

# **Charles County Public Schools**

## **Public Charter School Guidance Materials**

**and**

## **Public Charter School Application**

**Dr. Kimberly A. Hill, Superintendent**  
**Charles County Public Schools**

P.O. Box 2770

La Plata, Maryland 20646

(301) 932-6610

# Maryland Public Charter School Program

## Charles County Public Schools

P.O. Box 2770  
La Plata, Maryland 20646  
(301) 932-6610

### Guidance/Application TABLE OF CONTENTS

Cover Sheet.....	1
Table of Contents.....	2
Introduction.....	4
The Maryland Public Charter School Program.....	4
Chartering Authority and Eligibility in Maryland .....	4
Beyond the Education Program .....	4
Federal Education Program Requirements .....	4
Master Plan .....	5
Special Education Requirements .....	5
Getting Started .....	5
The Application Process .....	5
Final Approval or Denial .....	6
What Will You Need?.....	6
Steps in Applying for a Public Charter School.....	7
Public Charter Schools Intent Form.....	8
Prospectus .....	10
Charter School Application.....	11
Application Summary .....	12
Planning and Establishment.....	12
Mission Statement.....	12
Goals .....	13
School Name.....	13
Student Population and Admissions .....	13
Kindergarten .....	14
School Calendar and Length of School Days .....	14
Educational Plan .....	14
Academic Program, Standards, and Curriculum.....	15
Student Assessment .....	17
Operators' Responsibilities.....	17
Management Structure.....	18
Student Policies and Services .....	18
Student Discipline and the Code of Student Conduct.....	19
Human Resources .....	19
Audit and Reporting Requirements .....	20
Parent Involvement and Community Participation.....	21

School Facilities.....	21
School Materials, Supplies, and Equipment .....	22
Finances .....	23
Recruiting and Marketing Plan .....	24
Risk Management and Emergency Preparedness .....	24
Transportation.....	25
Additional Information .....	25
Disclosure Form.....	26
Compliance Assurances .....	27
Application Checklist .....	28
Appendix A (Senate Bill 75).....	31
Appendix B (Charter School Resources).....	39
Appendix C (CCPS Board Policy).....	40

# **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. Charles County Public Schools staff 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 Charles 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, the public charter schools will generally operate under the same requirements and provisions as all other public schools in the school 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 to both the school system and the chartering school leadership. The Board of Education policy is included in this guidance packet in Appendix C.

## **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 (NCLB), signed into law by the President in January 2002. 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 federal funds under any of the NCLB programs are required to comply with the federal requirements for use of the funds. For example, a charter school receiving Title I 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 Charles County Public School System has developed a Comprehensive Master Plan, which sets forth objectives to guide the school system as it implements the NCLB and state requirements. For a copy of this Master Plan, contact the school system.

### **Special Education Requirements**

All schools under the authority of the Charles County Board of Education, including charter schools, are public schools, and as such are specifically required to comply with federal and state special education laws and regulations, including the Individuals with Disabilities Education Act (IDEA), the 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. The State Board of Education will provide technical assistance to the operators of a public charter school to help the school meet requirements of federal and state laws, but the charter school will be held responsible for implementing all procedures necessary to ensure compliance.

**Note:** *The Maryland Public Charter School Act prohibits the Charles County Board of Education from granting a charter to a public charter 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:** *The Charles County Board of Education is not responsible for content and accuracy of the national information resources.*

There are important responsibilities that need to be planned for 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 problems and the difficulty of securing credit;
- (3) a large number of laws and regulations (as paperwork reporting) which are required of all schools, whether traditional or chartered;
- (4) difficulties managing the business of the schools; and
- (5) inadequate planning.

### **The Application Process**

The application process is a two-step process. First is the pre-application phase, where the applicant files an Intent Form and a Prospectus, and begins to assemble the formal application. The second phase is the submission of the Formal Application to the Board of Education.

During the pre-application phase, the prospective charter school organizing body should complete an Intent Form indicating a serious interest in creating a charter school, develop a Prospectus, and then schedule a meeting with staff designated by the Superintendent of Charles County Public Schools to discuss and examine all aspects of the proposed educational program. In this way, various administrative functions needed for the planning, opening, and operation of the public charter school can be identified, even before a formal application is submitted to the Board of Education. The school system staff will review all proposed applications and support materials and make suggestions to the applicants. Some of the key issues that will be scrutinized by the Superintendent and staff in the pre-application phase are:

- An education plan which reflects the school's commitment.
- A realistic budget that reflects accurately projected income and does not rely on unreliable sources, such as future grants.
- A lottery provision for student admission that complies with the statute.
- 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.

Prior to the filing of the final, Formal Application, staff will review the final draft application to ensure that it has been completed (i.e., all required materials and technical information have been provided). Once a completed, Formal Application has been filed with the Board, the Board will request that the Superintendent make a recommendation concerning the application. The Board will then either approve the Formal Application, deny the Formal Application, or refer it back for further information. By law, final approval or denial must occur within 120 days from the filing of the completed, formal application.

### **Final Approval or Denial**

If the Board of Education approves the Formal Application, then a Charter Agreement will be developed. This agreement is a contract that is binding by law on both the Board and the charter operator and explains in detail the responsibilities of all of the parties involved in the implementation of the public charter school. Although the founders of a public charter school may propose various programs or procedures in the Formal Application, ultimately the Charter Agreement will control how the charter school will operate.

If the Board denies the Formal Application, then the applicant will be provided information on options for redevelopment of a new application, or appealing the denial to the State Board of Education.

### **What Will You Need?**

Preparing a charter application requires a great deal of time and familiarity with Maryland' Charter Schools Law 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, it is a good idea to plan for at least one year 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 range from 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 parents 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, behavior management, 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.

### **Steps in Applying for a Public Charter School**

At a minimum, the entire process for creating a new public charter school will take many months, and maybe years. Founders of the public charter school must be dedicated and committed to putting in the required time and energy as the school develops.

Below is a rough sketch of the major steps involved in opening a new public charter school.

- 1) Develop the idea, focus, and purpose for the school.
- 2) Do research, gather community support, and investigate funding and facilities.
- 3) File the Intent Form with the Superintendent.
- 4) File the Prospectus with the Superintendent (within 30 days of the filing of the Intent Form).
- 5) Schedule and hold meetings with the Superintendent’s staff.
- 6) Begin to complete the detailed Formal Application.
- 7) Address any concerns raised by the Superintendent’s staff.
- 8) Begin to gather commitments from prospective students, parents, community members.
- 9) Revise the Formal Application as necessary.
- 10) Obtain Superintendent’s support and positive recommendation, if possible.
- 11) File the Formal Application with the Board of Education.
- 12) Revise the Formal Application as necessary.
- 13) If approved, meet with the Superintendent’s designee to negotiate the Charter Agreement.
- 14) Finalize funding, facilities, staffing, curriculum, and all issues as required by the Charter Agreement.
- 15) Finalize and sign Charter Agreement with the Board.
- 16) Advertise school and receive student applications for attendance.
- 17) Open the school.

