

## ALBEMARLE COUNTY CHARTER SCHOOLS

The primary objective of charter schools within Albemarle County Public Schools is to serve as “labs” to improve educational opportunities and enhance student achievement for all schools.

Toward these goals, the Albemarle County School Board will receive and consider requests for charter schools if such charters are focused on educational excellence and student achievement, can improve the effectiveness and efficiency of educational services, and can enhance and inform the division through the research, development, and implementation of programs that align with division mission, vision, and goals. The Albemarle County School Board believes that public school programs should be designed to fit the needs of individual pupils and that parents and educators have a right and responsibility to participate in the schools which serve them. The State of Virginia has authorized charter schools as one avenue for parents, teachers, and community members to provide for education of children within the public school system.

### Purpose of Charter Schools

In order toAs adopted by the General Assembly (House Bill 543 and Senate Bill 318, signed by Governor Gilmore, effective July 1, 1998), the purposes of the Charter School legislation are to: (i) encourage the development of innovative programs; (ii) provide opportunities for innovative instruction and student assessment; (iii) provide parents and students more choices; (iv) provide innovative scheduling, structure, and management; (v) encourage performance-based educational programs; (vi) establish high standards for teachers and administrators; and (vii) develop models for replication in other public schools, the Albemarle County School Board receives and considers applications for the establishment of charter schools.-

The primary objective of charter schools within the Albemarle County Public Schools are to improve educational opportunities and enhance student achievement for all schools. Toward these goals, the Albemarle County School Board will receive and consider requests for charter schools if such charters are focused on educational excellence and student achievement, can improve the effectiveness and efficiency of educational services, and can enhance the overall mission of the Albemarle County School Division.

### Definition of Charter School

A charter school is a public, non-religious, or non-home-based alternative school located within the Albemarle County School Division or operated jointly by multiple school divisions. A charter school may be created as a new public school through the conversion of all or part of an existing public school. Conversions of private schools or home-based programs shall not be permitted. A charter school for at-risk pupils may be established as a residential school.

In establishing public charter schools, within the division, the School Board gives priority to public charter school applications designed to increase the educational opportunities of

students at-risk of not reaching their full potential in traditional or comprehensive base school environments. At least one half of the public charter schools in the division must be designed for at-risk students. However, conversions of existing public schools into public charter schools that serve the same community as the existing public school do not count in the determination of school division compliance with the one-half requirement.

The total number of charter schools that may be established shall not exceed ten percent of the School Division's total number of schools; no more than two charter schools shall be established prior to July 1, 2000. The School Boards operating a regional charter school shall determine to which division the school is assigned for purposes of the limit on the number of charter schools. At least one half of the public charter schools in the Division must be designed for at-risk students. However, conversions of existing public schools into public charter schools that serve the same community as the existing public school do not count in the determination of school division compliance with the on-half requirement. Enrollment in a charter school is open to any child who resides within the Albemarle County school division or, in the case of a regional public charter school, within any of the relevant school divisions, through a lottery process on a space-available basis, except that in the case of the conversion of an existing public school, students who attend the school and the siblings of such students are given the opportunity to enroll in advance of the lottery process. Students for whom no space is available will be placed on the waiting list in the order in which they were selected during the lottery process.

Public charter schools are subject to all federal laws and authorities as set forth in law and the charter contract. Public charter schools are subject to the same civil rights, health and safety requirements applicable to other public schools in the Commonwealth, except as otherwise provided by law.

Public charter schools are subject to the student assessment and accountability requirements applicable to other public schools. Nothing precludes a public charter school from establishing additional student assessment measures that go beyond state requirements if the School Board approves such measures.

Management committees of public charter schools are subject to and shall comply with the Virginia Freedom of Information Act (§§ 2.2-3700 et seq.).

No public charter school shall discriminate against any individual on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, or need for special education services or any other unlawful basis, and each public charter school shall be subject to any court-ordered desegregation plan in effect for the school division.

No public charter school shall discriminate against any student on the basis of limited proficiency in English and each public charter school shall provide students who have limited proficiency in English with appropriate services designed to teach such students English and the general curriculum, consistent with federal civil rights laws.

No public charter school shall engage in any sectarian practices in its educational program, admissions, or employment policies or operations.

### Application Process

Any person, group or organization may submit an application for the formation of a public charter school to the Albemarle County School Board. A complete application includes the applicant's Virginia Public Charter School Application package submitted to the Board of Education, the result of the Board of Education's review of the application and the Charter School Application Addendum (LC-E Albemarle County Charter School Application Addendum). Prior to submitting a charter school application to the School Board, a public charter school applicant shall submit its proposed charter application to the Board of Education for review and comment and a determination as to whether the application meets the approval criteria developed by the Board of Education. Charter School applications initiated by the Albemarle County School Board must conform to the Virginia Public Charter School Application. However, such applications are not required to receive Board of Education review and comment prior to action by the School Board.

The Board of Education examines all applications, other than those initiated by the School Board, for feasibility, curriculum, financial soundness and other objective criteria it may establish, consistent with existing state law. The Board of Education's review and comment is for the purpose of ensuring that the application conforms with such criteria. The school division may work with a charter school applicant before the application is submitted to the Board of Education for review and recommendation.

