

COMMUNITY RELATIONS: Public Charter Schools

PUBLIC CHARTER SCHOOLS

I. PURPOSE

- A. TO IDENTIFY PROCEDURES FOR THE ESTABLISHMENT, EVALUATION AND CLOSING OF A PUBLIC CHARTER SCHOOL UNDER THE SUPERVISION OF THE BOARD OF EDUCATION OF BALTIMORE COUNTY (BOARD).
- B. THE EXECUTIVE DIRECTOR, SPECIAL PROGRAMS, DIVISION OF CURRICULUM AND INSTRUCTION, SHALL DEVELOP GUIDANCE FOR THE CHARTER SCHOOL APPLICATION PROCESS AND MAKE THAT GUIDANCE AVAILABLE ON THE SCHOOL SYSTEM'S WEBSITE.

II. DEFINITIONS

- A. *CHARTER SCHOOL LIAISON* – THE EXECUTIVE DIRECTOR, SPECIAL PROGRAMS, DIVISION OF CURRICULUM AND INSTRUCTION.
- B. *PUBLIC CHARTER SCHOOL* – A PUBLIC SCHOOL THAT OPERATES UNDER A CHARTER, OR CONTRACT, WITHIN THE PUBLIC SCHOOL SYSTEM, CREATED IN ACCORDANCE WITH STATE LAW AND REGULATIONS, AND IS UNDER THE CONTROL OF THE BOARD.

III. LETTER OF INTENT

THE APPLICANT IS SOLELY RESPONSIBLE FOR COMPLYING WITH THE APPLICATION PROCESS AND COMPLETING THE CHARTER SCHOOL APPLICATION IN ACCORDANCE WITH THE FOLLOWING PROCEDURES.

- A. PERSONS INTERESTED IN OPERATING A PUBLIC CHARTER SCHOOL MUST FIRST SUBMIT TO THE CHARTER SCHOOL LIAISON A LETTER OF INTENT AND PROSPECTUS WHICH SUMMARIZES THE CHARTER PROPOSAL BY MAY 1, TWO YEARS PRECEDING THE PROPOSED STARTING DATE OF THE CHARTER

SCHOOL. THE LETTER OF INTENT MUST INCLUDE THE FOLLOWING:

1. VISION AND MISSION STATEMENTS FOR THE PROPOSED CHARTER SCHOOL.
 2. PLANS FOR THE DELIVERY OF THE EDUCATIONAL PROGRAMS, INCLUDING IDENTIFICATION OF ANY UNIQUE FOCUS OR CURRICULA.
 3. THE MANAGEMENT STRUCTURE TO BE USED BY THE CHARTER SCHOOL AND HOW THE STRUCTURE WILL PROVIDE FOR THE SCHOOL'S LEGAL, PROGRAMMATIC, AND FISCAL ACCOUNTABILITY.
 4. A NOTARIZED STATEMENT THAT THE APPLICANT HAS THE FULL LEGAL AND ORGANIZATIONAL AUTHORITY TO APPLY TO ESTABLISH A PUBLIC CHARTER SCHOOL AND TO OPERATE THE SCHOOL, IF APPROVED.
- B. THE CHARTER SCHOOL LIAISON WILL REVIEW THE LETTER OF INTENT AND NOTIFY THE APPLICANT IN WRITING WHETHER THE INFORMATION IS SUFFICIENT TO SUPPORT THE DEVELOPMENT OF A FORMAL APPLICATION.
- C. THE CHARTER SCHOOL LIAISON WILL ONLY ACCEPT APPLICATIONS FROM ELIGIBLE APPLICANTS WHO HAVE RECEIVED WRITTEN APPROVAL OF A PROSPECTUS.
- D. THE KEY COMPONENTS TO BE INCLUDED IN THE LETTER OF INTENT ARE MORE FULLY OUTLINED IN THE *CHARTER SCHOOL APPLICATION PROCESS MANUAL* AND SERVE AS A RESOURCE IF THE APPLICANT SEEKS TO SUBMIT A LETTER OF INTENT.