**Charles County Public Schools  
P.O. Box 2770  
La Plata, Maryland 20646  
(301) 932-6610**

**Public Charter Schools  
Intent Form**

**This Intent Form is the first step in the Public Charter School Application process but implies no further obligation on either party. Submission of this Intent Form expresses non-binding intent, as authorized by the public charter school's management board, to apply for a Public Charter School. The filing of the Intent Form may not be used for promotion or advertising, although it may be noted in internal school communications or as otherwise authorized by Charles County Public Schools. Please inquire with any questions regarding these restrictions.**

**INSTRUCTIONS**

*Please complete as much information as possible. If a name or address or other item is not known at this time, please indicate so. This form does not have to be completely filled out in order to be filed with Charles County Public Schools. Please send this form to the Superintendent of Schools, Charles County Public Schools, P.O. Box 2770, La Plata, MD 20646.*

**1. Contact Information for Public Charter School**

School Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Main Phone: (\_\_\_\_\_) - \_\_\_\_\_ Fax \_\_\_\_\_

Website: \_\_\_\_\_

**Charter Sponsor Representative (Contact Person)**

Name \_\_\_\_\_

Phone: (\_\_\_\_\_) - \_\_\_\_\_ Fax: \_\_\_\_\_

E-Mail: \_\_\_\_\_

**Principal/Head of School**

Name: \_\_\_\_\_

Phone: (\_\_\_\_\_) - \_\_\_\_\_ Fax \_\_\_\_\_

E-Mail: \_\_\_\_\_

Please check the following:

Is this school \_\_\_\_\_for profit \_\_\_\_\_non-profit \_\_\_\_\_other?

If other, please explain\_\_\_\_\_

\_\_\_\_\_

**2. Grades Served/Enrollment**

**Grades \_\_\_\_\_Projected expansion, if any\_\_\_\_\_**

Approximate projected enrollment\_\_\_\_\_

**3. Accreditation**

**Has the school ever been accredited or sought accreditation? \_\_\_Yes \_\_\_No**

Indicate agency and date of last renewal\_\_\_\_\_

Is this accreditation current? \_\_\_\_\_ or has it lapsed?\_\_\_\_\_

**4. Curricular Highlights (e.g., direct instruction, core knowledge of subject areas, etc.)**

**5. Additional Comments**

\_\_\_\_\_  
Signature of Charter Sponsor Representative

\_\_\_\_\_  
Name (Please Print)

\_\_\_\_\_  
Date

## Prospectus

### Instructions

After filing an Intent Form, but before filing a completed formal application, applicants are required to complete and send a Prospectus summarizing their proposal. Upon completion and filing of this Prospectus, applicants may then schedule a meeting with the Superintendent's designee to begin to work on the formal application. The Superintendent's designee may offer helpful suggestions and direction to the applicants.

Below is a list of the Prospectus contents, as well as directions for meeting the format requirements and deadline.

### **Contents of the Prospectus:**

The Prospectus must contain the following items, to the extent known:

- 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 summary of the charter proposal 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 approach; 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 board members

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

### **Prospectus Format:**

The Prospectus 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. Choice of attachments are up to the applicant, though they should be used to provide evidence, support a particular aspect of the Prospectus, or lend insight into the applicant, its leadership, or management personnel. Examples of attachments in the Prospectus include curriculum samples, academic standards, letters of support, financial statements, etc. All attachments should be numbered and clearly referred to by number in the Prospectus narrative.

### **Prospectus Deadline:**

The Prospectus must be received at least 30 days after CCPS has received the Intent Form. Failure to submit a prospectus within that timeframe will require a new Intent Form.

The Prospectus is to be submitted to:

Superintendent of Schools  
Charles County Public Schools  
P.O. Box 2770  
La Plata, Maryland 20646

# Charter School Formal Application

Please complete the following information. If you require assistance from the Charles County Public Schools staff, please feel free to contact us and guidance will be provided. When this Formal Application is complete, please provide 12 bound copies and 1 unbound copy, which include page numbers and tabs to separate the content areas, to:

Superintendent of Schools  
Charles County Public Schools  
P.O. Box 2770  
La Plata, Maryland 20646

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 these.)

Name of Proposed Charter School \_\_\_\_\_

New School

Converted School

(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 indicate if you have any existing legal arrangement with any of the following types of entities:

Nonprofit Corporation

Corporation

Partnership

Staff of Existing School

Tribal Entity

Sectarian

Institution of Higher Education

Other \_\_\_\_\_

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.

I acknowledge that I have read all Maryland statutes regarding public charter schools and that, if approved, I am subject to and will ensure compliance with all relevant federal, state and local laws and requirements. I also acknowledge that, if approved to operate a charter school, I must execute a Charter Agreement with the Charles County Board of Education prior to the opening of the school. Educational services must be provided as of the date agreed to in the Charter Agreement. 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.**

## **Application Summary**

This application is intended to provide the Board of Education of Charles County with sufficient information to thoroughly review and render a decision. As you complete the information, please remember to focus on why your public charter school should be established in Charles County, and how your proposal will meet the needs of our students and the community.

## **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) the names and addresses of individuals or entities submitting the application; (2) brief descriptions of any entities involved in the application process; (3) the names, addresses, and most recent annual reports of the organizations or corporations of which the individuals are directors or officers; and (4) a description of the role played and the resources contributed by each individual in the organizations or corporations noted above.

### **Management and Administrative Structure**

Identify any proposed management and administrative structure applicable to the operation of the proposed public charter school. This would include the proposed governing board, principal, and any other person(s) responsible for operating the public charter school. (Note that, by law, the principal and any other employed staff of the public charter school will be deemed employees of the Charles County Public Schools and as such will be hired by the Board of Education and assigned by the Superintendent. However, the Board and Superintendent will look for input from the founding group as these individuals are selected.)

### **Required Resumes and Disclosure Forms**

For each individual listed above as a member of the founding group or management or administrative structure, please provide a detailed resume which includes: (1) the individual's employment history that supports his or her qualifications to operate or oversee a charter school, including any experience as it relates to the development of academic programs, operations of a school or a small business, and background in financial management; (2) the individual's educational training (including degrees earned, dates enrolled, and institution) that supports his or her qualifications to operate a charter school; and (3) the individual's personal statement regarding his or her role and responsibilities relating to this application and/or operation of the public charter school. Note that all information provided will be subject to verification by the Board. For each individual, also complete a Disclosure Form included in this Application and attach that completed form to the resume.

## **Mission Statement**

Please provide your public charter school's mission statement. The mission statement should be a clear, concise articulation of the school's central purpose and vision. The mission statement will guide your 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, and should guide the school community over the long term.

Mission statements are not set in concrete. 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 these stakeholders feel a sense of ownership in the school's mission.

## Goals

After deciding on a mission statement, the public charter school should establish goals aimed at fulfilling the mission. Unlike the mission statement (which focuses on the long-term objective and reason for existence), goals should be more concrete and obtainable in the short-term, providing a coherent and consistent basis on which to build an educational program aligned with the mission. Please list your public charter school's goals, and specific, measurable objectives which will be used to determine if your school has met each goal.

