each concept proposal shall include, but not be limited to the following:

1. The applicant's vision for the public charter school, a mission statement, and the purposes of the proposed school
2. Specific strategies for developing and delivering education programs and services
3. Desired educational results
4. A description of the type of students to be served by the proposed school and the approach to curriculum and teaching
5. Indication of how the school will demonstrate academic success and organizational structure.

In this way, various administrative functions needed for the planning, opening, and operation of the public charter school can be identified.

Baltimore County Public Schools staff designated by the Superintendent will review all applications submitted. Together with application materials and interviews of the applicants, a determination on the viability of the potential charter will be determined. If the staff finds applications to be incomplete, they will be returned to the applicants for further information. Applications meeting all the criteria will be recommended to the Superintendent. The Superintendent will review and provide a recommendation to

the Board of Education of Baltimore County. Some of the key issues that will be scrutinized in the application process are:

- An education plan, which reflects the school's commitment.
- A realistic budget that reflects accurately projected income and does not contain unreliable sources such as future grants.
- A lottery admission provision that complies with the statute.
- Acknowledgement that the school is subject to the open meetings law.
- The purchase of insurance as required by law.
- A plan for an adequate facility and realistic funding for the facility.
- The overall quality and completeness of the application.
- The amount of planning and research that has been invested in the application.
- The types of curricula to be offered by the school.

After the application process is completed to everyone's satisfaction, the application is then submitted to the Board of Education of Baltimore County for review. The Board of Education will then either approve the application or return it to the applicant for further information. Upon the approval of the application, a Charter Agreement shall be developed. This agreement is a contract that is binding by law and explains in detail the responsibilities of all of the parties involved in the implementation of the public charter school.

What Will You Need?

Preparing a charter application requires a great deal of time and familiarity with Maryland's Public Charter School Act of 2003 and other applicable laws, including legal constraints affecting the State's public not-for-profit corporations. Although the specific amount of time required depends to a large degree on the human resources available for the project from the outset, approximately one year should be scheduled to complete the application development, review, and approval process. Some of the areas to consider are:

- Financial Resources – The cost of preparing a charter proposal depends on the types of resources available to the applicant's planning group from the beginning of the process. Examples of costs could include printing and publicity, communications-related expenses, filing fees for nonprofit corporation and tax-exempt status, and research and travel expenses.
- Vision and Clear Mission – The successful public charter school provides a clear sense of purpose and mission shared by parents, students, staff, and the school's management board. Consider what it means to be educated and how to bring students to that level in the foundation of a coherent school design. A clear vision will also give potential employees, prospective students, and parent's clear indications of how they will be treated and what will be expected of them in explaining how the charter school is distinct from other public schools.
- Applicant Team Expertise – Developing a strong proposal for a public charter school requires a team with diverse skills and experience. A well-rounded team should include individuals who can bring skills and knowledge in educational vision, leadership, and expertise – including standards setting, pedagogy, and curriculum and assessment design. Other areas should include financial management and entrepreneurial skills, knowledge of the law, real estate and facilities planning, public relations, fundraising, and grant writing.
- School Leadership – The school's leader would be the person running the day-to-day operations of the school once the charter is approved. This will be the most important

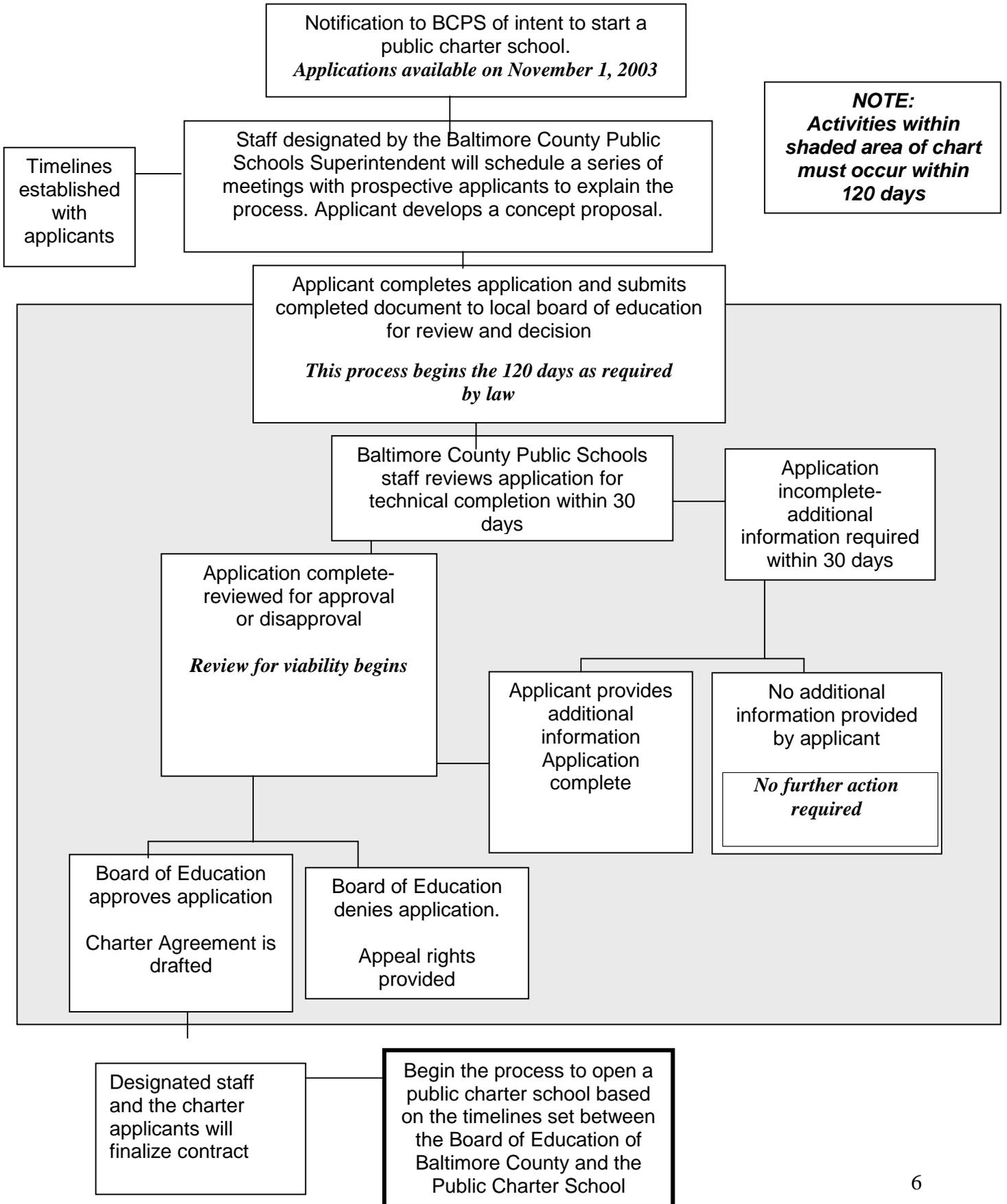
personnel decision relative to the ultimate success of the public charter school. The school leader will be a vital link between the public charter school and the management board, the parents, teachers, and staff as well as the public school system in creating cohesive relationships.

- Community Involvement – Building community involvement around the school’s vision is important for a successful public charter school.

Application Timeline and Flow Chart

Provided is an application process flow chart describing local procedures to establishing a public charter school within the school system. The flow chart provides specific timelines in the process.

Process Flow Chart on Public Charter Schools



General Rules

- I. Public charter school operators must follow these regulations and use the application process established in this document to sponsor a public charter school.
 - A. A public charter school operating in Baltimore County falls under the control of the Board of Education of Baltimore County. In the event that the Maryland State Department of Education restructures an existing school, the Charter Authority may be the Maryland State Board of Education.
 - B. Public charter schools are subject to any federal, state, and local policies, regulations, and statutes that affect traditional elementary and secondary public schools unless certain policies, procedures, or regulations are waived by the Board of Education of Baltimore County or the State Board of Education, as appropriate.
 - C. The public charter school will meet current accountability provisions of local education authorities and state regulations and statutes. The public charter school must provide documentation to the Board of Education of Baltimore County regarding fiscal accountability and performance on recognized academic measures as agreed upon in the Charter Agreement.
 - D. Public charter schools may receive flexibility in a number of areas, principally in the areas of management and administrative structure, staffing, educational programming, curriculum/instructional focus, program emphasis, and budgeting in exchange for high academic performance. Additional areas of flexibility may be negotiated between the public charter school and the Board of Education of Baltimore County.
 - E. Public charter schools must operate as approved under the Charter Agreement.
 - F. Charter Agreements are four (4) year renewable agreements.
 - G. Public charter school applications will be submitted to the superintendent of schools for review and evaluation. The superintendent of schools will submit the public charter school application to the Board of Education of Baltimore County for consideration of approval.
 - H. Charter sponsors may appeal the decision of the Board of Education of Baltimore County in accordance with the requirements of the Public Charter School Act of 2003.
 - I. Baltimore County Public Schools will provide technical support through the designated public charter school contract. The Maryland State Department of Education is also available to provide technical assistance to the operators of a public charter school to help the school meet the requirements of federal and state laws.
 - J. Measurement of student academic achievement must include all assessments required for other Baltimore County Public Schools students and other assessments mutually agreed upon by the public chartering authority and the public charter school.

- II. Qualified Charter Operators
 - A. Public charter school applications may be submitted to Baltimore County Public Schools by:
 - 1. staff of a public school if a 75% majority vote by certificated staff is obtained;
 - 2. a parent or guardian of a student who attends a public school in Baltimore County if a 75% majority of parents whose children attend the school vote in favor of the charter;
 - 3. a nonsectarian nonprofit entity;
 - 4. a nonsectarian institution of higher education in the state;
 - 5. or any combination of the above. (If the charter sponsors are a combination of 1 or 2 above, a 75% majority of the combined total must be obtained prior to the submission of an application).
 - B. The qualified applicant is responsible for the completion of the application and compliance with all laws, regulations, policies, and procedures.
 - C. Public charter school operators report to the chartering authority (Board of Education of Baltimore County or State Board of Education) from which its Charter Agreement is granted.
- III. Public Charter School Funding
 - A. There is no specific state funding available for ‘start-up’ costs associated with developing a public charter school. There are federal funds available through the Public Charter Schools Program at the U.S. Department of Education, and in the future, the state may apply for these federal funds.
 - B. The Baltimore County Public Schools will disburse to public charter schools an amount of county, state, and federal money that is commensurate with the amount disbursed to other public schools in the local jurisdiction. Additionally, surplus educational materials, supplies, furniture, and other equipment may be given to the public charter school by the state or local board of education.
 - C. Public charter schools are public schools and may not charge tuition to residents of the jurisdiction where the school is located. However, BCPS will charge tuition to out-of-district students as per existing policy and regulations.
- IV. Student Enrollment
 - A. Public charter schools are open to all students on a space-available basis. No other criteria for acceptance into the public charter school shall be established.
 - B. Prior to accepting students, the charter operators shall establish a lottery system, should the number of student applicants exceed facility capacity. During subsequent years of operation, the charter operators shall apply the lottery system should the number of new student applicants exceed facility capacity.
 - C. Public charter school operators must fulfill the responsibilities related to children with disabilities. Public charter schools are open to all students on a non-discriminatory basis.
 - D. Public charter schools provide education to students through a program of elementary or secondary education, or both.

- E. Public charter schools may offer extra-curricular and supplemental services as described in the educational program of the Charter Agreement.
 - F. Students attending public charter schools shall receive the same services as students attending Baltimore County Public Schools.
 - G. Transportation services are subject to agreements outlined in the Charter Agreement. Transportation services are to be provided to students with disabilities in accordance with their Individual Education Plan (IEP).
- V. Public Charter School Facilities
- A. Public charter schools may not be a private school, a parochial school, or home school.
 - B. Existing public schools can convert to public charter schools.
 - C. Public charter school buildings must meet all federal, state and local facility, health and safety standards and the building must be appropriate for the education program being offered and must be accessible in accordance with the Americans with Disabilities Act.
- VI. Employees Assigned to a Public Charter School
- A. Staff members of a public charter school are employees of Baltimore County Public Schools.
 - B. The terms and conditions of a negotiated agreement cover employees of a public charter school. If the public charter school sponsor desires a waiver or an amendment to negotiated benefits for assigned staff, it must be negotiated through an agreement with the Board of Education of Baltimore County and the appropriate bargaining unit.
 - C. The professional staff of a public charter school must have the appropriate Maryland certification and comply with standards for being highly qualified as required by the *No Child Left Behind Act*.
 - D. All staff and volunteers in public charter schools must meet required state and local background checks.
 - E. Employees of a public charter school staff will receive the same professional development services as other school employees unless otherwise indicated in the Charter Agreement.
- V. Evaluation of Public Charter Schools
- The public charter school shall be evaluated based on student achievement, fiscal management, and other criteria pursuant to its approved application and the terms and conditions of its charter. The public charter school shall be subject to the same requirements for making Adequate Yearly Progress (AYP) as other public schools in Baltimore County.