IV. APPLICATION

- A. IF THE LETTER OF INTENT AND PROSPECTUS ARE APPROVED, THE COMPLETED APPLICATION SHALL BE SUBMITTED TO THE CHARTER SCHOOL LIAISON BY JANUARY 1 OF THE YEAR PRECEDING THE SCHOOL'S PROPOSED STARTING DATE.
- B. THE APPLICANT SHALL SUBMIT TWENTY (20) COPIES OF THE APPLICATION TO THE CHARTER SCHOOL LIAISON FOR DISTRIBUTION TO THE SUPERINTENDENT AND STAFF

MEMBERS WITH APPROPRIATE PERMISSIONS ACKNOWLEDGED FOR PHOTOCOPYING ANY MATERIAL THAT IS PROTECTED AS A BUSINESS SECRET. AN ELECTRONIC COPY OF THE APPLICATION AND ALL SUPPORTING DOCUMENTATION SHALL ACCOMPANY THE APPLICATION SUBMISSION.

- C. THE APPLICANT, AT A MINIMUM, SHALL PROVIDE PLANS FOR ADDRESSING EACH OF THE COMPONENTS REQUIRED FOR THE FORMAL APPLICATION. APPLICATIONS SHALL INCLUDE, BUT NOT BE LIMITED TO, THE FOLLOWING COMPONENTS:
1. A STATEMENT OF INTENT TO COMPLY WITH APPLICABLE FEDERAL, STATE, AND LOCAL LAWS AND REGULATIONS AND BOARD POLICY AND SUPERINTENDENT'S RULE 1600, *PUBLIC CHARTER SCHOOLS*.
 2. THE APPLICANT'S VISION OF THE PUBLIC CHARTER SCHOOL'S EXPECTATIONS AND MISSION. THE PRIMARY MISSION MUST REMAIN FOCUSED ON STUDENT ACADEMIC ACHIEVEMENT.
 3. SPECIFIC PLANS AND STRATEGIES FOR DEVELOPING AND DELIVERING EDUCATIONAL PROGRAMS.
 4. SPECIFIC EDUCATIONAL RESULTS, INCLUDING STUDENT ACADEMIC OUTCOMES AND HOW THEY SHALL BE MEASURED.
 5. SPECIFIC PLANS FOR MEETING OR EXCEEDING CURRENT ACCOUNTABILITY PROVISIONS OF BALTIMORE COUNTY PUBLIC SCHOOLS (BCPS) AND STATE LAW AND REGULATIONS.
 6. STUDENT RECRUITMENT AND ADMISSION PROCEDURES.
 7. A FACILITIES PLAN THAT SPECIFIES COST, LOCATION, AVAILABLE SPACE AND ITS USE, AND THE TERMS AND CONDITIONS OF THE FACILITY ACQUISITION AND NECESSARY UTILITIES.
 8. A DEFINED MANAGEMENT AND ADMINISTRATIVE STRUCTURE THAT SHALL BE IN PLACE FOR THE PUBLIC CHARTER SCHOOL.
 9. A DEFINED BUSINESS PLAN FOR THE DURATION OF THE CHARTER WHICH PROVIDES FINANCIAL INTEGRITY AND LEGAL ACCOUNTABILITY FOR THE OPERATION OF THE PUBLIC CHARTER SCHOOL.
 10. A PLAN WHICH SHALL INCLUDE ASSURANCES OF FINANCIAL SOLVENCY FOR THE DURATION OF THE

CHARTER AND ACCOUNTABILITY FOR THE USE OF FUNDS AND RESOURCES.

11. ANY WAIVERS EXPECTED AND DETAILED EXPLANATION FOR THE REASON FOR REQUESTING THE EXEMPTION.

D. INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED, AND THE APPLICATION WILL NOT BE CONSIDERED.

V. APPROVAL PROCESS

A. THE CHARTER SCHOOL LIAISON WILL REVIEW THE COMPLETED APPLICATION SUBMITTED IN ACCORDANCE WITH ESTABLISHED CRITERIA AND DEADLINES AND MAKE A RECOMMENDATION TO THE SUPERINTENDENT, WHO WILL MAKE FINAL RECOMMENDATIONS TO THE BOARD FOR CONSIDERATION.

B. THE BOARD RETAINS THE RIGHT TO ACCEPT, MODIFY, OR DENY ANY CHARTER SCHOOL APPLICATION.

C. UPON RECEIPT OF A COMPLETED APPLICATION, THE BOARD SHALL RENDER A DECISION WITHIN 120 CALENDAR DAYS AND PROVIDE A DETAILED WRITTEN RECOMMENDATION WITH RATIONALE FOR ITS DECISION FOR APPROVAL OR DENIAL OF THE APPLICATION.