## School Name

By law, the public charter school must include "Public Charter School" as part of its name. In addition, under Board policy, the school must not be named for a person who is living, and the name should not be too similar to that of an existing school in the county.

- A. Indicate the name chosen for your school, including the reason the name was selected.
- B. Describe the process for selecting the name of the school, including who was involved in the decision.
- C. If appropriate for the students and programs offered, indicate the school mascot, nickname, and school colors.

## Student Population and Admissions

By law, the public charter school must accept any and all Charles County students in the grades served by the school who wish to attend the school, on a space-available basis. Although you may want to focus your school's mission on serving a specific population of students (e.g., gifted and talented, those interested in the arts or in science, those needing special assistance, etc.), by law you may not exclude students who may want to attend, except if the number of applicants exceeds the number of projected openings in the school. If the number of applicants exceed the number of projected openings, students must be admitted on a lottery basis.

- A. Indicate which grades will be served by the public charter school in the first year and in each subsequent year, and the maximum number of students which will be enrolled in each grade and in total.
- B. Provide a copy of your application for admission to the public charter school. The application should request, at a minimum, the student's name, date of birth, grade level, address, parent/guardian information, 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.
- C. Describe the timetable for applications and admissions decisions.
- D. Describe how a lottery will be conducted, including any preferences you may want to establish for specific students (e.g., returning students, siblings, children of founding parents, children of employees, etc.). Note that Charles County residents must be given priority in admissions over non-residents.

By law, tuition may not be collected by the public charter school. However, tuition may be charged by Charles County Public Schools in the same manner tuition may be charged under Board policy to students (e.g., non-Charles County residents) attending other Charles County Public Schools.

## **Kindergarten**

If you plan to provide kindergarten services, note that state regulations and Charles County Board Policy require that, for the 2003-04 school year through the 2005-06 school year, a child admitted to the kindergarten program shall be at least 5 years old on or before:

- (a) November 30, 2003, if the child applies for entrance for the 2003-04 school year;
- (b) October 31, 2004, if the child applies for entrance for the 2004-05 school year;
- (c) September 30, 2005, if the child applies for entrance for the 2005-06 school year; and
- (d) September 1<sup>st</sup> of the school year if the child applies for entrance for the 2006-2007 school year and beyond.

In addition, current state law requires that there shall be full-day kindergarten programs in each county by the 2007-2008 school year. Funding levels for kindergarten students vary during the phase-in period. This means that kindergarten students do not receive the full per-pupil allocation amounts until the program is fully established in the 2007-2008 school year.

Please indicate that you understand and accept these legal requirements and whether you intend to provide full-day kindergarten services even before the 2007-2008 school year.

## **School Calendar and Length of School Days**

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, and the minimum number of hours is 1,080 (for grades 1-8) and 1,170 (for grades 9-12). Schools may not be open on Saturdays, Sundays, state recognized holidays, or year-round in order to meet the day and hour requirements. Schools must remain open 3 hours in one day in order to be counted as a "day of instruction" under state law. All of these day and hour requirements may be waived by the State Board of Education. In addition, the Charles County Board of Education adopts for each school year a calendar for student school days. The public charter school must follow this calendar, unless otherwise negotiated in the Charter Agreement between the Board and school.

- A.** Indicate whether the public charter school plans to operate under the Charles County Public Schools calendar used for other public schools, including whether the school will be closed on the same days as other Charles County public schools. If the school plans to seek a State Board waiver to remain open for instruction on weekends, holidays, or vacation days, or operate year-round, please indicate which days the school plans to open and a justification for seeking the waiver.
- B.** Indicate the number of hours each day the public charter school will be open both for student instruction and for employees.

Note that employees of the public charter school are considered employees of Charles County Public Schools and as such are covered by the Negotiated Agreements with the employee associations. If the number of employee working days and/or work hours will differ from those provided by the Negotiated Agreement, then the appropriate bargaining unit must bring that issue to the negotiations table to discuss it with the Board of Education. Therefore, you should discuss these matters with the appropriate representatives of the Education Association of Charles County (EACC), which represents teachers and other certificated staff, and representatives of the American Federation of State, County and Municipal Employees Local 2981 (AFSCEM), which represents non-certificated employees and support staff.

## **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 eventual application acceptance. The educational plan is a clearly articulated vision for an innovative public school, which will lead to improved educational outcomes and greater community ownership of the local school. Consistency between 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 how many students will be in each grade. Accordingly, public charter schools come in all sizes and many serve a different set of grades than a district public elementary, middle, or secondary school. Whether you plan to serve a few grades or a complete K-12 program, and whether you plan to have no growth or rapid growth in subsequent years, you should be able to provide a coherent rationale for having made that choice.

In determining the focus of the educational academic program, consider the mission and goals of the public charter school, and contemplate how the specific curriculum and objectives and course outlines will help the school meet the mission and goals.

- A. Describe (1) the educational objectives of the charter school; and (2) the methods by which the charter will determine its progress towards achieving those objectives.
- B. Provide any information concerning projected class size (either a maximum number or a range, if any), and any connection between the educational objectives and class size.
- C. Explain any direct connection between your education objectives and the number of school days or hours of instruction to be provided.
- D. Explain the relationship between the student population to be served (including specific populations and grades) and the geographic area where you intend to locate your school. Please provide any information describing the impact of your proposed school on the existing community and neighborhood schools.

### **Academic Program, Standards, and Curriculum**

Improved student achievement is the major focus of the academic program and services offered by the Charles County Public Schools, and the aim of public charter schools should be no different. Before approving any charter, the Board of Education will consider whether the public charter school plans to offer innovative teaching methods and curriculum approaches in order to improve student achievement, and whether there is consistency between the school's mission, goals, curriculum, and student population to be served. In addition, the Board must ensure that the public charter school will comply with applicable regulations to meet the needs of Limited English Learning and special needs students in the school program. As part of the Application, please complete the following in as much detail as possible to assist the Board in its decision.

- 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 your school.
- B. Describe how the program will further the goals and objectives of the Charles County Public Schools Comprehensive Master Plan.
- C. Briefly outline the instructional methods to be used, including any distinctive instructional techniques to be employed and how it will enhance student learning.
- D. Describe how the charter will meet the needs of Limited English Learning students in accordance with federal law, including:

- 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 Limited English 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 Learning 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 extracurricular 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 under federal law, including:
- Assurances that the school will adhere to all provisions of federal law relating to students with disabilities, including the Individuals with Disabilities Education Act (IDEA), section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act of 1990, that are applicable.
  - Assurances that the school will work with the school district to ensure that all students with disabilities that qualify under the Individuals with IDEA.
    1. Have available a free appropriate public education (FAPE);
    2. Are appropriately evaluated;
    3. Are provided with an Individualized Education Plan (IEP);
    4. Receive an appropriate education in the least restrictive environment;
    5. Are involved, through their parents, in the development of and decisions regarding the IEP; and
    6. Have access to appropriate procedures and mechanisms, along with their parents, to resolve any disputes or disagreements related to the school's or school district's provision of FAPE.
  - Assurances that the school will designate a professional staff member as the school's special education liaison with the Charles County Public Schools. Responsibilities will include coordinating with the school system's 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 public 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 (e.g. 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.
- H.** Provide a description of the school's student achievement goals for the school's educational program.
- I.** Provide the school's learning standards and full 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.
- J.** If the proposed charter school includes particular methods, strategies or programs for meeting the needs of students at-risk of academic failure, provide a description of the challenges faced in educating the targeted population and describe such methods, strategies and/or programs that the charter school plans to use to address the needs of these students.