VI. Revocation of a Charter

- A. The Board of Education of Baltimore County may place a public charter school on probationary status to allow the implementation of a remedial plan, pending a decision to revoke the school's charter.
- B. The Board of Education of Baltimore County may revoke a public charter school charter for the following reasons:
1. The school has not fulfilled a condition imposed by the Board of Education of Baltimore County in connection with the granting of the charter.
 2. The school has failed to comply with the charter or provisions of federal, state, or local law.
 3. The fiscal condition of the school is substantially deficient.
 4. The academic condition of the school is substantially deficient.
 5. The facility can no longer support the needs of the educational program.
 6. The continuation of the operation of the public charter school is not in the best interests of the public or the students of Baltimore County Public Schools.
- C. Upon revocation, personnel and students shall be reassigned pursuant to Board of Education of Baltimore County policies, procedures, and negotiated agreements.
- D. Upon revocation, resources provided by the school system shall remain under the control of the Board of Education of Baltimore County. The Board reserves the right to implement control and operation of the public charter school on an immediate basis upon revocation.

VII. Reporting Requirements

- A. The public charter school will provide a written annual report to the Board of Education of Baltimore County, including:
- Fiscal accountability;
 - Student performance; and
 - Any other matter required pursuant to the charter.
- B. Public Charter School sponsors should be prepared to respond to requests for written/oral reports at any time, on an as-needed basis.

**Baltimore County Public Schools
6901 Charles Street
Towson, Maryland 21204**

**Public Charter Schools
Concept Proposal Form**

Those interested in applying to operate a public charter school must submit a proposal to the Superintendent prior to January 1. Each concept proposal shall include, but not be limited to the following:

1. The applicant's vision for the public charter school, a mission statement, and the purposes of the proposed school
2. Specific strategies for developing and delivering education programs and services
3. Desired educational results
4. A description of the type of students to be served by the proposed school and the approach to curriculum and teaching
5. Indication of how the school will demonstrate academic success and organizational structure.

Materials to be included in the concept proposal are:

- ③ A letter of intent directed to the Baltimore County Public Schools
- ③ A Charter Applicant Information Sheet
- ③ A certification statement indicating the validity of the information provided
- ③ A Concept Proposal Outline

Individuals/organizations wishing to proceed with application for a charter school will be expected to meet with the Superintendent's Designee(s) regarding the concept proposal before proceeding with the application in accordance with Policy and Rule 1600 Community Relations: Public Charter Schools.

Baltimore County Public Schools
Letter of Intent Template
Due January 1st

Applicant groups are required to send a Letter of Intent to the Baltimore County Public Schools by January 1st. The Letter of Intent should not exceed two pages. Please submit the following information in the form below:

Date

Contact Person's Name

Mailing Address

City, MD Zip Code

Daytime Phone, Facsimile Number

Email Address

Dr. Joe A. Hairston, Superintendent
Baltimore County Public Schools
6901 Charles Street
Towson, Maryland 21204

Dear Dr. Hairston:

introductory sentence(s)

Provide a brief explanation of the mission and purposes of the proposed school.

*name of proposed school (public "charter school" must be in the name)

*type of applicant (e.g., parent, teachers, nonsectarian-nonprofit, nonsectarian-higher education)

*proposed location of school

*grade levels to be served

Enclose a one-paragraph description of the type of students to be served by the proposed school (targeted populations, at-risk youth) and the approach to curriculum and teaching (e.g., Core Knowledge, Montessori, Coalition of Essential Schools, etc.).

Sincerely,

Signature

**Baltimore County Public Schools
Charter Applicant Information Sheet**

This sheet must be attached to the Concept Proposal and the Final Application.

Name of Proposed Charter School _____

School Address (if known) _____

School Location _____

Name of Group Applying for Charter School _____

Contact Person _____

Address _____

City _____ **State** _____ **Zip Code** _____

Daytime Telephone: _____ **Fax:** _____

Email address: _____

The proposed school will open in the fall of school year: _____

Proposed Grade Levels _____

Total School Enrollment _____

Concept Proposal

Instructions

Applicants are required to complete and send a concept proposal summarizing their proposal prior to submission of a full application.

(Note: Several sections of the full application will ask for the same or similar information as the Concept Proposal. Further expansion of information will be required in the full application.)

Following are several guiding questions for the narrative. Below is a list of the Proposal contents, as well as directions for meeting the format requirements and deadline.

Contents of the Proposal:

The Concept Proposal must contain the following items:

- Cover page: name and location of proposed school
- Information sheet consisting of names, addresses and telephone numbers of all charter sponsors
- Five to ten page content proposal summary consisting of a mission statement that indicates, in one or two sentences, what the school intends to do, for whom, and to what degree; an explanation of how the proposed school will meet the needs of the community; a brief description of the educational foundation, including curricular approaches; a brief description of the plan for meeting the proposed school's educational goals; a brief description of the business plan, including financial management capabilities, potential partners and access to financial resources; and a description of the founding team's capacity to implement the educational plan and business plan
- Leadership information for the applicant's authorized representative (as stated in the Intention Form), school leader(s), and founding management board members.

Format:

The Concept Proposal should adhere to the following format:

- White, 8.5" x 11" paper with one-inch margins on all sides
- No font smaller than 11-point
- Formatting may not be more compact than standard single space spiral bound (no binders, paper clips, or folders, please)

Additional information that supports the narrative may be included as attachments. Attachments should be used to provide evidence, support a particular aspect of the concept proposal, or lend insight into the applicant, its leadership, or management personnel. Examples of attachments in the concept proposal include curriculum samples, academic standards, letters of support, financial statements,

etc. All attachments should be numbered and clearly referenced by number in the narrative.

Charter School Application _____ school year

Please complete the following information. If you require assistance from the Baltimore County Public Schools staff assigned to your application, please feel free to contact us and guidance will be provided. When the application is complete, please provide 12 bound copies, which include tabs to separate the content areas, to:

Executive Director, Special Programs, PreK-12
Charter School Liaison
Baltimore County Public Schools
6901 Charles Street
ESS 118
Towson, Maryland 21204

Name of Applicant(s) Applying for the Charter _____
(Eligible applicants include staff of a public school; a parent or guardian of a student who attends a public school in the county; a nonsectarian nonprofit entity; a nonsectarian institution of higher education in the State; or any combination of those listed in §9-104(A)(2)(I-IV).

Name of Proposed Charter School _____
 New School Converted School

NOTE: *The name of the school must by law include the term “public charter school.”*

Authorized Agent for Applicant _____
(This may be the individual applicant or an authorized member of the public charter management board)

Authorized Agent Mailing Address _____

City _____ State _____ Zip _____

County _____ E-mail: _____

Day Time Phone: (_____) _____ Fax: (_____) _____

Please pursue language identifying any existing legal arrangement with the following types of entities:

- | | |
|--|---|
| <input type="checkbox"/> Non-Profit Corporation | <input type="checkbox"/> Corporation |
| <input type="checkbox"/> Partnership | <input type="checkbox"/> Staff of Existing School |
| <input type="checkbox"/> Tribal Entity | <input type="checkbox"/> Sectarian |
| <input type="checkbox"/> Institution of Higher Education | <input type="checkbox"/> Other |

FOR INTERNAL USE ONLY:

Date Received: _____

Application Summary

This application is intended to provide the Baltimore County Public Schools with sufficient information and assurance to thoroughly review and render a decision. Please provide an overview of needs to be addressed by the public charter school.

Planning and Establishment

Profile of Founding Group

Describe the composition of the group or partnership that is working together to apply for a charter including: (1) brief resumes of the individuals, (2) the names and addresses of entities submitting the application, (3) the names and most recent annual reports of the organizations or corporations of which the individuals are directors or officers, and (4) the names and addresses of corporations of which the individuals are directors or officers, along with a description of the role played and the resources contributed by each.

Management and Administrative Structure

Identify any proposed management and administrative structure applicable to the operation of the proposed charter school in Baltimore County. The public charter school retains responsibility, governance and supervision of its charter schools per §9-101(11)). This would include the Principal and any other person(s) responsible for the operating of the public charter school.

Criteria:

- Does the founding group and planning process ensure that the interests of the community, parents, teachers, and other stakeholders are reflected in the planning for the public charter school?
- Is the management group comprised of individuals with relevant experience and demonstrated knowledge and skills needed to create and operate a charter school?
- Is the proposed governance structure consistent with the stated vision and mission, and does it provide evidence that the structure will be effective (e.g., have clearly defined decision-making procedures, as well as explicit, aligned roles and responsibilities).

Mission Statement

The public charter school's mission statement should be a clear, concise articulation of the school's central purposes and goals. The mission will guide the school's instructional and non-instructional programs. In essence, it should state the school's reason for existence and communicate the school's uniqueness. A good mission statement should be clear, substantive, focused, and concise, demonstrating the collective deliberation and reflection that led to the conception of the school and that will guide the school community over the long term.

Mission statements are not set in concrete but they evolve over time. Management, faculty, students, alumni, and parents should be encouraged to participate in the continuing evolution of the mission statement to ensure that all of the stakeholders feel a sense of ownership in the school's core values and vision.

Mission Statement

*may attach a separate document.

Mission and Goals

The following is provided to determine the mission and goals of the public charter school. In completing the form consideration should be given to the following criteria:

- Is the mission clearly articulated?
- Are the goals clearly written and consistent with the mission?
- Do the goals provide a coherent and consistent basis on which to build an education program aligned with the mission?
- Are the goals consistent with the needs of the target group of students (if applicable) for the school?

Goals

Goal	Specific Objectives
1.	1.a.
	1.b.
	1.c.

Student Population

	Grades To Be Served <small>Please circle all grades to be taught.</small>	Total Number Served <small>Enrollment cap at all campuses and in all grades combined</small>	Sites <small>Number Operating</small>
Year 1	K 1 2 3 4 5 6 7 8 9 10 11 12	_____	_____
Year 2	K 1 2 3 4 5 6 7 8 9 10 11 12	_____	_____
Year 3	K 1 2 3 4 5 6 7 8 9 10 11 12	_____	_____

School Calendar

Ⓒ Standard
Year

Ⓒ Extended School

Instructional Days _____
Start Date _____

*Ⓒ Alternative (please describe in 5 words or less)

Please define student population (i.e., special education, etc.)

If this section is different from the existing collective bargaining agreement, it must be first negotiated through the existing bargaining units with the Board of Education.

Background Information

Please provide the following information on the authorized agent, principal, and any individuals responsible for the day-to-day operation of the school. A resume for each individual is also required. This page may be copied as many times as necessary for each individual.

Name _____

Role in School (list positions with school) _____

Employment History:

Using as much space as necessary below, please provide your employment history that supports your qualifications and relates your experiences to be considered sufficiently qualified to operate a public charter school. Specifically address your qualifications and experiences as they relate to the development of academic programs, operations of a school or a small business, and background in financial management.

Education History:

Using as much space as necessary below, please provide your educational training (including degrees earned, dates enrolled, and institution) that supports your qualifications to be considered sufficiently qualified to operate a public charter school.

Statement of Intent:

Using as much space as necessary below, provide a personal statement regarding your role and responsibilities relating to this application and/or operation of the proposed public charter school.

*The information and resume provided will be subject to verification by the Board of Education of Baltimore County.

BALTIMORE COUNTY PUBLIC SCHOOLS
6901 Charles Street
Towson, Maryland 21204

Affidavit, Disclosure, and Consent for Background and Credit Check

Instructions: Return this signed affidavit with the application. This is to include all members of the founding group, Board of Directors, etc.