D. UPON APPROVAL OF A PUBLIC CHARTER SCHOOL APPLICATION, THE BOARD-APPROVED COMPONENTS OF THE APPLICATION SHALL BECOME PART OF A CONTRACTUAL CHARTER BETWEEN THE PUBLIC CHARTER SCHOOL AND THE BOARD. A CHARTER WILL BE GRANTED FOR NO LONGER THAN FOUR (4) SCHOOL YEARS.

VI. REPORTING REQUIREMENTS

- A. EACH PUBLIC CHARTER SCHOOL SHALL PROVIDE A WRITTEN ANNUAL REPORT TO THE BOARD. THE REPORT SHALL INCLUDE:
 - 1. FISCAL ACCOUNTABILITY;
 - 2. STUDENT PERFORMANCE; AND
 - 3. ANY OTHER MATTER REQUIRED BY THE CHARTER AGREEMENT.

- B. THE PUBLIC CHARTER SCHOOL SHALL COMPLY WITH AND PROVIDE INFORMATION REQUIRED TO COMPLY WITH FINANCIAL, PROGRAMMATIC, OR COMPLIANCE AUDITS CONSISTENT WITH FEDERAL, STATE, AND LOCAL LAWS AND PROCEDURES.

- C. THE PUBLIC CHARTER SCHOOL SHALL BE PREPARED TO RESPOND TO ALL REQUESTS FOR WRITTEN/ORAL REPORTS.

- D. THE PUBLIC CHARTER SCHOOL'S ANNUAL REPORT WILL BE MADE AVAILABLE ON THE SCHOOL SYSTEM'S WEBSITE.

VII. EVALUATION

- A. THE PUBLIC CHARTER SCHOOL SHALL BE EVALUATED ANNUALLY BASED ON STUDENT ACHIEVEMENT, ESTABLISHED GOALS/OBJECTIVES, FISCAL MANAGEMENT, AND OTHER CRITERIA OUTLINED IN THE APPROVED APPLICATION AND THE TERMS AND CONDITIONS OF THE CHARTER.

- B. FOR A PUBLIC CHARTER SCHOOL TO REMAIN IN OPERATION, IT MUST BE ABLE TO MEET THE NEEDS OF ITS STUDENTS, MAINTAIN STUDENT ENROLLMENT LEVELS, AND REMAIN ACCOUNTABLE UNDER THE TERMS OF THE CHARTER AGREEMENT.

- C. THE ANNUAL EVALUATION FOR EACH PUBLIC CHARTER SCHOOL SHALL BE POSTED ON THE SCHOOL SYSTEM'S PUBLIC CHARTER SCHOOL WEBSITE IN ORDER TO KEEP PARENTS APPRISED OF THE SCHOOL'S PERFORMANCE.

VIII. PROVISIONS FOR RENEWAL

- A. THE PUBLIC CHARTER SCHOOL MAY REQUEST RENEWAL OF THE EXISTING CHARTER AGREEMENT IF DONE SO BY NO LATER THAN SEPTEMBER 30 PRIOR TO EXPIRATION OF THE CHARTER AGREEMENT.
- B. A CHARTER SCHOOL MAY BE RENEWED PROVIDED THAT A PROGRAM REVIEW DEMONSTRATES THAT THE SCHOOL HAS SUCCESSFULLY FULFILLED THE TERMS OF ITS CONTRACT.
- C. THE FOLLOWING CRITERIA WILL BE ANALYZED TO REVIEW THE CHARTER SCHOOL'S PERFORMANCE:
 - 1. EDUCATIONAL PERFORMANCE
 - 2. FINANCIAL PERFORMANCE
 - 3. ORGANIZATIONAL PERFORMANCE
- D. SPECIFIC INDICATORS AND STANDARDS WILL BE ANALYZED AND EVALUATED WITHIN THESE THREE CATEGORIES.
- E. BCPS WILL ALSO COLLECT INFORMATION FROM THE CHARTER SCHOOL ABOUT ITS PLANS OVER THE TERM OF ITS SUBSEQUENT CONTRACT; SPECIFICALLY, ANY MODIFICATIONS, ADJUSTMENTS, AND AMENDMENTS IT PROPOSES TO MAKE TO ITS CURRENT CONTRACT THAT WOULD TAKE EFFECT OVER THE SUBSEQUENT CONTRACT.