- K.** If the focus of the school itself is not aimed at low-performing students particularly, provide a description of strategies which will be used to address the needs of students who are otherwise significantly below grade level in reading and other basic skills.

### **Student Assessment**

Student assessment is an essential component of the charter schools 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 is essential to public charter school planning.

- A.** Describe your 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 how the school's planned assessments are aligned with the proposed curriculum and education goals of the school.
- C.** Attach a schedule of the assessments (including state and local required assessments and any other proposed assessments) that the charter school will administer.
- D.** 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.
- E.** Describe how students will, at a minimum, participate in the statewide assessment program.
- F.** For secondary charter schools, describe the method for determining that a student has satisfied the requirements for graduation.
- G.** List any waivers of state or local assessments will be sought by the charter school. Provide a justification for any of these waivers.

### **Operators' Responsibilities**

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. You should develop 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 Bylaws or other instruments affecting the management of the public charter school. A proposed charter school must have a federal tax ID number.

- 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 consultant 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 school system.
- E. Provide a set of Bylaws for the proposed school, which includes the public charter school's method for appointment/election of the governing body and the length of the terms established for each management position.
- F. Provide your policy on conflict of interest, including statements regarding full disclosure of connections to anyone doing business with the organization.

### **Management Structure**

A stable, effective, and comprehensive school management model consistent with the mission is a key in clearly defining roles of the operators of the school and its interaction with staff. Appropriate teacher and parent input in school decision-making is crucial as well. A well-developed, viable administrative management structure is important in establishing a public charter school.

- A. Describe the administrative management structure of the school. Include clearly delineated responsibilities, policies, and practices needed to effectively manage the school.
- B. Describe the roles and responsibilities of the management board, including the relationship of the management board to teachers and administrators.
- C. 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 board management and staff to the school principal.
- D. Unless waived by the Board of Education, the operators of the public charter school shall fall under Board's Ethics Regulations. These Regulations prohibit conflicts of interests and financial misconduct by all employees, Board members, and charter school operators. Please indicate that you have read, understand, and accept these Ethics Regulations.

### **Student Policies and Services**

If the public charter school intends to waive any Board of Education policy, administrative regulations, and/or procedures relating to students, alternate policies must be provided with this application. The following list is not exhaustive, but provides examples of Board policies and regulations which must be complied with unless waived:

- Enrollment and attendance data
- Compulsory attendance
- Student withdrawals and dismissals
- Promotion of students
- Discipline procedures

- Confidentiality and retention of student records and forms
  - Immunizations (state law requires immunization of students prior to entering school)
  - Student dress code
- A. Indicate if the public charter school plans to seek waivers of any Board policies concerning student services, and if so, attach a copy of the policies which the school proposes as alternatives, including a justification for the policies.
  - B. A public charter school will be required to contract with Charles County Public Schools regarding food services, in order to comply with state and federal regulations. Please provide any specific information which may be needed in order to implement this requirement (such as plans to provide facilities for food services, proposed schedules of lunch service, etc.).
  - C. Describe plans to provide health services to students at the public charter school. Note that a full-time or part-time licensed school nurse must be available for students.
  - D. Describe plans for student participation in extracurricular activities such as athletics, music, field trips, etc. Note that students may not be charged for these services.
  - E. Describe appropriate technology, library services, and other media that will be made available to the school's students.
  - F. Describe plans to ensure that the charter school will comply with federal and Maryland statutes relating to student records retention and confidentiality.
  - G. Describe any additional services or resources that will be provided to students.

### **Student Discipline and the Code of Student Conduct**

The public charter school must comply with all federal and state laws concerning student discipline. In addition, discipline policies and procedures must be the same as those stated in the Charles County Board of Education policies, as well as the Code of Student Conduct, unless otherwise modified in the Charter Agreement.

- A. Describe any local or state exceptions or waivers to be sought concerning student discipline. Note that any federal rules concerning student discipline (i.e., disciplining special education students) cannot be waived by the local school system or State Board of Education.
- B. Describe how the school will ensure that local and state requirements concerning due process and student discipline will be followed.
- C. Describe any internal discipline measures to be implemented at the school.
- D. Describe how the school plans to notify and inform students and parents concerning discipline and student behavior expectations.

### **Human Resources**

Employees of public charter schools are, by law, actually employees of the school system, and they have all of the rights and protections afforded them under Maryland law, as well as all of the responsibilities of a public school employee. Public charter staff are covered by the Negotiated Agreements, for example, and they must meet any state certification requirements for their positions.

As employees of the school system, public charter school staff are hired, assigned, and compensated by the school system. Thus, all personnel records are retained by the school system, and all employment laws are implemented and enforced by the school system. Employee background checks will be provided by the school system.

Nevertheless, the operators of a public charter school will be asked for input concerning the hiring and/or assignment of staff at the school, and school administrators will be responsible for ensuring that all school system policies concerning personnel are followed.

- A. Provide a staffing plan, indicating by position title and job description the staff you seek to have at the public charter school. For example, indicate how many math teachers, how many third grade reading resource instructors, how many maintenance workers, etc., you plan to have, along with any specific job descriptions.
- B. To the extent known, provide a roster of proposed instructional staff for the school. Note that only the Board of Education and Superintendent can actually hire and assign staff. However, you may provide any informal commitments from individual staff members who plan to seek a transfer or assignment to the school.
- C. Describe any standards or requirements you would like to use in the staff assignment process. For example, although all teachers must eventually be deemed “highly qualified” under federal law, the public charter school may seek to include only teachers with certain qualifications, or a certain dedication, or a certain commitment. Again, the public charter school does not control the final assignment of staff, but the Superintendent will work with the school to try to select only staff interested in working at the school.
- D. Describe any changes to the current Negotiated Agreement which may be sought by the public charter school for its staff. For example, the Negotiated Agreement limits the number of hours and days expected of staff. If any changes are sought, the appropriate employee associations must be involved in any efforts to make those changes.
- E. Describe any waivers the public charter school may seek from the State Board of Education concerning the required certification of staff.
- F. Describe how any proposed professional development will adhere to Board of Education policy and will be offered to the teaching staff. Note that, as employees of Charles County Public Schools, the staff at the school will be invited to participate in countywide professional development programs.
- G. Describe how school administrators will comply with required observations and evaluations of staff.