Name _____ **Social Sec. No.** _____

Address _____
Street City State Zip

Phone _____ **Date of Birth** _____ **Place of Birth** _____

1. Have you ever been convicted or pled “no contest” for any violation of law other than minor traffic offenses? If either event has occurred, you must answer YES. If the conviction has been set aside, the charges must be disclosed. Please give details on a separate signed, notarized, and dated sheet.	YES	NO
2. Have you ever been convicted of, admitted committing, or are you awaiting trial on any of the following criminal offenses in this state or similar offenses in another jurisdiction: (1) Sexual abuse of minor, (2) Incest, (3) First or second degree murder, (4) Kidnapping, (5) Arson, (6) Sexual assault, (7) Sexual exploitation of a minor, (8) Contributing to the delinquency of a minor, (9) Commercial sexual exploitation of a minor, (10) Felony offenses involving distribution of marijuana or dangerous or narcotic drugs, (11) Felony offenses involving the possession or use of marijuana or dangerous or narcotic drugs, (12) Misdemeanor offenses involving the possession or use of marijuana or dangerous drugs, (13) Burglary in the first degree, (14) Burglary in the second or third degree, (15) Aggravated or armed robbery, (16) Robbery, (17) A dangerous crime against children (18) Child abuse, (19) Sexual conduct with a minor, (20) Molestation of a child, (21) Manslaughter, (22) Aggravated assault, (23) Assault, or (24) Exploitation of minors involving drug offenses? If YES, submit certified court record and details of incident(s), signed, notarized, and dated.	YES	NO
3. Have you ever declared bankruptcy? Please give details on a separate signed, notarized, and dated sheet.	YES	NO

With signature below, permission is hereby granted to complete the background and credit check of the individual above for _____ Public Charter School.

I DO SOLEMNLY SWEAR OR AFFIRM THAT THE FOREGOING INFORMATION PROVIDED BY ME FOR RECEIPT OF PUBLIC CHARTER SCHOOL STATUS OF _____ CHARTER SCHOOL IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. FURTHERMORE, SHOULD ANY PART OF THE INFORMATION HEREIN PROVIDED PROVE TO BE FALSE, I RECOGNIZE THAT IT SHALL BE JUST CAUSE FOR DENIAL OR REVOCATION OF PUBLIC CHARTER STATUS OF _____ PUBLIC CHARTER SCHOOL BY THE BOARD OF EDUCATION OF BALTIMORE COUNTY.

Applicant’s Signature

**Board of Education of Baltimore County
Compliance Assurances**

Admission Procedures §9-102

Admission is not limited based upon ethnicity, national origin, gender, disabling condition, proficiency in the English language or athletic ability. There are no tuition or fees charged for attending _____ Public Charter School.

_____ Public Charter School will admit all eligible pupils who submit a timely application. A charter school shall give enrollment preference to pupils returning to the charter school in the second or any subsequent year of its operation and to siblings of pupils already enrolled in the charter school. If, by the application deadline, the number of applications exceeds the capacity of a program, class, grade level, or building, all applications for that program, class, grade level, or building will be selected for the available slots through an equitable selection process, such as a lottery, except that preference shall be given to siblings of a pupil. After the application deadline, pupils for any remaining slots or from a waiting list will be accepted in chronological order.

Nonsectarian Statement §9-104

_____ Public Charter School is nonsectarian in its programs, admission policies, and employment practices and all other operations.

Agreement to Participate in Training and Professional Development

The Operators of _____ Public Charter School shall be informed of applicable training and professional development as set forth by the Baltimore County Public Schools policies and administrative procedures (§9-107(c)(d)).

Special Education/Exceptional Student Services Training

The Operators of _____ Public Charter School will take Special Education training classes approved by the Baltimore County Public Schools subsequent to signing the contract, but prior to the first day of instruction (§9-107(c)(d)).

Agreement to Comply with Audit Requirements

The Operators of _____ Public Charter School agree to comply with audit requirements as set forth by the Board of Education.

Agreement to Comply with Maryland Student Assessment

The Operators of _____ Public Charter School agree to comply with the Maryland Student Assessment.

Authorized Agent (please print)

Authorized Agent Signature

Date

Educational Plan

The theory behind public charter schools is that the public charter school programs will provide educational options to students that are not available within the traditional public school system. The following is designed to provide a narrative description for the development of policy guidelines and an application that meets the requirements for acceptance. The educational plan is a clearly articulated vision for an innovative public charter school, which will lead to improved educational outcomes and greater community ownership of the local school. It is important that there be consistency between the mission and the educational programs as a means to achieve this.

One of the hallmarks of public charter schools is that they have the choice to determine what grades they serve and the number of students in each grade. Accordingly, public charter schools come in all sizes and may serve a different set of grades than a district public elementary, middle, or secondary school. Whatever the choice, a few grades or a complete K-12 program, or no growth or rapid growth in subsequent years, the educational plan should express a coherent rationale for these choices. Whatever the organizational structure in terms of instructional levels, the educational plan should provide a coherent rationale for the choices made.

To ensure the success of the academic program, the education plan of the public charter school must provide a clear vision of the school's measurable academic goals, ensure that these goals reflect high expectations and align with the school's mission. The course outlines, curriculum, and objectives must be clear and consistent in their support of the academic goals and the mission of the public charter school. Specific elements of the educational plan should address the following:

- A.** Describe (1) the objectives of the charter school and (2) the methods by which the charter school will determine its progress towards achieving those objectives.
- B.** Provide specific provisions for each year of the charter that is being sought:
 - the grades that the school would serve,
 - the number of students to be served in each grade,
 - the number of students expected in each class*, and
 - the total number of enrolled students expected.
- C.** Explain the relationship between the student population to be served and the geographic area where the school will be located. Please provide a demographic analysis that will describe the impact of the proposed school on the existing community and neighborhood schools.

*In indicating how many students are to be in each class, class size may indicate a range, rather than a precise number.

D. If providing kindergarten, Baltimore County Public Schools' implementation plan is as follows:



APPROVED

Implementation Plan - Change in Age of Entry - Cut-Off Dates and Dates of Birth

School Year	Three-Year-Olds	Prekindergarten	Kindergarten	First Grade
2002-03	October 31DOB - 12/1/98*-10/31/99	November 30DOB - 1/1/98 - 11/30/98	December 31DOB - 1997 (No Change)	December 31DOB - 1996 (No Change)
2003-04	September 30DOB -11/1/99 - 9/30/00	October 31DOB - 12/1/98 - 10/31/99	November 30DOB - 1/1/98 - 11/30/98	December 31DOB - 1997 (No Change)
2004-05	September 1DOB - 10/1/00 - 9/1/01	September 30DOB - 11/1/99 - 9/30/00	October 31DOB - 12/1/98 - 10/31/99	November 30DOB - 1/1/98 - 11/30/98
2005-06	September 1DOB - 9/2/01- 9/1/02	September 1DOB - 10/1/00 - 9/1/01	September 30DOB - 11/1/99 - 9/30/00	October 31DOB - 12/1/98 - 10/31/99
2006-07	September 1DOB - 9/2/02 - 9/1/03	September 1DOB - 9/2/01 - 9/1/02	September 1DOB - 10/1/00 - 9/1/01	September 30DOB - 11/1/99 - 9/30/00
2007-08	September 1DOB -9/2/03 - 9/1/04	September 1DOB - 9/2/02 - 9/1/03	September 1DOB - 9/2/01 - 9/1/02	September 1DOB - 10/1/00 - 9/1/01

*Children born between 12/1/98 and 12/31/98 who have not participated in a BCPS program for three-year-olds will be eligible to participate in a three-year-old program if their home school offers the class. Children born between 12/1/98 and 12/31/98 who have participated in a BCPS three-year-old program will be automatically admitted to a BCPS prekindergarten program in their home school.

May 2002

Academic Program, Standards, Curriculum, & Assessment

Innovative teaching methods and curriculum approaches; substantive overview of curriculum; and consistency between the mission, curriculum, and student population to be served are important foundations when establishing a public charter school. Compliance with applicable regulations to meet the needs of limited English proficient and special needs students in the school program is also to be taken into consideration when completing the application to open a public charter school.

Public charter schools must provide at least as much instruction time during a school year as required by other public schools. Accordingly, the minimum number of days of instruction is effectively 180*. The maximum number of hours in a day that a school must be in session for that day to count as a day of instruction (and against the 180 day minimum) is defined as follows:

**Public schools under the jurisdiction of a county board shall be open for pupil attendance for at least 180 actual school days and a minimum of 1,080 school hours for grades 1-8 and 1,170 hours for grades 9-12 during a 10-month period in each school year. Schools may not be open on Saturdays, Sundays, or State recognized holidays in order to meet the 180 day or 1,080 hour requirement. Schools must remain open 3 hours in order to meet the full-day requirement under State Law. More information on the school calendar can be found in Section 7-103, Education Article, Annotated Code of Maryland.*

An example is as follows:

2.5 hours per day for half-day kindergarten

6 hours per day for full day kindergarten and grades 1-5 exclusive of lunchtime; and

6 hours and 15 minutes per day for grades 6-12 exclusive of lunchtime.

- A. Describe the educational program of the school, providing an overview of curriculum objectives and content of the main subject areas that support the core learning goals of the Maryland State Department of Education and other applicable education laws. These should include the objectives, content, and skills to be taught for the main subject areas at each performance level (grade level, age grouping, etc.) in the charter school.
- B. Describe how the program will further the goals and objectives of the BCPS Comprehensive Master Plan.
- C. Briefly outline the instructional methods to be used, including any distinctive instructional techniques to be employed. How will this pedagogy enhance student learning?
- D. Describe how the charter will accommodate special needs students, including limited English proficient students in accordance with federal law, including Title VI of the Civil Rights Act of 1964 and the Equal Educational Opportunities Act of 1974. Such description must include the following elements:
 - The process for the identification and placement of students whose first language is not English and the methods for determining the kinds of assistance that these students may need;
 - The manner in which the applicant will ensure that English Language Learning students are not misplaced or tracked inappropriately in other classes (including those programs or classes designed to serve students with disabilities);

- A description of the planned implementation of the program model, including information regarding the allocation of resources to the service of all Limited English Proficient students including:
 1. A description of how staff, curricular materials, and facilities will be used;
 2. A statement that affirms that Limited English Learning students will not be excluded categorically from curricular and extra-curricular activities because of an inability to speak and understand English; and
 3. A description of the planned outreach to parents in the community, including strategies for communicating with parents who are not proficient in English.

E. Describe how the charter will meet the needs of Special Education Students.

- The school will adhere to all provisions of federal law relating to students with disabilities, including the IDEA, section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act of 1990, that are applicable. Consequently the school building must be accessible for students with disabilities and their families.
- The school will be required, consistent with applicable law, to work with the local education agency school district to ensure that all students with disabilities that qualify under the Individuals with Disabilities Education Act (IDEA):
 1. Have available a free appropriate public education (FAPE);
 2. Are appropriately evaluated;
 3. Are provided with an IEP;
 4. Receive an appropriate education in the least restrictive environment;
 5. Are involved in the development of and decisions regarding the IEP, along with their parents; and
 6. Have access to appropriate procedures and mechanisms, along with their parents, to resolve any disputes or disagreements related to the school or school district's provision of FAPE.

The school will be required to designate a professional staff member as the school's special education liaison with BCPS. Responsibilities will include coordinating with the Baltimore County Public Schools' special education office throughout the year to ensure that all required special education and related services are being provided and that all IEPs are appropriate in the context of the charter school setting.

F. Provide a copy of the proposed school's calendar in the first year of its operation. The calendar must indicate the number of days of instruction that the school will offer.

G. Provide a minimum number of hours/minutes per week the school will devote to core academic subjects in each grade (i.e., language arts, mathematics, science, social studies, technology studies); the length of the school day (including the approximate start and dismissal times of the school day); and a sample schedule.

- Provide a description of the student achievement goals for the proposed school’s educational program.
- H.** Provide the proposed school’s learning standards and curriculum, including a description of the skills and knowledge each student will be expected to attain by the end of each grade (or course) in each year of the charter.
- I.** Attach a schedule of the state assessments that the charter school will administer.

Note: *The application will not be approved until a full curriculum, consistent with the school’s mission, philosophy, and goals has been adopted or until a timeline and plan for the Year One curriculum are provided that convinces the Board of Education of Baltimore County that such a curriculum will be in place prior to the opening of the public charter school.*

Recommendations

- A timeline and process for developing student content and performance standards.
- Plans for a curriculum with learning objectives, content, and skills appropriate for the target student population.
- Plans for a curriculum that is challenging, coherent, and content-rich.
- An instructional program that is consistent with the mission, philosophy, and goals of the school and that challenges students to perform at high levels.
- Program models and delivery strategies suitable for students who are significantly below grade level in the development of reading and other basic skills.

Student Assessment

Student assessment is an essential component of the public charter school’s educational plan. Assessment confirms student progress, identifies areas of low and high achievement, and improves the accountability of the school. It begins with the teacher’s evaluation of student progress based on written class work, oral contributions, and homework. Such evaluations are important, but may be insufficient to assess long-term subject mastery. Formal assessments, integrated with the curriculum, will indicate overall achievement levels. Assessment results allow teachers to determine which students would benefit from additional help or additional challenge. Commitment to high academic standards for all students; (well-developed assessment mechanisms); and understanding of the state assessment requirements are essential to public charter school planning.