IX. PROBATION/REVOCATION

IN ACCORDANCE WITH POLICY 1600, IF A CHARTER SCHOOL IS BEING RECOMMENDED FOR PROBATION/REVOCATION OF ITS CHARTER, THE FOLLOWING PROCEDURES SHALL APPLY:

- A. THE SUPERINTENDENT OR DESIGNEE SHALL PROVIDE THE CHARTER SCHOOL GOVERNING BOARD WITH:
 - 1. WRITTEN NOTIFICATION AND DESCRIPTION OF THE BASIS FOR PROBATION/REVOCATION.
 - 2. INSTRUCTIONS FOR CORRECTING THE DEFICIENCY OR FAILURE THAT IS THE BASIS FOR PROBATION/

REVOCATION, WHICH MAY INCLUDE A REQUEST FOR A CORRECTIVE ACTION PLAN.

3. A SPECIFIED REASONABLE TIME NOT TO EXCEED NINETY (90) CALENDAR DAYS DURING WHICH THE CHARTER SCHOOL GOVERNING BOARD MAY REMEDY THE PROBLEM TO AVOID THE REVOCATION ACTION.

 - B. IF THE CHARTER SCHOOL FAILS TO REMEDY THE PROBLEM WITHIN THE SPECIFIED TIME FRAME, THE SUPERINTENDENT MAY RECOMMEND IN WRITING TO THE BOARD THAT IT REVOKE THE CHARTER, WITH A COPY PROVIDED TO THE CHARTER SCHOOL'S GOVERNING BOARD.

 - C. THE DECISION TO REVOKE A PUBLIC CHARTER SCHOOL'S CHARTER AGREEMENT WILL BE MADE AT A PUBLIC MEETING OF THE BOARD. NOTICE OF PUBLIC HEARINGS CONCERNING REVOCATION OF A CHARTER AGREEMENT WILL BE PUBLISHED ON THE SCHOOL SYSTEM'S WEBSITE, AS WELL AS NOTICE PROVIDED TO PARENTS OF STUDENTS ENROLLED IN THE PUBLIC CHARTER SCHOOL.

 - D. UPON REVOCATION, PERSONNEL AND STUDENTS SHALL BE REASSIGNED PURSUANT TO BOARD POLICY, SUPERINTENDENT'S RULES, AND ESTABLISHED SCHOOL SYSTEM PROCEDURES AND NEGOTIATED AGREEMENTS.

 - E. UPON REVOCATION, ALL RESOURCES PURCHASED WITH FEDERAL, STATE, AND BCPS FUNDS REMAIN THE PROPERTY OF BCPS.

 - F. THE BOARD RESERVES THE RIGHT TO IMPLEMENT CONTROL AND OPERATION OF THE PUBLIC CHARTER SCHOOL ON AN IMMEDIATE BASIS UPON REVOCATION.
- X. EXCEPTIONS

IF THE BASIS FOR REVOCATION INVOLVES IMMEDIATE THREAT TO THE HEALTH, SAFETY, OR EDUCATIONAL WELFARE OF THE STUDENTS ENROLLED AT THE PUBLIC CHARTER SCHOOL, THE BOARD RESERVES THE RIGHT TO IMMEDIATELY SUSPEND OPERATION AND REVOKE THE CHARTER.

XI. APPEALS

IF THE BOARD DENIES AN APPLICATION TO ESTABLISH A PUBLIC CHARTER SCHOOL, THE APPLICANT MAY APPEAL THE DECISION TO THE MARYLAND STATE BOARD OF EDUCATION IN ACCORDANCE WITH §4-205(c) OF THE EDUCATION ARTICLE.

[Compliance

- A. A Charter School Advisory Committee shall be appointed By the Superintendent to review public charter school applications and submit its findings to the Superintendent for recommendation to, and subsequent consideration by, the Board of Education of Baltimore County (Board).
- B. The Charter School Advisory Committee shall establish a public charter school application process, as well as, 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. Executive summaries of the advisory committee analysis shall be submitted to the Superintendent and/or designee for review, comment, and recommendation to the Board. The Superintendent shall recommend approval or denial of the application to the Board.
- C. A charter school liaison shall be appointed by the superintendent to support the area assistant superintendent and the charter school principal, and to facilitate communications between the charter school operator and the school system.]

Legal References: *Annotated Code of Maryland*, Education Article, TITLE 9, *MARYLAND PUBLIC CHARTER SCHOOL PROGRAM* [§§9-101 to -110,]
ANNOTATED CODE OF MARYLAND, EDUCATION ARTICLE §4-205(c), *POWERS AND DUTIES OF COUNTY SUPERINTENDENT*

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

Rule
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Superintendent of Schools