### **Audit and Reporting Requirements**

The public charter school will be subject to regular audits and reporting requirements. Specific audits and reports will be negotiated as part of the Charter Agreement.

- A. Indicate assurances that the public charter school recognizes the authority of the school system to audit school actions, and understands that the school has a responsibility to report to school system administrators as required by law and by the Charter Agreement.
- B. Indicate your understanding that the public charter school has a legal duty and responsibility to maintain records and collect data, as will be further defined prior to the school’s opening.

## **Parent Involvement and Community Participation**

The most basic 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 elementary, middle, or high school level.

- A.** Describe how you will go about building family-school partnerships that focus on strengthening support for learning, improving communication, and encouraging parental involvement in school operations.
- B.** Describe how you propose to 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 that all parents are welcome to the school and are encouraged to participate in decisions about their children's education.
- D.** Describe the relationship your school intends to build with community agencies and organizations that serve children and youth who attend your school. Discuss any commitments you have for partnerships or other relationships with community organizations or individuals that would enrich the learning opportunities of students in your school.
- E.** Try to 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 and 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, any additional expectations you would like to set for staff commitments.
- H.** Describe methods for handling disputes between parents and the school.
- I.** For current Charles County Public Schools converting to charter schools, provide evidence that a substantial percentage of parents/guardians and existing staff at that school support the conversion of the school to a public charter school.

## **School Facilities**

Prior to approving a charter, the Board of Education needs assurances that an adequate facility for the public charter school has been purchased, leased, or otherwise secured, or plans are well underway to do so. When acquiring a facility, there are many things that should be considered. All public schools, including public charter schools, must comply with all applicable health and safety laws, including any state and local building codes, and additionally any building used as a school must be able to physically accommodate all students (including disabled students), the programs, and the services offered. Thus, the selection of a facility should take into account the safety and accessibility 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.

Prior to approval of the charter, the Superintendent's staff will need access to inspect all facilities to be used by the public charter school.

- A. If you have already identified or obtained a public charter school facility, identify the facility to be used and its location. Please provide a copy of property or lease documents indicating your legal rights to ownership or use.
- 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. Demonstrate how the facility will be compliant with all ADA and state requirements concerning accessibility for the disabled.
- D. Include a blueprint or description of the layout of the building, including the number and size of classrooms and other education amenities (e.g., science lab, music room, gymnasium, etc.) and the placement of offices, student lockers, nurse's office, the cafeteria, and other facilities as may be required or desired.
- E. Provide evidence of property insurance.
- F. If you do not already have a building secured, discuss in detail any progress, partnership developments, or other future steps towards acquisition of a school building.
- G. Describe financing plans for facilities, if applicable.

### **School Materials, Supplies, and Equipment**

Obtaining a facility for a public charter school is only the first step in preparing a school for students. The school also needs to furnish the facility with necessary or desired materials and equipment, including both curriculum and non-curriculum related materials. Note that certain purchases you may make once the Charter Agreement has been signed may be subject to state procurement laws requiring the advertisement of bids and the proper handling of contract awards.

- A. Describe your plans to supply the public charter school with necessary or desired furniture and equipment, including student and teacher desks and chairs, telephones, science lab equipment, music and art room materials, athletic equipment, cafeteria tables, computers for administrators, flags for each classroom, etc. [Note that this is a partial list, of course, and the supplies and equipment you may choose to have (or that you must have) will be extensive. Also note that some supplies and materials will automatically be provided by the school system, as it does for all of its schools. Through detailed discussions with the Superintendent's staff, this list will evolve, and the final description of needed supplies and equipment and the source for these supplies and equipment will be negotiated as the Formal Application is completed.]
- B. Describe your plans to supply the public charter school with utilities and heating and air conditioning equipment, including any maintenance plans.
- C. Provide copies of any vending machine contracts (i.e., contracts to provide and maintain vending machines and to fill them).
- D. Describe your plans to provide textbooks and other materials of instruction to students.
- E. Describe your technology plans, including the acquisition and maintenance of computers for students.
- F. Describe your plans to stock your library or media center with books and other educational materials.

## Finances

It is extremely important for the charter school to begin operation with an operating budget that is supported by sound financial planning. The operating budget for the charter application should be developed using local, state, and federal funds ONLY. Any other sources of income should be noted but not included in the basic operation of the school unless they represent secure sources of funding. Alternate income streams, including grants or private resources, 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 due to changes in the local and state per pupil allotments and in actual enrollment. The state funds schools based upon the number of students enrolled on September 30<sup>th</sup> of each school year, under guidelines established by law and through regulation. All students enrolled on a full-time basis are counted equally, except for special education and Limited English Learning students, which receive additional per pupil funding.

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.

State law requires that the Board disburse to the public charter school an amount of local, state, and federal money that is commensurate with the amount distributed on a per pupil basis to other public schools in the county. The specific amount of funding will be negotiated in the Charter Agreement.

- A.** Describe the financial management and internal accounting procedures of the public charter school. Note that the school will be required to maintain its financial records in accordance with generally accepted accounting principles and Board policy and procedures.
- B.** Prepare and submit your public charter school budget for the length of the proposed contract covering all projected sources of revenue and planned expenditures. These projections are needed in order to estimate the annual payment to the public charter school for its operating expenses. As it pertains to the budget, it is required that the applicant submits 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.
- C.** Present a budget for start-up expenses, covering only the planning and capital expenses necessary before school opening.
- D.** Describe any planned fund-raising efforts to generate capital or to supplement the per pupil allocations.
- E.** Explain the manner in which the school will be insured, including liability insurance.
- F.** Provide information about the ownership and inventory control of materials and equipment.

## **Recruiting and Marketing Plan**

A public charter school should have a plan to attract sufficient students to operate a school and 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 how you will publicize the school to attract a sufficient pool of applicants.
- B. Describe steps you will take to reach students representative of the racial and socio-economic diversity in the community, including typically "harder to reach" families.
- C. Describe any marketing efforts which will explain the mission and purpose of the public charter school to the community in general.

## **Risk Management and Emergency Preparedness**

Preparing students, staff, and parents to handle emergency situations is a vital part of any school safety plan. Charles County Public Schools requires that each school develop and maintain a school safety plan which is coordinated with the systemwide plan. School plans 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; and
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 are kept in classrooms or other designated locations that are away from the danger. Staff members are responsible for accounting for students and ensuring that no one leaves the safe area. School personnel will 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.

The specific actions taken by schools in any emergency situation, both districtwide and at individual schools, will depend on the specifics of the situation, taking into account the level of threat and the advice of local, state, and federal agencies. The safety of students and staff members will be the primary concern in any decision.

- A. Provide your school emergency plan.
- B. Describe your procedures to maintain emergency contact information for all students.
- C. Describe any efforts to involve local law enforcement officers in the operations of your school, including developing programs for students, using officers as community resources, etc.
- D. Provide information about plans to conduct regular fire drills and emergency drills.