- A.** Describe the plan to assess student performance in the core academic areas. Please include the current baseline standard of achievement, the outcomes to be achieved, and the method(s) of measurement to be used. Include student outcomes and performance standards to include:
- ☞ How the baseline student academic achievement levels and prior rates of academic progress will be established.
 - ☞ How these baseline rates will be compared to rates of academic progress achieved by these same students while attending the charter school.
 - ☞ To the extent possible, how these rates of progress will be evaluated and compared with rates of progress of other closely comparable student populations.

- B.** Describe the methods used to identify the educational strengths and needs of students and the extent to which educational goals and performance standards are being met.
- C.** Describe how students will, at a minimum, participate in the statewide assessment program.
- D.** For secondary charter schools, describe the method for determining that a student has satisfied the requirements for graduation.
- E.** Describe any State or local rules generally applicable to public schools that will be waived for, or otherwise not apply to, the charter school. Provide a justification for any waivers of Federal or statutory or regulatory provisions that will be necessary for the successful operation of the charter school.
- F.** If the proposed charter school includes particular methods, strategies, or programs for meeting the needs of students at risk of academic failure, attach a description of the challenges faced in educating the targeted population and describe such methods, strategies, and/or programs.

Recommendations

- Does the charter school have an assessment plan that features multiple measures of student outcomes?
- Does the assessment plan make adjustments in instruction, assist in decisions about student grouping, promotion, graduation (if applicable), and improve student outcomes?
- Are the planned assessments in alignment with the proposed curriculum and standards?

Management Structure (if applicable)

The Operators of the public charter school are legally responsible for all transactions of the public charter school. The Operators owe the duty to exercise reasonable care when making a decision as stewards of the organization. A policy on conflict of interest, including statements regarding full disclosure of connections to anyone doing business with the organization, must be included in the application.

The application must include a copy of the Articles of Incorporation (if applicable) and the by-laws or other instruments affecting the management of the public charter school. A proposed charter school must have a federal tax ID number.

1) Profile of the Operators of the Public Charter School:

- A.** Describe the organizing group that is working together to apply for a charter, including the names of the organizers, their background and experiences, and references for each.
- B.** Discuss any business arrangements or partnerships with existing schools, educational programs, businesses, or non-profit organizations.
- C.** Detail the relevant expertise of retained consultants or professionals (e.g., accounting, finance, educational management services, risk management, human resources).
- D.** Discuss the proposed method for resolving conflicts between the governing body of the charter school and the chartering authority.

- E. Please provide a set of by-laws for the proposed school, which includes the charter school's method for appointment/election of the governing body and the length of the terms established for each management position

School Management

A stable, effective, and comprehensive school management model consistent with the mission is a key in clearly defining roles of the charter school management board and its interaction with staff. The management model must provide for appropriate teacher and parent input in school decision making. A well-developed viable administrative management structure and knowledge of and compliance with public information laws are important in establishing a public charter school.

- A. Describe the management structure of the school; including clearly delineated responsibilities, policies, and practices needed to effectively manage the school.
- B. Describe the administrative management structure of the school.
- C. Describe the roles and responsibilities of the management board, including the relationship of the management board to teachers and administrators.
- D. Provide an organizational chart for the school and a narrative description of the chart. The materials supplied should indicate clearly the reporting structure of the staff to the management board and staff to the school director(s).
- E. Unless waived by the Board of Education of Baltimore County, the operators of the public charter school shall be subject to Board of Education Policy 8360-8366 regarding Ethics.
- F. Discuss how the charter school will comply with Maryland statutes relating to public records and public meetings (if applicable) *Annotated Code of Maryland*, Section 10-509.

Student Policy and Services

If the public charter school intends to waive any Board of Education of Baltimore County policy, administrative regulations, and/or procedures relating to students, alternate policies must be provided with this application. Public charter schools are required to follow the policies of the Board of Education of Baltimore County. The following list is not exhaustive, but provides examples of current Board policies and regulations:

- A. Written policies and procedures
- B. Enrollment and attendance data
- C. Compulsory attendance
- D. Nonresident tuition
- E. Student Behavior Handbook
- F. Student withdrawals and dismissals
- G. Promotion of students
- H. Discipline procedures – suspensions-expulsions
- I. Student records and forms
- J. Students/family confidentiality standards

- K. Immunizations (Maryland State Law requires immunization of students prior to entering school)
- L. Student dress code.

Note: Any discipline related to special education students is not negotiable. Further, all expulsions must follow BCPS policy. Board of Education of Baltimore County policies can be located at the following web-address: <http://www.BCPS.org/BOEPolicyManual.html>

- A. If the public charter school plans to implement a dress code policy, provide the policy including a description of how the cost of any uniform would be covered for parents unable to afford them.
- B. Provide a description of the food services to be provided by the charter school. Charter applicants have several options related to the provision of food service for their students. Food service may be significantly more costly if a school chooses option 1 or option 2. A charter school may choose to:
 - 1. Provide food on its own and forgo reimbursement;
 - 2. Apply to the Maryland State Board of Education to become its own licensed School Food Authority and participate in the National School Lunch Program; or
 - 3. Contract with the local district.

Note: The National School Lunch Program (NSLP) is an entitlement which means local schools earn a fixed federal reimbursement for each school lunch served consistent with United States Department of Agriculture (USDA) nutritional guidelines. All public and non-profit private schools may participate as long as they operate a non-profit food service program; agree to make meals available to students, using federally set income criteria, offer meals that meet federally specified nutritional requirements; and follow the record keeping and claims procedures required by the USDA.

- C. Describe plans for health services to be provided by the charter school, or options under consideration. Holding an R.N. or L.P.N. license without school nurse certification is not acceptable. The individual may be full time or part time, but students should have health service access during school hours.
- D. Describe plans for student participation in extracurricular activities such as athletics, music, field trips, etc. Students may not be charged for these services.
- E. Describe appropriate technology, libraries and other media that will be made available to the school's students.

In the event of the dissolution of the public charter school, Baltimore County Public Schools will provide the procedures that the school will follow for the transfer of students, student records, and appropriate school personnel. Resources provided to the public charter school by BCPS shall remain under the control of the Board. The public charter school will provide information to the Board regarding the disposition of all other school assets.

Code of Student Conduct

Discipline and dismissal procedures are the same as those stated in the Baltimore County Pupil Personnel Handbook. Unless modified in the public school charter agreement, Baltimore County school system rules apply to the transfer of students to and from charter schools for suspensions and expulsions.

- ⌚ If a charter school student is expelled and has committed an expellable act that would merit exclusion from a comprehensive (regular) school, the student may be accepted into an alternative program at another Baltimore County public school.

Note: *If a charter school student withdraws but has not committed an expellable act based on the Baltimore County Public Schools' standards, the student shall be admitted to a regular public school program and the charter school shall rebate the FTE to the district.*

Human Resources

The Maryland Public Charter School Program defines employees of a public charter school as public school employees and employees of a public school employer in the county in which the public charter school is located with rights afforded them under Maryland law.

In that Maryland's Public Charter School Law defines a charter school as a public school, there are many administrative and support services that can be provided to a charter school by the school system administration consistent with the services provided to other public schools within that system.

High professional standards for teachers and staff are essential to the success of the public charter school. Consideration should be given to the commitment of staff development and working conditions that will attract a quality staff. The public charter school applicant(s) should seek professional staff that is in agreement with and committed to the mission, goals, and educational approach of the school. After receipt of its charter and completion of the hiring process, the public charter school will be required to submit certificates of newly hired teachers, administrators, and professional support staff as an addendum to this application.

Note: *The Baltimore County Public Schools' Human Resources Department will be responsible for the final interviews and decisions regarding the hiring, evaluation, and discipline of charter school staff. Under Maryland Law, the teachers and certain staff of the public charter school are public employees and therefore, are required to adhere to the rules and regulations of BCPS.*

- A.** Provide a roster of instructional staff for the school for each year of the charter. The roster should indicate and identify classroom teachers, and any teaching aides or assistants, as well as any specialty teachers. All teachers must be highly qualified and all paraprofessionals must be certified pursuant to the requirements of the "Federal No Child Left Behind Act." In addition, the roster should identify the number of instructional personnel in each classroom (e.g., one teacher, one teaching assistant, one paraprofessional for each class).
- B.** Describe the standards to be used in the hiring process of teachers, administrators and other school staff.
- C.** What are the targeted staff size, staffing plan, and projected student-to-teacher ratio?
- D.** Describe how professional development will adhere to BCPS policy and will be offered to the teaching staff.
- E.** Indicate whether the public charter school intends to utilize the limited waiver regarding teacher certification permitted under Maryland law.

Professional/Support Personnel - Qualifications

Please include the following:

- Job descriptions (using BCPS job descriptions)
- Qualification and certification of teachers and other professional staff
- Fingerprinting and criminal background checks for all staff
- Resumes for all professional staff
- Personnel appraisal and accountability system.

Policy, Regulations, and Legal Requirements

Please provide the following:

- A.** Compliance assurances form
- B.** Reporting requirements and annual review process
- C.** Civil liability insurance
- D.** General liability insurance
- E.** Maintain compliance with state and federal education requirements
- F.** Records maintenance/distribution
- G.** Legal autonomy
- H.** Child development center license (if applicable).

Parent Involvement and Community Participation

The key statement that can be made about parent and family involvement in education is that when it happens, everyone benefits. Research has conclusively shown that parental involvement and community participation in education benefits students, parents, teachers and schools, whether the program is at the preschool, elementary, or secondary level.

- A.** Describe how the charter school will build family-school partnerships that focus on strengthening support for learning, improving communication, and encouraging parental involvement in school operations.
- B.** Describe how the charter school will work with parents so they have the information and training they need to better support and become more involved in their children's learning.
- C.** Describe the role teachers, administrators, and other school staff will play in making sure all parents are welcome to the school and are encouraged to participate in decisions about their children's education.
- D.** Describe the relationship the charter school intends to build with community agencies and organizations that serve students who attend the school. Discuss any commitments for partnerships or other relationships with community organizations or individuals that would enrich the learning opportunities of students in the charter school.

- E.** Convey as clearly and concretely as possible the scope of community backing for the proposed charter school and its founding board. Document this community support among teachers, parents, students, community members, institutional leaders, and others, through the use of letters of support, surveys, or other tangible means.
- F.** Describe how parents will be involved in the charter school including, in particular, the management and administration of the public charter school.
- G.** Describe how staff will be involved in the charter school including, in particular, the management and administration of the public charter school.
- H.** Identify methods for handling disputes between parents and the school.
- I.** For Baltimore County Public Schools converting to charter schools, provide evidence that two-thirds of parents/guardians and two-thirds of existing staff support the conversion of the school to a public charter school.

School Facilities

When acquiring a facility, there are many things that should be considered. The final selection of the facility should take into account the safety of the facility and how effectively it can be used to educate students. Other considerations include cost for any needed renovation and/or retrofitting, rent or mortgage payments, and location.

The Maryland Public Charter School Act states “a Public Charter School” means a public school that is in compliance with all applicable health and safety laws” (§9-102(9)). Such requirements are a function of state and local building codes and are administered by the state and local inspection agencies. Prior to receiving any funds or beginning the first day of school, a “certificate of occupancy” must be received by the Baltimore County Charter School Coordinator. Progress toward identifying and acquiring an adequate school facility is required before the application will be approved.

- A.** If the charter school facility has already been identified, describe the facilities to be used and their location, or alternatively, describe present options for a school building.
- B.** Demonstrate how this site would be a suitable facility for the proposed school, including any plans to renovate and bring facilities into compliance with all applicable building codes.
- C.** If applicable, discuss any progress, partnership developments, or other future steps towards acquisition of a school building.
- D.** Describe financing plans for facilities, if applicable.
- E.** If a charter school facility has not been identified, describe plans for doing so. The applicant must notify Baltimore County Public Schools within three days of securing a facility.
- F.** If a charter school or its applicants or partners will own or lease its facility, provide a description of the ownership or lease agreement of the facility, including specifically any potential conflicts-of-interest and arrangements by which such conflicts will be managed or avoided.

G. If available, provide a description of the charter school facility, or proposed facility, and its layout. Include the number and size of the classrooms, common areas, recreational space, any community facilities, and any residential facilities (e.g., dormitories or faculty housing). All education specifications must be submitted with application.

H. Plans must include acquisition of educational materials, supplies, furniture, and other equipment.

Note: *Contracts will not be awarded and existing contracts will not continue unless the charter school has secured a facility for the entire school year.*

Recommendations:

- Obtain verification that there are no outstanding building code violations for educational occupancy.
- Obtain a certificate of occupancy.
- Provide plans for building security, maintenance and custodial services.
- Show ADA accessibility for individuals/children with disabilities.
- Provide schedule for occupancy.

Complete the following information for each site indicated. If planning more than one site, attach an additional page with the following information.

