

## EDUCATION AGENCY RELATIONS

File: LC-R

### CHARTER SCHOOLS

1. Any person, group or organization may submit an application for the formation of a charter school.
2. Prior to submitting a charter school application to the School Board, a public charter school applicant must submit its proposed charter application to the Commonwealth of Virginia Board of Education (hereafter referred to as the Board of Education) for review and comment.
3. The Board of Education will examine such applications for feasibility, curriculum, financial soundness, and other objective criteria it may establish, consistent with existing state law.
4. The Board of Education's review and comment will be for the purpose of ensuring that the application conforms with such criteria, but will not include consideration of whether the application should be approved by the local school board.
5. The applicant must complete the entire application in the format provided in Virginia School Boards Association Guidance Document for Charter Schools.
6. The Charlottesville City School Board shall establish a "review team" to evaluate charter school applications. The review team will include at least the following persons: Associate Superintendent for Instruction, Assistant Superintendent for Administrative Services, Director of Finance, Director of Human Resources, Director of Student Services and Achievement, one teacher, one principal, one local business representative and a charter school proponent. Other members may be added to the review committee by the Superintendent.
7. The School Board shall designate the chairman of the review team as the contact person for answering questions about the application process and receiving applications.
8. The review team shall work cooperatively with applicants for charter schools. Applications will not be considered by the Review Committee until the Associate Superintendent reviews the application package and determines it is completed based on the application requirements in the regulations.

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9. If additional information is needed during the review process, the review team shall request the necessary information. The need for additional information is not grounds for denying a charter. However, if the applicant does not provide the necessary information within a reasonable timeframe (established by the review team) then the application may be denied.
10. The review team shall (1) recommend to the School Board appropriate criteria for reviewing charter school applications; (2) evaluate all charter school applications based on the review criteria adopted by the School Board; (3) recommend one of the following options to the Superintendent for each application: approve, reject, place on a waiting list or return with suggestions for improvement.
11. The Superintendent will make a recommendation to the School Board for the same options and in addition, (4) monitor charter school progress if the charter school is approved; and (5) make recommendations for revocation, renewal or non-renewal of charter contracts for any approved charter schools.
12. Prior to the approval or rejection by the School Board, a public hearing will be held. The hearing will follow the same procedure as other public hearings for the School Board.
13. A copy of these regulations, including the review criteria, shall be available to any interested party upon request.

### School Board Decision

1. Written notice of the School Board's decision shall be sent to the applicant and if the application is denied, the written notice shall include the reasons for the denial. This notice shall also be posted on the CCS website.
2. The decision of the School Board shall be final.

### Charter Contract

1. Upon approval of a charter application, the School Board and the management committee of the charter school shall enter into a contract which contains all agreements between the School Board and the charter school; the approved application shall serve as the basis for the contract.

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2. The charter contract shall also include other provisions negotiated by the School Board or its designee. A charter may be granted for up to five years. Any material revision of the charter contract shall be made in writing and must be approved by the School Board and the charter school.

### Waivers of School Board Policy and State Regulation

1. A charter school may operate free from School Board policies and state regulations, except the Standards of Quality, the Standards of Accreditation and Standards of Learning. All waivers for release from local and state policies and regulations must be outlined in the contract between the School Board and the charter school applicant.

### Management and Operation

1. A charter school shall be administered and operated by a management committee in the manner agreed to in the charter contract. The management committee shall be composed of parents of students enrolled in the school, teachers and administrators working in the school and representatives of any community sponsors, or any combination thereof.
2. A charter school shall be responsible for its own operations. However, a charter school may negotiate and contract with the School Board, or any other third party, for the provision of necessary services; services provided by the School Board must be provided at cost.(See Section XXIV in the Application).
3. The applicant and members of the management committee, administrators, and other personnel serving in a public charter school must disclose any ownership or financial interest they may have in renovating, lending, granting, or leasing public charter school facilities.

### Personnel

1. Charter school personnel shall be selected as agreed in the charter contract. Such personnel may, but are not required, to be employees, of the School Board. However, all charter school personnel shall be subject to the provisions of §§ 22.1-296.1, 22.1-296.2, and 22.1-296.4.

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2. Professional, licensed employees assigned to a charter school shall receive the same employment benefits as such personnel assigned to noncharter schools. Professional, licensed personnel who request assignment to a noncharter school or who are not recommended for reassignment in the charter school, other than for reasons cited in § 22.1-307 of the Code of Virginia, shall be transferred to a noncharter school according to School Board policy.
3. The School Board may employ health, mental health, social services and other related personnel to serve in residential charter schools for at-risk students as determined in the charter agreement. However, the School Board is not required to fund the residential or other services provided by a residential charter school.
4. The School Board has the final authority to assign professional, licensed personnel to charter or other schools within the division.

### Funding

1. Charter schools shall be funded as provided by law and negotiated in the charter contract.

### Revocation and Renewal of the Charter Contract

1. The School Board may revoke a charter contract if:
  - the charter school violates the conditions, standards or procedures established in the application;
  - the charter school violates a material term of the charter contract (for example, failing to provide required reports to the School Board);
  - the charter school fails to meet generally accepted standards of fiscal management;
  - the charter school violates any provision of law from which the public charter school was not specifically exempted; or
  - the charter school assessment results fail to indicate reasonable progress toward achievement of the content standards or student performances standards identified in the application.

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2. A charter contract may be renewed for up to five years. The management committee must apply to renew the charter by December of the school year the charter expires.
3. The application for renewal shall contain:
  - a report on the progress of the charter school in achieving the goals, objectives, program and performance standards for students and other conditions and terms the School Board required in the charter;
  - a financial statement, on forms prescribed by the Board of Education, disclosing the costs of administration, instruction and other spending categories which is written in a way to allow the School Board and the public to compare such costs to the costs of other schools and comparable organizations; and
  - other information the School Board may require.
4. If a charter contract is revoked or not renewed, or a charter school is dissolved, the management committee shall be responsible for all financial obligations of the charter school.

### Reports

1. The School Board shall report to the Board of Education the following:
  - the grant or denial of charter applications;
  - applications for nonrenewal, and the revocation of any charter contract. For any such denial or revocation, the report to the Board of Education shall contain documentation as to the reason for the denial or revocation;
  - whether a public charter school is designed to increase the educational opportunities of at-risk students or any students served by schools that have not achieved full accreditation;
  - an annual evaluation of each charter school;
2. The Board of Education will report annually to the General Assembly the number of public charter school applications granted and denied.

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Legal References: 20 U.S.C. § 6311(b)(1)(B).  
Code of Virginia, 1950, as amended, §22.1-212.5 et seq.