## **Transportation**

As part of the Charter Agreement, student transportation will be negotiated between the Board and the public charter school. However, generally students are only transported to public school if they live within the attendance zoned area for that school, or if transportation services are required as part of a student's special education services. Other students may be expected to provide their own means of transportation. Your public charter school will not have an actual attendance "zone", since by law it must be opened to all students in Charles County, regardless of where they live within the county. Thus, transportation may be a major factor in determining the viability of your proposal.

- A. Discuss any special plans you may have for transporting students to and from school.
- B. Describe what transportation "zone" you suggest for your public charter school, including detailed geographic boundaries (such as roads) for your "zone". Include in your description your justification or rationale for the boundaries.
- C. Describe how you will help ensure that transportation is not a barrier to equal access for all students in Charles County.

## **Additional Information**

Feel free to provide any additional information and documentation you think would be helpful to the Board in its decision whether or not to grant the charter.



**Charles County Board of Education  
Compliance Assurances**

**NAME OF SCHOOL:** \_\_\_\_\_ **Public Charter School**

**Admission Procedures §9-102**

Admission will not be limited based upon any illegal consideration (including race, religion, ethnicity, national origin, gender, or disabling condition), or based upon proficiency in the English language or athletic ability. There are no tuition or fees charged and collected for attending the Public Charter School.

The Public Charter School will admit all eligible pupils who submit a timely application. 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 a lottery, except that preference shall be given to those categories of students, and only those categories of students, as agreed to in the Charter Agreement by both the charter school and the Board of Education.

**Nonsectarian Statement §9-104**

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

**Special Education/Exceptional Student Services Training**

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

**Agreement to Comply with Audit Requirements**

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

**Agreement to Comply with Maryland Student Assessment**

The Operators of the Public Charter School agree to comply with the Maryland Student Assessment and other tests required by the State Department of Education, unless a waiver is obtained.

**Agreement to Comply with Federal, State, and Local Laws and Regulations**

The Operators of the Public Charter School agree to comply with all federal, state, and local laws and regulations, unless a waiver is obtained from the applicable entity.

\_\_\_\_\_  
Authorized Agent (please print)

\_\_\_\_\_  
Authorized Agent Signature

\_\_\_\_\_  
Date

**Formal Application Checklist** (to be completed by the applicant)

This document will be used to determine if an application is complete. Please check off each requirement as completed and included in the Formal Application. Any required section not complete, including items left blank or unanswered or missing attachments and appendices, will result in an application being deemed INCOMPLETE. INCOMPLETE APPLICATIONS WILL NOT BE FORWARDED TO THE BOARD.

Insert the page number where each item listed below will be found within the Formal Application.

Page Number	Section
	<b>Format</b>
	<input type="checkbox"/> Typed document <input type="checkbox"/> Pages numbered consecutively <input type="checkbox"/> 12 bound copies and one unbound copy, with tabs separating each content area
	<b>Public Charter Schools Intent Form</b> <input type="checkbox"/> Filed prior to Application, attach additional copy
	<b>Prospectus</b> <input type="checkbox"/> Filed within 30 days of Intent Form, attach additional copy
	<b>Planning and Establishment</b> <input type="checkbox"/> Profile of Founding Group <input type="checkbox"/> Management and Administrative Structure <input type="checkbox"/> Required Resumes <input type="checkbox"/> Required Disclosure Forms
	<b>Mission Statement</b> <input type="checkbox"/> Mission Statement
	<b>Goals</b> <input type="checkbox"/> Goals <input type="checkbox"/> Specific, measurable objectives
	<b>Student Population</b> <input type="checkbox"/> Grades to be served and maximum number of students in each grade <input type="checkbox"/> Student application <input type="checkbox"/> Timetable for applications and admission decisions <input type="checkbox"/> Lottery description, including preferences to be given
	<b>Kindergarten</b> <input type="checkbox"/> Statement of any plans to provide kindergarten services <input type="checkbox"/> Acknowledgement and acceptance of legal requirements
	<b>School Calendar and Length of School Days</b> <input type="checkbox"/> Intent to follow CCPS calendar and statement of intent to seek any waivers <input type="checkbox"/> Number of hours for students and employees
	<b>Educational Plan</b> <input type="checkbox"/> Description of educational objectives and methods of determining progress <input type="checkbox"/> Class size information. <input type="checkbox"/> Connection between instructional time and objectives <input type="checkbox"/> Connection between student populations and geographic area, and impact of school on the community and existing schools

	<p><b>Academic Program, Standards, and Curriculum</b></p> <ul style="list-style-type: none"> <li>_____ Description of educational program, curriculum objectives, etc.</li> <li>_____ Connection to CCPS goals and Master Plan</li> <li>_____ Description of instructional methods</li> <li>_____ Plans to meet needs of Limited English Learning students</li> <li>_____ Plans to meet needs of special education students</li> <li>_____ Proposed school calendar for first year</li> <li>_____ Timeframe on core academic subjects</li> <li>_____ Student achievement goals</li> <li>_____ Learning standards and curriculum</li> <li>_____ Plans to meet needs of at-risk students</li> <li>_____ Plans to meet needs of low-performing students</li> </ul>
	<p><b>Student Assessment</b></p> <ul style="list-style-type: none"> <li>_____ Plans to assess student performance in core academic areas</li> <li>_____ Alignment of assessments and curriculum and goals</li> <li>_____ Schedule of assessments</li> <li>_____ Methods used to identify educational strengths and needs of students</li> <li>_____ Student participation in statewide assessment program</li> <li>_____ Methods for determining graduation (secondary education applicants only)</li> <li>_____ State or local assessment waivers sought</li> </ul>
	<p><b>Operators' Responsibilities</b></p> <ul style="list-style-type: none"> <li>_____ Description of organizational group</li> <li>_____ List of business arrangements or partnerships</li> <li>_____ Description of relevant experience of consultants and professionals</li> <li>_____ Proposed method for resolving conflicts</li> <li>_____ Bylaws</li> <li>_____ Conflict of interest policy</li> </ul>
	<p><b>Management Structure</b></p> <ul style="list-style-type: none"> <li>_____ Description of administrative management structure</li> <li>_____ Description of roles and responsibilities of management board</li> <li>_____ Organizational chart and narrative description</li> <li>_____ Acceptance of Ethics Regulations</li> </ul>
	<p><b>Student Policies and Services</b></p> <ul style="list-style-type: none"> <li>_____ Alternate policies, if any</li> <li>_____ Information concerning food services</li> <li>_____ Information concerning health services</li> <li>_____ Student participation in extracurricular activities</li> <li>_____ Appropriate technology, libraries and other media plans</li> <li>_____ Plans for compliance with student records laws</li> <li>_____ Description of additional resources and services</li> </ul>
	<p><b>Student Discipline and the Code of Student Conduct</b></p> <ul style="list-style-type: none"> <li>_____ Description of local and state waivers to be sought, if any</li> <li>_____ Description of how school will comply with local and state requirements</li> <li>_____ Description of internal disciplinary measures</li> <li>_____ Notification to students and parents concerning behavior expectations</li> </ul>
	<p><b>Human Resources</b></p> <ul style="list-style-type: none"> <li>_____ Detailed staffing plan</li> <li>_____ Roster of instructional staff, to the extent known</li> <li>_____ Additional standards or requirements proposed for staff</li> <li>_____ Changes sought to the Negotiated Agreements</li> <li>_____ State Board waivers, if any</li> <li>_____ Description of professional development plans</li> <li>_____ Compliance with observation and evaluation requirements</li> </ul>