If facility arrangements have been made, provide the information below:

Site Name: _____

Site Address: _____

City: _____ Zip Code: _____ County: _____

If a facility has not been established, provide the following Site/Location Description:

Please provide specific boundary information (e.g., targeted 10 mile radius) on the planned location for the charter school:

Number of classrooms, offices, etc. necessary, along with total square footage to implement the charter school program as described:

Finances

It is extremely important for the charter school to begin with an operating budget that is supported by sound financial planning. The operating budget for the charter application should be developed using local and state funds ONLY. Any other sources of income should be noted but not included in the basic operation of the school unless they represent secure and stable sources of funding. Alternate income streams do not represent secure sources until a guarantee is in hand.

The financial plan should include a two-year budget that is based on the projected enrollment for those two years. Budgeted allotments will change from year to year, with changes in the local and state per pupil allotments. Federal funds and grants are not predictable for income with expenditure forecasts.

The enrollments for the next two years will be the funding cap for the school during the term of the charter. The enrollment numbers should not fluctuate more than 10% below the cap in any given year. If this occurs, a revised budget must be submitted to the Charter Coordinator for Baltimore County Public Schools for review by the Office of the Chief Financial Officer in order to ensure that the school is financially sound to complete the school year.

Maryland State funds schools based upon a September 30th school year count, under guidelines established by law and through regulation. Requests for enrollment and for grade structure changes must be submitted each year to the Charter Coordinator for Baltimore County Public Schools. A review will be completed on the request in excess of the numbers projected on the application or by the 10% rule. Any changes above 10% must be approved by the Board of Education of Baltimore County.

Projections for special education children are difficult, however there must be a commitment from the public charter school not to discriminate. Each year, on October 1, Maryland State collects information regarding the number of children identified as special education children and the federal government takes a headcount as of October 1 of each year. The allotment for children with disabilities is based on the actual funding per child for the local educational agency (LEA).

Federal categorical dollars such as Title I and the child nutrition (school lunch) program require that the school have information regarding household income. It is probably best to ask for this confidential information in the initial registration process. The questionnaire should include a statement of confidentiality and an explanation as to why this information is important to the child and the school.

Required Financial Records

- A. Describe the financial management and internal accounting procedures of the charter school.
- B. Prepare and submit a four-year estimate of the public charter school budget. These projections are needed in order to estimate the annual payment to the public charter school for its operating expenses (see Appendix C). This should include both operating and capital budget projections.
- C. Present a budget for start-up expenses, covering only the planning and capital expenses necessary before the opening of the charter school.
- D. Present a budget for the length of the proposed contract covering all projected sources of revenue and planned expenditures. As it pertains to the budget, it is required that the

applicant(s) submit a detailed and realistic financial plan and analysis. This would include the following:

- ☞ A sensitivity analysis and financial plan based on enrollment with contingency plans for reduced enrollment.
 - ☞ Five percent of the operating and five percent of the capital budget in a contingency fund.
 - ☞ Cash flow projections for the first year displayed month by month and a plan to fund any cash flow shortfalls.
- E.** Are there plans to conduct any fund-raising efforts to generate capital or to supplement the per pupil allocations? If so, briefly explain.
- F.** Explain the manner in which the school will be insured, including liability insurance.
- G.** Determine the per-pupil allocation/modifications. This would include the local school system administrative costs and any other costs to be negotiated between Baltimore County Public Schools and the public charter school applicants.
- H.** Establish ownership and inventory control of materials and equipment.

Note: *As part of any Charter Agreement, all charter schools will be required to make all financial records available to BCPS personnel within 48 hours of a request for auditing purposes. Furthermore, the public charter school will be required to maintain its financial records in accordance with generally accepted accounting principles.*

Recruiting and Marketing Plan

A public charter school should have a plan to attract sufficient students to operate a school and make an effort to publicize the school to a broad audience in order to foster a student body representative of the local community. This would include recruitment efforts that seek to ensure a match between the school program and applicants' educational and personal needs.

- A.** Demonstrate what publicity the school will use to attract a sufficient pool of applicants.
- B.** Determine what steps will be taken to reach students representative of the diversity in the community, including typically "harder to reach" families.

Risk Management

Training the students, staff, and parents is a vital part of any school safety plan. Baltimore County Public Schools maintains an emergency preparedness plan that all public charter schools must follow. Modifications to the Baltimore County Public Schools plan must be approved by the Board of Education of Baltimore County and, at a minimum, each plan should include:

1. the designation of an emergency response team
2. development of evacuation, shelter-in-place, and lockdown procedures
3. preparation of a portable emergency response kit that contains key information and supplies

4. designation of one or more appropriate evacuation sites
5. provisions for training personnel and updating the plan
6. checklists for dealing with specific types of incidents
7. resources for help before, during, and after an event.

An emergency may prevent the safe evacuation of a school building and require steps to isolate students and faculty from danger by instituting a school lockdown. In an interior lockdown situation, all students should be kept in classrooms or other designated locations that are away from the danger. Faculty members are responsible for accounting for students and ensuring that no one leaves the safe area. School personnel should also secure building entrances, ensuring that no unauthorized individuals leave or enter the building. Exterior lockdown procedures may also be used to ensure the safety of students when an incident occurs in the community. An emergency preparation plan must ensure the safety and security of students as well as coverage for facilities and the management board, which are not covered under the local school district's plan.

The specific actions taken by schools in any emergency situation, both districtwide and at individual schools, will depend on the specifics of the situation. Any action taken would depend on several factors, including the level of threat and the advice of local, state, and federal agencies. The safety of students and staff members should be the primary concern in any decision.

- A. Discuss plans to ensure the safety and security of students and staff
- B. Describe proposed school insurance coverage plans, including general liability, property insurance and directors' and officers' liability coverage
- C. Detail emergency plans to be used for situations such as fires, hurricanes, tornadoes, and child safety issues.

Operations

As required by law, admissions preference is granted to students who are eligible to attend Baltimore County Public Schools. Younger siblings of students already enrolled in the school are also granted preference provided the parents choose the public charter school for that sibling. Enrolled students should be guaranteed admission the following year provided the appropriate grade is available. Procedures should be developed to determine eligibility for students in accord with the above. Application forms should request, at a minimum, the: student's name; date of birth; grade level; address; names, address(es), and telephone numbers of parents/guardians; names of siblings also applying; and a signature verifying that the information is correct and that the parents/guardians are choosing education at the public charter school for their child.

Admissions & Registration Plan:

- A. Describe the admissions procedures and dismissal procedures to be used.
- B. Describe the timetable to be used for registering and admitting students, including a plan for the admission lottery if the number of applicants exceeds the program capacity.
- C. In the case of an existing Baltimore County Public School being converted to charter status, suggest alternative arrangements for current students who choose not to attend the charter school.

Transportation

Charter proposals should include a plan that addresses the transportation needs of low-income and at-risk pupils. Funds for student transportation are included in the per pupil allotment amount and school planners may choose to spend these funds in a variety of ways. It is advisable to seek legal counsel on the proposed transportation plan regarding liability issues before submitting the final charter school proposal.

- A. Discuss the plans for transporting students to and from school. What arrangements, if any, will be made with the local school district, private providers, or with parents/guardians?
- B. Provide the definition of “reasonable distance” in the charter school transportation plan since charter schools are responsible for providing transportation for students residing within a "reasonable distance" of the charter school. What factors helped form the basis for this distance determination?
- C. Describe the policies which will help ensure that transportation is not a barrier to equal access for all students.
- D. Describe the procedures that will be in place to address specific transportation modes that special education students with IEPs may require.

Recommendations for Additional Consideration:

- Service agreements: How will these be funded?
- Bus routes: pickup and drop-off plans
- Number of required buses.

Additional Board Governance Policy

All charter school proposals will be evaluated for the impact of the proposed charter on the students and communities. The Board of Education of Baltimore County will take into consideration additional criteria to include:

- ☞ The positive and negative effects of the charter school on existing public schools-both charter and non-charter schools
- ☞ The degree to which the financing mechanism for the charter school is prudent and has safeguards to protect public money should unforeseen circumstances arise.

Charter school founders should follow the same guidelines for naming their schools as the Board of Education of Baltimore County. These guidelines may include:

- ☞ Names being used only once, whether by a charter or non-charter public school in Baltimore County
- ☞ Using a name other than that of a municipality or sub-division.

Final Documentation

Final documents must be submitted prior to the opening of the charter school. Final authorization to operate the charter school will be contingent upon the submission of all finalized or ratified documents requested in this application. Final approval of a Charter Agreement to operate a charter school shall not be authorized until the applicant has finalized the acquisition or leasing of an appropriate facility that meets all health and safety requirements and the specific needs of the school's educational program.

Pre-Opening Submissions

One month prior to the opening of the public charter school, the following will need to be provided:

A. Facilities Safety Approval

For all public charter schools not using existing Baltimore County Public Schools facilities, the safety and structural soundness of the school and compliance with applicable state minimum building codes and fire protection codes must be met. Please submit written documentation of:

- Inspections required by Baltimore County Public Schools;
- Inspection by local Fire Department;
- Compliance with all other federal and state health & safety laws and regulations.

Submit a final site plan.

B. Final Governance Documents

- Submit copies of the school's articles of incorporation (if applicable), by-laws, contracts, and other documents required by applicable law.
- Updated board members' names, addresses, phone numbers, resumes, and disclosure information.

C. Insurance, Final Budgets, & Other

- Present the school's insurance coverage plans, including general liability, property insurance, and Director's and Officer's liability coverage, if any.
- Submit updated budgets.
- Final school calendars.

Miscellaneous

Please indicate whether the proposed public charter school would:

- Have substantially the same governance structure and/or officers as an existing private school.
- Draw from an existing private school a substantial portion of the employees of the public charter school.

- Receive from an existing private school a substantial portion of such private school’s assets or property; or
- Would be located at the same site as an existing private school.

Please provide any other information that would be helpful to the Board of Education of Baltimore County in the evaluation of the application.

Application Checklist

(to be completed by the applicant)

This document is similar to the Administrative Checklist used by the Baltimore County Public Schools staff in determining if an application is complete. Any section not complete, including items left blank or unanswered or missing attachments and appendices, will result in an application being deemed INCOMPLETE. Notice of deficiencies will be sent to the applicant within 30 business days of receipt of application. **Incomplete applications will not be forwarded to the Board of Education of Baltimore County.**

Insert the page number where each item listed below will be found within the application section indicated.

Page Number	Section
	Format
	<input type="checkbox"/> Typed document <input type="checkbox"/> Pages numbered consecutively
	Application/Guidance <input type="checkbox"/> Any section not complete, including items left blank or unanswered, will result in an application being deemed INCOMPLETE. All information will be verified for accuracy.
	Public Charter Concept Proposal Form
	Prospectus
	Public Charter School Application <input type="checkbox"/> Any section not complete, including items left blank or unanswered, will result in an application being deemed INCOMPLETE. All information will be verified for accuracy.
	Application Summary
	Planning and Establishment <input type="checkbox"/> Profile of Founding Group <input type="checkbox"/> Management and Administrative Structure <input type="checkbox"/> Any section not complete, including items left blank or unanswered, will result in an application being deemed INCOMPLETE.
	Mission Statement <input type="checkbox"/> Mission and Goals
	Goals
	Student Population <input type="checkbox"/> Any section not complete, including items left blank or unanswered, will result in an application being deemed INCOMPLETE.
	Background Information <input type="checkbox"/> Employment History <input type="checkbox"/> Education History <input type="checkbox"/> Statement of Intent

	<p>Affidavit, Disclosure, and Consent for Background and Credit Check</p> <p>____ Signature</p> <p>____ Any section not complete, including items left blank or unanswered, will result in an application being deemed INCOMPLETE. All information will be verified for accuracy.</p>
	<p>Compliance Assurances</p> <p>____ Admission Procedures</p> <p>____ Nonsectarian Statement</p> <p>____ Agreement to Participate in Training and Professional Development</p> <p>____ Special Education/Exceptional Student Services Training</p> <p>____ Agreement to Comply with Audit Requirements</p> <p>____ Agreement to Comply with Maryland Student Assessment</p> <p>____ Signatures</p>
	<p>Educational Plan</p> <p>____ Objectives</p> <p>____ Grades, number, etc.</p> <p>____ Student Population and Geographic Area</p>
	<p>Academic Program, Standards, Curriculum & Assessment</p> <p>____ Describe educational program</p> <p>____ Goals and objectives of the BCPS Master Plan</p> <p>____ Outline instructional methods</p> <p>____ Exceptional Education Students</p> <p>____ Special Education Students</p> <p>____ School Calendar</p> <p>____ Timeframe on core academic subjects</p> <p>____ Student achievement goals</p> <p>____ Learning standards and curriculum</p> <p>____ Schedule of state assessments administered by school</p>
	<p>Student Assessment</p> <p>____ Plans to assess student performance in core academic areas</p> <p>____ Baseline student academic achievement levels established</p> <p>____ Baseline rates compared to academic progress achieved</p> <p>____ Evaluation of progress comparison</p> <p>____ Methods used to identify educational strengths</p> <p>____ Student Participation in statewide assessment programs</p> <p>____ Requirements for graduation (secondary education applicants only)</p> <p>____ State or local rules waived</p> <p>____ Meeting needs of students at risk of academic failure</p>
	<p>Management Structure</p> <p>____ Articles of Incorporation (if applicable)</p> <p>____ Profile of the operators of the public charter school</p> <p>____ Business arrangements or partnerships</p> <p>____ Relevant expertise of retained consultant or professionals</p> <p>____ Method for resolving conflicts</p> <p>____ Set of By-laws</p>
	<p>School Management</p> <p>____ Management structure of the school</p> <p>____ Administrative management structure of the school</p> <p>____ Roles and responsibilities of management board</p> <p>____ Organizational chart for school with narrative description</p> <p>____ Code of Ethics</p> <p>____ Public meetings (if applicable)</p>

	<p>Student Policies and Services</p> <ul style="list-style-type: none"> <input type="checkbox"/> Alternate policies (if applicable) <input type="checkbox"/> Dress code policy <input type="checkbox"/> Food Services <input type="checkbox"/> Health Services <input type="checkbox"/> Student participation in extracurricular activities <input type="checkbox"/> Appropriate technology, libraries, and other media plans <input type="checkbox"/> Procedures for dissolution of school <input type="checkbox"/> Code of Student Conduct
	<p>Student Support Services</p> <ul style="list-style-type: none"> <input type="checkbox"/> Written policies and procedures <input type="checkbox"/> Enrollment and attendance data <input type="checkbox"/> Compulsory attendance <input type="checkbox"/> Nonresident tuition policy <input type="checkbox"/> Student withdrawals and dismissals <input type="checkbox"/> Promotion of students <input type="checkbox"/> Discipline procedures – suspensions - expulsions <input type="checkbox"/> Student records and forms <input type="checkbox"/> Immunizations
	<p>Human Resources</p> <ul style="list-style-type: none"> <input type="checkbox"/> Roster of instructional staff <input type="checkbox"/> Indication of teacher certification waiver <input type="checkbox"/> Hiring standards <input type="checkbox"/> Teacher qualifications to parents <input type="checkbox"/> Targeted staffing size and plan <input type="checkbox"/> Professional Development
	<p>Professional/Support Personnel – Qualifications</p> <ul style="list-style-type: none"> <input type="checkbox"/> Job descriptions <input type="checkbox"/> Qualification and certification of teachers and other professional staff <input type="checkbox"/> Fingerprinting and criminal background checks for all staff/volunteers <input type="checkbox"/> Resumes for all professional staff <input type="checkbox"/> Personnel appraisal and accountability system
	<p>Policy, Regulations, and Legal Requirements</p> <ul style="list-style-type: none"> <input type="checkbox"/> Assurances forms <input type="checkbox"/> Reporting requirements and annual review process <input type="checkbox"/> Civil liability insurance <input type="checkbox"/> General liability insurance <input type="checkbox"/> Compliance with state and federal education requirements <input type="checkbox"/> Legal autonomy <input type="checkbox"/> Child development center license (if applicable)

	<p>Parent Involvement and Community Participation</p> <ul style="list-style-type: none"> _____ Building family-school partnerships _____ Parental involvement _____ Staff involvement _____ Partnerships with community organizations _____ Community support _____ Handling disputes _____ Conversion of existing school (if applicable)
	<p>School Facilities</p> <ul style="list-style-type: none"> _____ Facilities, location, and present options _____ Renovation and compliance _____ Partnership developments and acquisition of school building _____ Financing plans (if applicable) _____ Notification of facility _____ Ownership or lease agreement _____ Description of facility _____ Facility (acquisition) _____ Acquisition of educational materials, supplies, furniture, etc. _____ Verification of no outstanding building code violations _____ ADA accessibility _____ Schedule for occupancy _____ Certificate of Occupancy
	<p>Finances</p> <ul style="list-style-type: none"> _____ Financial management and internal accounting procedures _____ Four-year estimate of school budget. _____ Budget for start-up expenses _____ Budget for length of proposed contract, sensitivity analysis, contingency fund, and cash flow projections _____ Fund-raising plans _____ Liability insurance _____ Determination of per-pupil allocations/modifications _____ Operating and Capital budget projections _____ Ownership and inventory control of materials and equipment
	<p>Recruiting and Marketing Plan</p> <ul style="list-style-type: none"> _____ Publicizing the school to attract a sufficient pool of applicants _____ Steps to reach all students
	<p>Risk Management</p> <ul style="list-style-type: none"> _____ Plans to ensure safety and security of students and staff _____ Proposed school insurance coverage plans _____ Emergency plans
	<p>Operations</p> <ul style="list-style-type: none"> _____ Admissions and dismissal procedures _____ Timetable for registering and admitting students, including lottery procedures _____ Existing school conversion plans (if applicable)
	<p>Transportation</p> <ul style="list-style-type: none"> _____ Plans for transporting students _____ Definition of reasonable distance in transportation plan _____ Policies regarding equal access for all students _____ Special education IEP requirements
	<p>Additional Board Governance Policy (Read Only)</p>

	Final Documentation (Read Only)
	Pre-Opening Submissions _____ Facilities Safety Approval, inspections, compliance, and final site plan
	Final Governance Documents _____ Articles of Incorporation (if applicable) _____ Other documents _____ Updated Information on Management Board
	Insurance, Final Budgets, and Other _____ Insurance coverage plans _____ Updated budgets _____ Final school calendar
	Miscellaneous _____ Private school conversion _____ Any other information pertinent to evaluation of application

APPENDIX A

Senate Bill 75

SENATE BILL 75

Unofficial Copy
F1

2003 Regular Session
(3lr0658)

ENROLLED BILL

-- *Education, Health, and Environmental Affairs/Ways and Means* --

Introduced by **Senators Dyson, Hollinger, Colburn, DeGrange, Frosh,
Giannetti, Harris, Hooper, Kittleman, Lawlah, Mooney, and Stone**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

President.

CHAPTER 358

1 AN ACT concerning

2

Public Charter School Act of 2003

3 FOR the purpose of establishing the Maryland Public Charter School Program;
4 adding a certain definition; establishing certain authority in certain boards;
5 specifying certain charter school application requirements; prohibiting a ~~county~~
6 ~~board~~ public chartering authority from granting a charter to certain schools;
7 requiring a county board to review an application to establish a charter school
8 and render a decision within a certain time period; establishing a certain
9 appeals process; requiring the State Board of Education to render a certain
10 decision within a certain time period; authorizing the State Board of Education
11 to direct a county board to grant a charter under certain circumstances and
12 requiring the State Board to mediate a certain decision; establishing a certain
13 certification requirement; requiring a public charter school to comply with
14 certain provisions of law; authorizing a public charter school to apply for a
15 certain waiver; prohibiting the granting of a waiver from certain provisions of
16 law; providing for certain bargaining rights for certain employees; providing for

SENATE BILL 75

1 the negotiation of certain amendments to certain collective bargaining
2 agreements; requiring a county board to disburse a certain amount of money to
3 a public charter school; authorizing certain boards to give educational materials,
4 supplies, furniture, and other equipment to a public charter school; requiring
5 county boards to develop a certain policy; establishing a certain liaison for the
6 Program; requiring the State Department of Education to create and
7 disseminate to each local board of education a certain model public charter
8 school policy by a certain date; requiring the State Board of Education to submit
9 a certain report on or before a certain date; defining certain terms; authorizing
10 the State Board to act as the public chartering authority for restructured schools
11 under certain circumstances; specifying certain procedures and requirements
12 governing an application for a restructured school that seeks to become a charter
13 school; specifying certain limitations and requirements for charter schools with
14 regard to educational services for children with disabilities; requiring the State
15 Board of Education to provide certain technical assistance to certain operators of
16 charter schools; and generally relating to the Maryland Public Charter School
17 Program.

18 BY repealing and reenacting, with without amendments,
19 Article - Education
20 Section 6-401(e) and 6-501(g)
21 Annotated Code of Maryland
22 (2001 Replacement Volume and 2002 Supplement)

23 BY adding to
24 Article - Education
25 Section 9-101 through ~~9-106-9-109~~ 9-110, inclusive, to be under the new title
26 "Title 9. Maryland Public Charter School Program"
27 Annotated Code of Maryland
28 (2001 Replacement Volume and 2002 Supplement)

29 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
30 MARYLAND, That the Laws of Maryland read as follows:

31 **Article - Education**

32 6-401.

33 (e) "Public school employer" means a county board of education for, the
34 Baltimore City Board of School Commissioners, ~~OR A PUBLIC CHARTER SCHOOL, AS~~
35 ~~DEFINED IN TITLE 9 OF THIS ARTICLE.~~

36 6-501.

37 (g) (1) "Public school employer" means the county board in each county, ~~OR~~
38 ~~A PUBLIC CHARTER SCHOOL, AS DEFINED IN TITLE 9 OF THIS ARTICLE.~~

SENATE BILL 75

1 (2) "Public school employer" includes the Baltimore City Board of School
2 Commissioners.

3 TITLE 9. MARYLAND PUBLIC CHARTER SCHOOL PROGRAM.

4 9-101.

5 (A) THERE IS A MARYLAND PUBLIC CHARTER SCHOOL PROGRAM.

6 (B) THE GENERAL PURPOSE OF THE PROGRAM IS TO ESTABLISH AN
7 ALTERNATIVE MEANS WITHIN THE EXISTING PUBLIC SCHOOL SYSTEM IN ORDER TO
8 PROVIDE INNOVATIVE LEARNING OPPORTUNITIES AND CREATIVE EDUCATIONAL
9 APPROACHES TO IMPROVE THE EDUCATION OF STUDENTS.

10 9-102.

11 IN THIS TITLE, "PUBLIC CHARTER SCHOOL" MEANS A PUBLIC SCHOOL THAT:

12 (1) IS NONSECTARIAN IN ALL ITS PROGRAMS, POLICIES, AND
13 OPERATIONS;

14 (2) IS A SCHOOL TO WHICH PARENTS CHOOSE TO SEND THEIR
15 CHILDREN;

16 (3) IS OPEN TO ALL STUDENTS ON A SPACE-AVAILABLE BASIS AND
17 ADMITS STUDENTS ON A LOTTERY BASIS IF MORE STUDENTS APPLY THAN CAN BE
18 ACCOMMODATED;

19 (4) IS A NEW PUBLIC SCHOOL OR A CONVERSION OF AN EXISTING
20 PUBLIC SCHOOL;

21 (5) PROVIDES A PROGRAM OF ELEMENTARY OR SECONDARY
22 EDUCATION OR BOTH;

23 (6) OPERATES IN PURSUIT OF A SPECIFIC SET OF EDUCATIONAL
24 OBJECTIVES;

25 (7) IS TUITION-FREE;

26 (8) IS SUBJECT TO FEDERAL AND STATE LAWS PROHIBITING
27 DISCRIMINATION;

28 (9) IS IN COMPLIANCE WITH ALL APPLICABLE HEALTH AND SAFETY
29 LAWS; ~~AND~~

30 (10) ~~IS IN COMPLIANCE WITH THE REQUIREMENTS OF THE INDIVIDUALS~~
31 ~~WITH DISABILITIES ACT, 20 U.S.C. 1400 ET SEQ. § 9-107 OF THIS TITLE;~~

32 (11) OPERATES UNDER THE SUPERVISION OF THE PUBLIC CHARTERING
33 AUTHORITY FROM WHICH ITS CHARTER IS GRANTED AND IN ACCORDANCE WITH
ITS

1 CHARTER AND, EXCEPT AS PROVIDED IN § 9-106 OF THIS SUBTITLE, THE PROVISIONS
2 OF LAW AND REGULATION GOVERNING OTHER PUBLIC SCHOOLS;

3 (12) REQUIRES STUDENTS TO BE PHYSICALLY PRESENT ON SCHOOL
4 PREMISES FOR A PERIOD OF TIME SUBSTANTIALLY SIMILAR TO THAT WHICH OTHER
5 PUBLIC SCHOOL STUDENTS SPEND ON SCHOOL PREMISES; AND

6 (13) IS CREATED IN ACCORDANCE WITH THIS TITLE AND THE
7 APPROPRIATE COUNTY BOARD POLICY.

8 9-103.