	<b>Audit and Reporting Requirements</b> <input type="checkbox"/> Recognition of CCPS authority to audit <input type="checkbox"/> Understanding of legal duty and responsibility concerning records and data
	<b>Parent Involvement and Community Participation</b> <input type="checkbox"/> Process for building family-school partnerships <input type="checkbox"/> Parental involvement <input type="checkbox"/> Staff involvement with parents <input type="checkbox"/> Partnerships with community organizations <input type="checkbox"/> Community support <input type="checkbox"/> Involvement of parents <input type="checkbox"/> Commitment of staff <input type="checkbox"/> Handling parent disputes <input type="checkbox"/> Support of parents and staff in converting existing school to charter school (if applicable)
	<b>School Facilities</b> <input type="checkbox"/> Identify facility and rights to use facility <input type="checkbox"/> Suitability of facility and plans to renovate <input type="checkbox"/> Compliance of facility with ADA and other requirements <input type="checkbox"/> Blueprint or description of layout of facility <input type="checkbox"/> Evidence of insurance <input type="checkbox"/> Plans to acquire facility <input type="checkbox"/> Financing of facility
	<b>School Materials, Supplies, and Equipment</b> <input type="checkbox"/> Furniture and equipment <input type="checkbox"/> Utilities and heating and air conditioning equipment, and any maintenance plans <input type="checkbox"/> Vending contracts <input type="checkbox"/> Textbooks and other materials of instruction <input type="checkbox"/> Technology plan <input type="checkbox"/> Library and media center books and supplies
	<b>Finances</b> <input type="checkbox"/> Financial management and internal accounting procedures <input type="checkbox"/> Four-year estimate of school operating and capital budget <input type="checkbox"/> Budget for start-up expenses <input type="checkbox"/> Fund-raising plans <input type="checkbox"/> Insurance <input type="checkbox"/> Ownership and inventory control of materials and equipment
	<b>Recruiting and Marketing Plan</b> <input type="checkbox"/> Plans to publicize the school to attract a sufficient pool of applicants <input type="checkbox"/> Steps to reach all students <input type="checkbox"/> Marketing effort
	<b>Risk Management and Emergency Preparedness</b> <input type="checkbox"/> School emergency plan <input type="checkbox"/> Plans to maintain emergency contact information <input type="checkbox"/> Involvement of local law enforcement <input type="checkbox"/> Plans for fire drills and emergency drills <input type="checkbox"/> Emergency plans
	<b>Transportation</b> <input type="checkbox"/> Plans for transporting students <input type="checkbox"/> Define geographic zone proposed for transportation services <input type="checkbox"/> Equal access for all students
	<b>Additional Information</b> <input type="checkbox"/> Check here if any additional information has been provided

# APPENDIX A

Senate Bill 75

## SENATE BILL 75

Unofficial Copy  
F1

2003 Regular Session  
(3r0658)

### 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

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](http://www.msde.state.md.us)

Maryland Charter School Network – [mcsn@comcast.net](mailto:mcsn@comcast.net)

U.S. Charter Schools – [www.uscharterschools.org](http://www.uscharterschools.org)

Charter Friends National Network – [www.charterfriends.org](http://www.charterfriends.org)

Education Week: Charter Schools – [www.edweek.org](http://www.edweek.org)

National Center for Policy Analysis: Idea House – [www.ncpa.org](http://www.ncpa.org)

National Association of Charter School Authorizers – [www.charterauthorizers.org](http://www.charterauthorizers.org)

The Center for Education Reform – [www.edreform.com](http://www.edreform.com)

National Education Association – [www.nea.org](http://www.nea.org)

Maryland State Department of Education – [www.msde.state.md.us](http://www.msde.state.md.us)

Maryland General Assembly – [www.mlis.state.md.us](http://www.mlis.state.md.us)

Charter Schools Development Center – [www.cacharterschools.org](http://www.cacharterschools.org)

U.S. Department of Education – [www.ed.gov/](http://www.ed.gov/)

# APPENDIX C

## Board of Education of Charles County, Maryland Charter School Policy

### COMMUNITY (Series 1000)

### Policy Number

Public Charter Schools 1950

Purpose 1951

In keeping with the Board of Education’s interest in providing varied innovative and instructional programs and recognizing that, under certain conditions, a non-traditional program may provide alternative educational opportunities for students, a charter school may be established in Charles County. By allowing charter schools, the Board intends to provide parents and students an alternative means within the existing public school system for additional innovative learning opportunities and creative educational approaches to improve the education of students.

Definitions 1952

“Public Charter School” means a public school that:

1. Is nonsectarian in all its programs, policies, and operations.
2. Is a school to which parents choose to send their children.
3. Is open to all students on a space-available basis and admits students on a lottery basis if more students apply than can be accommodated.
4. Is a new public school or a conversion of an existing public school.
5. Provides a program of elementary or secondary education or both.
6. Operates in pursuit of a specific set of educational objectives.
7. Is tuition-free for all students who are eligible to attend any other Charles County school tuition-free.
8. Is subject to federal and state laws prohibiting discrimination.
9. Is in compliance with all applicable health and safety laws.
10. Requires students to be physically present on school premises for a period of time substantially similar to that which other Charles County Public School students spend on school premises.
11. Is created in accordance with state law and regulations, and under the control of the Board.

General Guidelines 1953

Any public charter school created under this policy operates under the authority of the Board. The public charter school must abide by the provisions of all laws, policies, and regulations governing other public schools in Charles County, except as otherwise provided in policy or state law.

The primary public chartering authority for the granting of a charter in Charles County is the Board of Education. The secondary public chartering authority for the granting of a charter is the State Board of Education. The State Board may assume chartering authority for a restructured school in accordance with state law.

An application to establish a public charter school may be submitted to the Board by:

- a. The staff of a public school.
- b. A parent or guardian of a student who attends a public school in Charles County.
- c. A nonsectarian, nonprofit entity.
- d. A nonsectarian institution of higher education in the state.
- e. Any combination of persons specified above.

Under state law, the Board may not grant a charter to:

- a. A private school.
- b. A parochial school.
- c. A home school.

#### Employees Assigned to a Public Charter School

1954

A member of the professional staff assigned to a public charter school shall hold the appropriate Maryland certification.

Employees assigned to a public charter school are Charles County Public Schools employees and shall have the same rights and responsibilities that all other Charles County Public Schools employees have.

Existing employee organizations and the public charter school may mutually agree to negotiate amendments to an existing agreement to address the needs of the particular public charter school.