9 (A) THE PRIMARY PUBLIC CHARTERING AUTHORITY FOR THE GRANTING OF
10 ~~CHARTERS~~ A CHARTER SHALL BE THE A COUNTY BOARD'S BOARD OF EDUCATION.

11 (B) THE SECONDARY PUBLIC CHARTERING AUTHORITY FOR THE GRANTING
12 OF ~~CHARTERS~~ A CHARTER SHALL BE THE STATE BOARD ACTING IN ITS APPEAL
13 REVIEW CAPACITY OR AS THE PUBLIC CHARTERING AUTHORITY FOR A
14 RESTRUCTURED SCHOOL IN ACCORDANCE WITH § 9-104(A) OF THIS SUBTITLE.

15 ~~(C) THE STATE BOARD MAY CREATE ADDITIONAL PUBLIC CHARTERING~~
16 ~~AUTHORITIES.~~

17 9-104.

18 (A) (1) AN APPLICATION TO ESTABLISH A PUBLIC CHARTER SCHOOL
SHALL
19 BE SUBMITTED TO THE COUNTY BOARD OF THE COUNTY IN WHICH THE CHARTER
20 SCHOOL WILL BE LOCATED.

21 (2) AN APPLICATION TO ESTABLISH A PUBLIC CHARTER SCHOOL MAY
BE
22 SUBMITTED TO A COUNTY BOARD BY:

23 (I) THE STAFF OF A PUBLIC SCHOOL;

24 (II) A PARENT OR GUARDIAN OF A STUDENT WHO ATTENDS A
25 PUBLIC SCHOOL IN THE COUNTY;

26 (III) A NONSECTARIAN NONPROFIT ENTITY;

27 (IV) ~~AN~~ A NONSECTARIAN INSTITUTION OF HIGHER EDUCATION
IN
28 THE STATE; OR

29 (V) ANY COMBINATION OF PERSONS SPECIFIED IN ITEMS (I)
30 THROUGH (IV) OF THIS PARAGRAPH.

31 (3) ~~A COUNTY BOARD~~ PUBLIC CHARTERING AUTHORITY MAY NOT
32 GRANT A CHARTER UNDER THIS TITLE TO:

33 (I) A PRIVATE SCHOOL;

34 (II) A PAROCHIAL SCHOOL; OR

1 (III) A HOME SCHOOL.

2 (4) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS
3 PARAGRAPH, THE COUNTY BOARD SHALL REVIEW THE APPLICATION AND RENDER A
4 DECISION WITHIN 120 DAYS OF RECEIPT OF THE APPLICATION.

5 (II) FOR A RESTRUCTURED SCHOOL:

6 1. THE COUNTY BOARD SHALL REVIEW THE APPLICATION
7 AND RENDER A DECISION WITHIN 30 DAYS OF RECEIPT OF THE APPLICATION;

8 2. THE COUNTY BOARD MAY APPLY TO THE STATE BOARD
9 FOR AN EXTENSION OF UP TO 15 DAYS FROM THE TIME LIMIT IMPOSED UNDER ITEM
10 1 OF THIS SUBPARAGRAPH;

11 3. IF AN EXTENSION IS NOT GRANTED, AND 30 DAYS HAVE
12 ELAPSED, THE STATE BOARD MAY BECOME A CHARTERING AUTHORITY; AND

13 4. IF AN EXTENSION HAS BEEN GRANTED, AND 45 DAYS
14 HAVE ELAPSED, THE STATE BOARD MAY BECOME A CHARTERING AUTHORITY.

15 (B) (1) IF THE COUNTY BOARD DENIES AN APPLICATION TO ESTABLISH A
16 PUBLIC CHARTER SCHOOL, THE APPLICANT MAY APPEAL THE DECISION TO THE
17 STATE BOARD, IN ACCORDANCE WITH § 4-205(C) OF THIS ARTICLE.

18 (2) THE STATE BOARD SHALL RENDER A DECISION WITHIN 120 DAYS
OF
19 THE FILING OF AN APPEAL UNDER THIS SUBSECTION.

20 (3) IF THE COUNTY BOARD DENIES AN APPLICATION TO ESTABLISH A
21 PUBLIC CHARTER SCHOOL AND THE STATE BOARD REVERSES THE DECISION, THE
22 STATE BOARD MAY DIRECT THE COUNTY BOARD TO GRANT A CHARTER AND SHALL
23 MEDIATE WITH THE COUNTY BOARD AND THE APPLICANT TO IMPLEMENT THE
24 CHARTER.

25 9-105.

26 A MEMBER OF THE PROFESSIONAL STAFF OF A PUBLIC CHARTER SCHOOL
27 SHALL HOLD THE APPROPRIATE MARYLAND CERTIFICATION.

28 9-106.

29 (A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, A PUBLIC CHARTER
30 SCHOOL SHALL COMPLY WITH THE PROVISIONS OF LAW AND REGULATION
31 GOVERNING OTHER PUBLIC SCHOOLS.

32 (B) SUBJECT TO SUBSECTION (C) OF THIS SECTION, A WAIVER OF THE
33 REQUIREMENTS UNDER SUBSECTION (A) OF THIS SECTION MAY BE SOUGHT
34 THROUGH AN APPEAL TO THE STATE BOARD.

35 (C) A WAIVER MAY NOT BE GRANTED FROM PROVISIONS OF LAW OR
36 REGULATION RELATING TO:

1 (1) AUDIT REQUIREMENTS;

2 (2) THE MEASUREMENT OF STUDENT ACADEMIC ACHIEVEMENT,
3 INCLUDING ALL ASSESSMENTS REQUIRED FOR OTHER PUBLIC SCHOOLS AND OTHER
4 ASSESSMENTS MUTUALLY AGREED UPON BY THE PUBLIC CHARTERING AUTHORITY
5 AND THE SCHOOL; OR

6 (3) THE HEALTH, SAFETY, OR CIVIL RIGHTS OF A STUDENT OR AN
7 EMPLOYEE OF THE CHARTER SCHOOL.

8 9-107.

9 (A) A PUBLIC CHARTERING AUTHORITY MAY NOT GRANT A CHARTER TO A
10 PUBLIC CHARTER SCHOOL WHOSE OPERATION WOULD BE INCONSISTENT WITH ANY
11 PUBLIC POLICY INITIATIVE, COURT ORDER, OR FEDERAL IMPROVEMENT PLAN
12 GOVERNING SPECIAL EDUCATION THAT IS APPLICABLE TO THE STATE.

13 (B) A PUBLIC CHARTERING AUTHORITY SHALL ENSURE THAT THE
14 AUTHORIZING PROCESS FOR A PUBLIC CHARTER SCHOOL AND THE CHARTER
15 APPLICATION ADDRESS THE ROLES AND RESPONSIBILITIES OF THE COUNTY BOARD
16 AND THE APPLICANTS AND OPERATORS OF THE PUBLIC CHARTER SCHOOL WITH
17 RESPECT TO CHILDREN WITH DISABILITIES.

18 (C) THE PUBLIC CHARTERING AUTHORITY SHALL ENSURE THAT, PRIOR TO
19 OPENING A PUBLIC CHARTER SCHOOL, THE OPERATORS OF THE SCHOOL ARE
20 INFORMED OF THE HUMAN, FISCAL, AND ORGANIZATIONAL CAPACITY NEEDED TO
21 FULFILL THE SCHOOL'S RESPONSIBILITIES RELATED TO CHILDREN WITH
22 DISABILITIES.

23 (D) THE STATE BOARD SHALL PROVIDE TECHNICAL ASSISTANCE TO THE
24 OPERATORS OF A PUBLIC CHARTER SCHOOL TO HELP THE SCHOOL MEET THE
25 REQUIREMENTS OF FEDERAL AND STATE LAWS, INCLUDING 20 U.S.C. § 1400, ET SEQ.
26 AND § 504 OF THE REHABILITATION ACT OF 1973, 29 U.S.C. § 794.

27 ~~9-107. 9-108.~~

28 (A) EMPLOYEES OF A PUBLIC CHARTER SCHOOL:

29 (1) ARE PUBLIC SCHOOL EMPLOYEES, AS DEFINED IN §§ 6-401(D) AND
30 6-501(F) OF THIS ARTICLE;

31 (2) ARE EMPLOYEES OF A PUBLIC SCHOOL EMPLOYER, AS DEFINED IN
§§
32 6-401(E) AND 6-501(G) OF THIS ARTICLE, IN THE COUNTY IN WHICH THE PUBLIC
33 CHARTER SCHOOL IS LOCATED; AND

34 (3) SHALL HAVE THE RIGHTS GRANTED UNDER TITLE 6, SUBTITLES 4
35 AND 5 OF THIS ARTICLE.

36 (B) IF A COLLECTIVE BARGAINING AGREEMENT UNDER TITLE 6, SUBTITLE 4
37 OR 5 OF THIS ARTICLE IS ALREADY IN EXISTENCE IN THE COUNTY WHERE A PUBLIC

1 CHARTER SCHOOL IS LOCATED, THE EMPLOYEE ORGANIZATION AND THE PUBLIC
2 CHARTER SCHOOL MAY MUTUALLY AGREE TO NEGOTIATE AMENDMENTS TO THE
3 EXISTING AGREEMENT TO ADDRESS THE NEEDS OF THE PARTICULAR PUBLIC
4 CHARTER SCHOOL.

5 ~~9-108. 9-109.~~

6 (A) A COUNTY BOARD SHALL DISBURSE TO A PUBLIC CHARTER SCHOOL AN
7 AMOUNT OF COUNTY, STATE, AND FEDERAL MONEY FOR ELEMENTARY, MIDDLE,
AND
8 SECONDARY STUDENTS THAT IS COMMENSURATE WITH THE AMOUNT DISBURSED
9 TO OTHER PUBLIC SCHOOLS IN THE LOCAL JURISDICTION.

10 (B) THE STATE BOARD OR THE COUNTY BOARD MAY GIVE SURPLUS
11 EDUCATIONAL MATERIALS, SUPPLIES, FURNITURE, AND OTHER EQUIPMENT TO A
12 PUBLIC CHARTER SCHOOL.

13 ~~9-109. 9-110.~~

14 (A) (1) EACH COUNTY BOARD SHALL DEVELOP A PUBLIC CHARTER
SCHOOL
15 POLICY AND SUBMIT IT TO THE STATE BOARD.

16 (2) THE POLICY REQUIRED UNDER PARAGRAPH (1) OF THIS
SUBSECTION

17 SHALL INCLUDE GUIDELINES AND PROCEDURES REGARDING:

18 (I) EVALUATION OF PUBLIC CHARTER SCHOOLS;

19 (II) REVOCAION OF A CHARTER;

20 (III) REPORTING REQUIREMENTS; AND

21 (IV) FINANCIAL, PROGRAMMATIC, OR COMPLIANCE AUDITS OF
22 PUBLIC CHARTER SCHOOLS.

23 (B) THE DEPARTMENT SHALL DESIGNATE A STAFF PERSON TO FUNCTION AS
24 A CONTACT PERSON FOR THE MARYLAND PUBLIC CHARTER SCHOOL PROGRAM.

25 SECTION 2. AND BE IT FURTHER ENACTED, That the State Department
26 of Education shall create and disseminate to each local board of education model
27 public charter school policy language which can be used to create a public charter
28 school policy as required by this Act. Each local board of education shall submit its
29 public charter school policy to the State Board of Education by November 1, 2003.

30 SECTION 3. AND BE IT FURTHER ENACTED, That on or before October 1,
31 2006, based on information gathered from each local board of education, the Board of
32 School Commissioners of Baltimore City, and the public, the State Board of Education
33 shall submit to the General Assembly, in accordance with § 2-1246 of the State
34 Government Article, a report including an evaluation of the public charter school
35 program. The report shall address the advisability of the continuation, modification,
36 expansion, or termination of the program.

1 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October July 1, 2003.

APPENDIX B

LIST OF SOME CHARTER SCHOOL RESOURCES ON WEB

Maryland State Department of Education – www.msde.state.md.us

Maryland Charter School Network – mcsn@comcast.net

U.S. Charter Schools – www.uscharterschools.org

Charter Friends National Network – www.charterfriends.org

Education Week: Charter Schools – www.edweek.org

National Center for Policy Analysis: Idea House – www.ncpa.org

National Association of Charter School Authorizers – www.charterauthorizers.org

The Center for Education Reform – www.edreform.com

National Education Association – www.nea.org

Maryland General Assembly – www.mlis.state.md.us

Charter Schools Development Center – www.cacharterschools.org

U.S. Department of Education – www.ed.gov/

APPENDIX C

Pre-Operational Budget

A charter school is likely to incur considerable costs before it receives its first distribution. Prepare an estimated budget January 1st (Concept Proposal Due) and August 15th prior to the first school year.

Revenue-Sources of Funding	Budget Amount	Specific Source
Federal Funding		
Start-Up Grant	\$	
Other (specify)	\$	
State Funding		
Other (specify)	\$	
Local Funding		
Fundraising	\$	
Contributions	\$	
Local Foundation and Grant Support	\$	
<i>Other Financing Sources</i>		
Lines of Credit	\$	
Loans	\$	
Other (specify)	\$	
TOTAL REVENUE	\$	
Expenditures	Budget Amount	Assumptions (e.g., 40 hours of consulting at \$100/hour)
Legal Fees	\$	
Accounting and Consultation Fees	\$	
Fundraising Fees	\$	
Marketing (including postage, printing)	\$	
Recruitment-Students	\$	
Recruitment-Staff	\$	
Curriculum Development	\$	
Staff/Board Development	\$	
Staff Stipends	\$	
Equipment and Supplies	\$	
Information Technology	\$	
Rent	\$	
Capital	\$	
Utilities	\$	
Telephone/Fax	\$	
Travel	\$	
Other (specify)	\$	
TOTAL EXPENDITURES	\$	

SAMPLE

Operating Budget: Projected Revenues and Expenditures				
Public Charter School:	Year One	Year Two	Year Three	Year Four
	Fiscal Year	Fiscal Year	Fiscal Year	Fiscal Year
	_____	_____	_____	_____
MAJOR ASSUMPTIONS				
Student Enrollment				
Facility Size (square footage)				
Average Teacher Salary				
Student/Teacher Ratio				
REVENUE				
<i>Revenue From State Source</i>				
Per Pupil Tuition				
State Entitlements				
State Grants				
Transportation				
<i>Revenue From Federal Sources</i>				
Federal Entitlements				
Federal Direct Grants				
Federal Revenue Pass Through the Commonwealth				
Federal Revenue Pass Through Another Agency (specify)				
School Lunch				
<i>Revenue From Local Sources</i>				
Private Grant Revenue				
Fundraising				
Investment Income				
Program Fees				
Facilities Rental				
<i>Other Revenue</i>				
(Specify)				
TOTAL REVENUE				
EXPENDITURES				
<i>School Administration</i>				
Salaries and Wages - School Director				
Salaries and Wages - Supervisors				
Salaries and Wages - Clerical Staff				
Fringe Benefits - Health Insurance				
Fringe Benefits - Retirement Benefits				

Unemployment/Workers Compensation				
Office Supplies				
Equipment and Furniture				
Information Technology				
Purchased Management Services				
Subtotal - School Administration				
Instructional Staff				
Salaries and Wages - Full-Time Teachers				
Salaries and Wages - Part-Time Teachers				
Salaries and Wages - Substitutes				
Fringe Benefits - Health Insurance				
Fringe Benefits - Retirement Benefits				
Unemployment/Workers Compensation				
Subtotal - Instructional Staff				
Instructional				
Contract Labor - Instructional				
Consultants				
Purchased Management Services				
Professional Development				
Special Education				
Student Assessment/Testing				
Supplies/Materials - Instructional				
Classroom Furniture				
Equipment - Instructional				
Textbooks				
Information Technology				
Computer Supplies and Repairs				
Library				
Subtotal - Instructional				
Business Services				
Accounting				
Advertising				
Public Relations/Marketing				
Insurance - General Liability				
Insurance - Vehicle				
Insurance - Other (specify)				
Office Expenses				
Fees, Licensing, Dues, and Memberships				
Purchased Management Services				
Payroll Services				
Postage and Shipping				

Printing				
Telephone				
Travel				
<i>Subtotal - Business Services</i>				
<i>Operations and Maintenance</i>				
Contact Labor - Non-Instructional				
Custodial Services				
Maintenance - Vehicle				
Maintenance - Facility				
Maintenance - Office Equipment				
Supplies/Materials - Maintenance				
<i>Subtotal - Operations and Maintenance</i>				
<i>Physical Plant</i>				
Rent				
Mortgage				
Renovation/Construction				
Capital Debt Service				
Utilities				
<i>Subtotal - Physical Plant</i>				
<i>Student Services</i>				
Health				
Transportation				
Food				
Recreation				
<i>Subtotal - Student Services</i>				
<i>Miscellaneous</i>				
Audit				
Advertising				
Dues and Subscriptions				
Workshops and Conferences				
Fundraising				
Legal				
Contingency Fund				
<i>Subtotal - Miscellaneous</i>				
TOTAL EXPENITURES				

Operating Budget - Revenue Detail

	Year One	Year Two	Year Three	Year Four
	Fiscal Year	Fiscal Year	Fiscal Year	Fiscal Year
Revenue Source	_____	_____	_____	_____
Local				
State				
Federal				
Other				
TOTAL	\$	\$	\$	\$

Are any major changes in the revenue sources expected during this four-year projection? If yes, explain in detail and include calculations. Attach additional sheets if necessary.

What contingency plans have been made if revenues are not received or are lower than budgeted?

Operating Budget-Expenditure Detail				
	Year One	Year Two	Year Three	Year Four
	Fiscal Year	Fiscal Year	Fiscal Year	Fiscal Year
Expenditure Function	_____	_____	_____	_____
School Administration				
Instruction (Including Staff)				
Business Support Services				
Operations and Maintenance				
Physical Plant				
Student Services				
TOTAL				
Explain specific financial goals and objectives for the first four operating years (i.e., capital improvements, curriculum purchases, increased staffing needs, etc.)				
	Year One	Year Two	Year Three	Year Four
	Fiscal Year	Fiscal Year	Fiscal Year	Fiscal Year
	_____	_____	_____	_____
Per Pupil Revenue (including all sources)				
Per Pupil Expenditures:				
Instructional				
Business and Administration				
Operations and Maintenance and Physical Plant				

APPENDIX D

COMMUNITY RELATIONS: Public Charter Schools

Public Charter Schools

The Board of Education of Baltimore County in accordance with Title 9 of the Education Article of the Annotated Code of Maryland may grant a charter for a “public charter school.” The primary public chartering authority in the granting of such charter shall be the Baltimore County Board of Education. A Baltimore County public charter school shall endeavor to reflect the diversity of the school system as a whole. As defined by the Board of Education, diversity includes racial, ethnic, economic, gender, and special needs populations.

The Superintendent shall establish a public charter school application process. Applications shall be submitted to the Superintendent and/or designee for review, comment, and recommendation to the Board of Education. The Superintendent shall recommend approval or denial of the application to the Board of Education. The Superintendent shall establish criteria with which to consider proposals for a public charter school including, but not limited to, elements related to student achievement, academic programs, resources, and fiscal management.

The Superintendent shall apply Baltimore County Public School criteria for the management and student performance results to the public charter school. The public charter school shall conduct all assessments required for the public schools in Baltimore County. The public charter school shall be evaluated annually based on student achievement, fiscal management, and other criteria pursuant to its approved application and the terms and conditions of its charter as specified in the charter agreement.

The public charter school shall present to the Board of Education an annual results report, including student achievement and fiscal accountability, as described in the approved charter agreement. The Board of Education shall require financial, programmatic, and/or compliance audits consistent with federal, state, and local law, procedures, and policies.

If a public charter school receives an unsatisfactory annual evaluation based upon its annual results report, the Board of Education may approve the development of a remedial plan, placing the charter school on probationary status, or may move immediately to revoke the school’s charter. The Board of Education may revoke a public charter school’s charter for the following reasons: the school has not fulfilled a condition imposed by the Board of Education in connection with the granting of the charter as specified in the charter agreement; the school has failed to comply with the provisions of federal, state, or local law; the fiscal condition of the school is substantially deficient; the academic condition of the school is substantially deficient; the facility can no longer support the needs of the educational program; and the continuation of the operation of the public

charter school is not in the best interests of the public, or of the students of the Baltimore County Public **School system**.

Upon revocation, students shall be reassigned pursuant to Board of Education policy and procedures, and resources provided by the school system shall remain under the control of the Board of Education.

Legal References: *Annotated Code of Maryland*, Education Article, §§9-101 to -110
Annotated Code of Maryland, Education Article, §§4-205(c)
Annotated Code of Maryland, Education Article, §§6-401(d), -501(f)

Related Policies: Board of Education Policy 5150, Residents and Nonresidents

Policy
Adopted: 10/21/03

Board of Education of Baltimore County

APPENDIX E**COMMUNITY RELATIONS: Public Charter Schools**Public Charter Schools

1. APPLICATION PROCESS

A public charter school is created in accordance with state law and regulations, and operates under the supervision of the Board of Education of Baltimore County in compliance with all appropriate board policies, *the Blueprint for Progress, Realizing the Vision*, and the Master Plan of the Baltimore County Public Schools.

a) Prospective Applicants

To initiate the application process, the application to establish a public charter school shall be submitted to the Board of Education by one or more of the following:

1. The staff of a public school
2. A parent or guardian of a student who attends a public school in the county
3. A non-sectarian nonprofit entity
4. A nonsectarian institution of higher education in the State or
5. Any combination of the above.

Under Maryland law, the Board of Education of Baltimore County shall not grant a charter to a private school, a parochial school, or a home school. **A public charter school, under Maryland law, is a new public school or a conversion of an existing public school.**

b) Application Procedures

An applicant to operate a public charter school shall be provided with the *Manual of Procedures for Public Charter Schools in Baltimore County*. Prior to submission of the application, the applicant(s) shall confer with designated staff regarding how the application components as cited in the manual shall be addressed. The applicant(s) shall be informed of the human, fiscal, and organizational capacity needed to fulfill the school's responsibilities related to children with disabilities.

c) Application Timeline

1. A concept proposal, as described in the manual, must be submitted by January 1 of the year prior to the proposed starting date.

If conceptual approval is granted, the completed application must be submitted by May 1 or the nearest business day thereafter of the year prior to the proposed starting date of the charter school.

2. The public charter school may begin operation at the beginning of the school year following the date the charter is granted, provided approval is granted no later than the last board meeting in August of the preceding school year.

d) Application Review

Upon submission of a completed Application for a Public Charter School as designated in the *Manual of Procedures for Public Charter Schools in Baltimore County*, the Superintendent's designated staff shall review the application and submit findings and recommendations to the Superintendent for consideration by the Board of Education. The Board of Education shall render a decision within 120 days of receipt of said application.

e) Application Approval

Upon the acceptance by the Board of Education of the Superintendent's recommendation, a contract, Baltimore County Public Schools Charter Contract, shall be executed before the Board of Education and the parties who are applicants for the public charter school.

f) Application Appeal Process

If the Board of Education denies an application to establish a public charter school, the applicant may appeal the decision to the state board in accordance with the *Annotated Code of Maryland*, Education Article, § 4-205(c).

g) Restructured School

The application review process and decision making for a restructured school shall be implemented according to the procedures outlined in the *Annotated Code of Maryland*, Education Article, § 9-104(a)(4)(ii).

2. Student Admission

- a) Students domiciled in Baltimore County will be eligible for admittance without tuition charge. Students not domiciled in Baltimore County must comply with Policy and Rule 5150, Students: Enrollment and Attendance, governing enrollment and tuition charges for nonresident students.
- b) The public charter school shall not discriminate regarding admission of students and shall be in compliance with all federal and state anti-discrimination laws.
- c) A public charter school chosen by parents/guardians for their children is open to all students on a space-available basis. A random selection process shall be used if the number of qualified applicants exceeds the predetermined student capacity in the public charter school.
- d) Students with special education identification will adhere to the normal IEP process. Specific additional resources allocated to a student via the approved IEP will remain with the student going to the charter school.

3. Management of the Public Charter School

- a) The charter application shall clearly define the governance structure that will be in place for the public charter school.
- b) Except as expressly provided in the charter agreement, the public charter school shall adhere to the policies, rules, and procedures governing all other schools in Baltimore County.
- c) Public charter school employees shall be observed and evaluated consistent with state law and procedures of the Baltimore County Public Schools.
- d) Operational requirements related to curriculum and academic programming, resources, facilities, fiscal support, and reporting as contained in the *Manual of Procedures for Public Charter Schools in Baltimore County* must be included in the application and implemented once the contract is approved by the Board of Education of Baltimore County and once the public school is operational.

4. Reporting Requirements

The public charter school shall make an annual results report to the Board of Education addressing student achievement, fiscal accountability, and any other information pursuant to the *Manual of Procedures for Public Charter Schools in Baltimore County*.

Legal References: *Annotated Code of Maryland*, Education Article, § 4-205(c)
Annotated Code of Maryland, Education Article, §§9-101 to –110

Related Policies: Board of Education Policy 5150, Residents and Nonresidents
Superintendent Rule 5150, Students: Enrollment and Attendance

Rule
Adopted: 10/21/03

Superintendent of Schools