Employees assigned to a public charter school shall be evaluated in a manner that is consistent with state law and applicable Board policies and regulations.

#### Public Charter School Facilities

1955

If the public charter school wishes to use existing Charles County Public Schools buildings, such use must be negotiated with the Board.

Policies and regulations related to facilities and the health and safety of students and staff will not be waived.

Student Tuition

1956

Students domiciled in Charles County will be eligible for admittance without tuition charge. Students not domiciled in Charles County will be eligible for admittance without tuition charge only as allowed by the school system for other non-domiciled students attending other schools in the school system.

The amount of any tuition charged will be calculated as if the student is attending any other public school in Charles County. The tuition will be paid to the Charles County Public Schools System. However, the funding provided by the school system to the charter school for that student will be calculated in the same manner as for all other students attending the charter school.

No eligible non-tuition-paying student may be denied admittance in the charter school in order to accept a tuition-paying student.

Student Admission

1957

The public charter school may not discriminate and must be in compliance with all federal and state anti-discrimination laws.

A random selection process must be used if the number of qualified applicants exceeds the predetermined student capacity in the public charter school.

Compliance with Laws, Policies, and Regulations

1958

A public charter school shall comply with the provisions of state law and regulations governing other public schools unless a waiver is granted by the State Board of Education. The State Board of Education is prohibited from granting a waiver from provisions of law or regulations relating to:

- a. Audit requirements.
- b. The measurement of student academic achievement, including all assessments required for other public schools and other assessments mutually agreed upon by the public chartering authority and the school.
- c. The health, safety, or civil rights of a student or an employee of the public charter school.

A public charter school shall comply with all policies and regulations of the Board unless the Board grants a waiver of a specific policy or regulation.

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 public charter school.

Criminal background checks shall be required as dictated by other Board policies and regulations, and applicable state law.

A charter may not be granted to a school whose operation would be inconsistent with any public policy initiative, court order, or federal improvement plan governing special education that is applicable to Maryland.

The Superintendent shall ensure that prior to opening a public charter school the operators of the school are informed of and address the human, fiscal, and organizational capacity needed to fulfill the school's responsibilities related to children with disabilities.

The State Board shall provide technical assistance to the operators of a public charter school to help the school meet the requirements of federal and state laws, including 20 U.S.C. §1400, et seq 6 and §504 of the Rehabilitation Act of 1973, 29 U.S.C. §794.

Evaluation of a Public Charter School 1959

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.

Revocation of a Charter 1960

The Board 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.

The Board of Education may revoke a public charter school's charter for the following reasons:

- a. The school has not fulfilled a condition imposed by the Board in connection with the granting of the charter.
- b. The school has failed to comply with the charter or provisions of federal, state, or local law.
- c. The fiscal condition of the school is substantially deficient.
- d. The academic condition of the school is substantially deficient.
- e. The facility can no longer support the needs of the educational program.
- f. The charter applicants made a material and substantial false statement on the charter application.
- g. The continuation of the operation of the public charter school is not in the best interests of the public, or of the students of Charles County Public Schools.

Upon revocation, personnel and students shall be reassigned pursuant to Board policy and procedure.

Upon revocation, resources provided by the school system shall remain under the control of the Board.

Reporting Requirements 1961

An annual report on each public charter school will be presented to the Board, including:

- a. Fiscal accountability.
- b. Student performance.
- c. Any other matter required pursuant to the charter.

Public charter schools shall comply with all federal, state, and local reporting requirements, unless waived.

Audits 1962

The Board of Education may require financial, programmatic, or compliance audits consistent with federal, state, and local law and procedures.

Funding, Materials, and Grants 1963

The Board of Education will annually determine a funding allocation that includes the per pupil allocation for public charter schools that is commensurate with the per pupil amount disbursed to other schools in the county.

The Board or the State Board of Education may give surplus educational materials, supplies, furniture, and other equipment to a public charter school.

An approved public charter school may seek and receive other grants through local, state, or federal government sources or private sources without a reduction in its fair share allocation, unless other provisions are included in the charter.

Insurance 1964

The charter shall include evidence of appropriate property and casualty insurance.

Public Charter School Application Process 1965

An applicant to operate a public charter school shall submit an application to the Board in accordance with the procedures established by the Board.

Prior to the submission of a completed application the applicant shall confer with the Superintendent or designee. The applicant, at a minimum, shall provide plans for addressing each of the components required for the formal application. The Superintendent or designee may provide advice and technical assistance as the formal application is finalized.

Applications shall include, but not be limited to, the following components:

- a. A statement of intent to comply with applicable federal, state, and local laws and regulations and this policy.
- b. The applicant's vision of public charter school expectations and mission. The primary mission must remain focused on student academic achievement.

- c. Specific plans and strategies for developing and delivering educational programs.
- d. Specific educational results including student academic outcomes and how they will be measured.
- e. Specific plans for meeting or exceeding current accountability provisions of Charles County Public Schools and state law and regulations.
- f. Student admission procedures.
- g. A facilities plan that specifies cost, location, available space and its use, and the terms and conditions of the facility acquisition and necessary utilities.
- h. A defined management and administrative structure that will be in place for the public charter school.
- i. The proposed duration of the charter and a plan which provides legal accountability for the operation of the public charter school.
- j. A plan which will include assurances of financial solvency for the duration of the charter and accountability for the use of funds and resources.
- k. A plan which provides programmatic accountability for the length of the charter.
- l. A description of the type and extent to which there is sufficient community support for the proposed public charter school.
- m. Any description of any major emphasis on specific criteria, such as reclaiming drop-outs or basic instructional programs.

Timeline for Non-Restructured School Applications

1966

For non-restructured schools, within 120 days of the receipt of a completed and required application for a public charter school (on a form provided by the Superintendent), the Board shall render a decision whether or not to grant the charter.

Timeline for Restructured School Applications

1967

Within 30 days of receipt of a completed and required application for creating a charter for a school that has been identified as meeting the conditions of restructuring (on a form provided by the Superintendent), the Board shall render a decision whether or not to grant the charter. The Board may apply to the State Board of Education for an extension of up to 15 days from this 30-day time limit. If an extension is not granted, and 30 days have elapsed, the State Board of Education may become a chartering authority. If an extension has been granted, and 45 days have elapsed, the State Board of Education may become a chartering authority.

Appeal Process for Charter Denials

1968

If the Board denies an application to establish a public charter school, the applicant may appeal the decision to the State Board of Education in accordance with §4-205(c) of the

Education Article, *Annotated Code of Maryland*. By law, the State Board shall render a decision within 120 days of the filing of an appeal under this section.

If the Board denies an application to establish a public charter school and the State Board of Education reverses that decision, the State Board of Education may direct the Board to grant a charter and shall mediate with the Board and the applicant to implement the charter.

Regulations 1969

The Superintendent may adopt regulations to implement this policy.

Effective Date 1970

This policy shall become effective on November 1, 2003.

#### **Legal Authority**

Title 9 of the Education Article, *Annotated Code of Maryland*, known as the “Maryland Public Charter School Program”.