All public charter school applicants, other than those initiated by the School Board, must also complete the application addendum in the format provided in Exhibit LC-E Albemarle County Charter School Application Addendum. The School Board shall establish a "review team" consisting of appropriate school personnel, a local business representative and a resident charter school proponent to evaluate charter school applications. The School Board shall designate the chairman of the review team as the contact person for answering questions about the application process and receiving applications. The review team shall work cooperatively with applicants for charter schools. When an application is incomplete, the review team shall request the necessary information; an incomplete application is not grounds for denying a charter. However, if the applicant does not provide the necessary information within a reasonable timeframe (established by the review team) then the application may be denied.

The review team shall (i) recommend to the School Board appropriate criteria for reviewing charter school applications; (ii) evaluate all charter school applications based on the review criteria adopted by the School Board; (iii) recommend one of the following options to the School Board for each application: approve, reject, place on a waiting list or return with suggestions for improvement; (iv) monitor charter school progress; and (v) make recommendations for revocation, renewal or non-renewal of charter contracts.

The Albemarle County School Board shall establish a regulation for receiving, reviewing and ruling on applications for the establishment of charter schools. Such regulation must include a timeline for the application and review process and the means for reviewing and evaluating each application, including the criteria on which the decision to grant or deny a charter will be based. To provide appropriate opportunity for input from parents, teachers, citizens, and other

interested parties and to obtain information to assist the School Board in its decision to grant or deny a public charter school application, the regulation will provide for public notice and the receipt of comment on public charter school applications. The School Board shall give at least fourteen (14) days' notice of its intent to receive public comment on an application. A copy of the regulation, including the review criteria, shall be posted on the division's website and a copy shall be made available to any interested party upon request.

### School Board Decision

If the School Board denies a public charter school application, or revokes or fails to renew a charter agreement, it shall provide to the applicant or grantee its reasons, in writing, for such decision, and it shall post such reasons on its website. A public charter school applicant whose application was denied, or a grantee whose charter was revoked or not renewed, is entitled to petition the School Board for reconsideration. The petition for reconsideration shall be filed no later than 60 days from the date the public charter school application is denied, revoked or not renewed. Such reconsideration shall be decided within 60 days of the filing of the petition.

The School Board shall establish a process for reviewing petitions of reconsideration, which shall include an opportunity for public comment. The petition of reconsideration may include an amended application based on the reasons given by the School Board for such decision. Prior to seeking reconsideration, an applicant or grantee may seek technical assistance from the Superintendent of Public Instruction to address the reasons for denial, revocation or non-renewal.

Upon reconsideration, the decision of the School Board to grant or deny a public charter school application or to revoke or fail to renew a charter agreement is final and not subject to appeal. Following a decision to deny a public charter school application or to revoke or fail to renew a charter agreement, the School Board submits documentation to the Board of Education as to the rationale for the School Board's decision. The Board of Education has no authority to grant or deny a public charter school application or to revoke or fail to renew a charter agreement but may communicate any Board finding relating to the rationale for the School Board's denial of the public charter school application or revocation of or failure to renew the charter agreement based on the documentation submitted in any school division in which at least half of the schools receive funding pursuant to Title I, Part A.

Nothing in this policy prohibits an applicant whose application has been denied or a grantee whose charter has been revoked or not renewed from submitting a new application.

### Charter Contract

Within 90 days of approval of a charter application, the School Board and the management committee of the approved public charter school shall execute a charter contract that clearly sets forth (i) the academic and operational performance expectations and measures by which the public charter school will be judged and (ii) the administrative relationship between the School Board and public charter school, including each party's rights and duties. The 90-day period may be extended by up to 30 days by mutual agreement of the parties. Such performance expectations and measures shall include applicable federal and state accountability requirements and may be refined or amended by mutual agreement after the public charter school has collected baseline achievement data for its enrolled students.

The academic and operational performance expectations and measures in the charter contract shall be based on a performance framework that clearly sets forth the academic and operational performance indicators, measures and metrics that will guide the School Board's evaluations of the public charter school. The performance framework shall include indicators, measures and metrics for:

- student academic proficiency;
- student academic growth;
- achievement gaps in both proficiency and growth between the major student subgroups based on gender, race, poverty status, special education status, English language learner status and gifted status;
- attendance;
- recurrent annual enrollment;
- postsecondary education readiness of high school students;
- financial performance and sustainability; and
- the performance and stewardship of the management committee, including compliance with all applicable laws, regulations and terms of the charter contract.

The performance framework shall allow the inclusion of additional rigorous, valid and reliable indicators proposed by the charter school to augment external evaluations of its performance, provided that the School Board approves the quality and rigor of such indicators.

The performance framework shall require the disaggregation of all student performance data by major student subgroups based on gender, race, poverty status, special education status, English language learner status and gifted status.

Annual performance targets shall be set by the public charter school and the School Board and shall be designed to help each school meet applicable federal, state and School Board expectations.

The charter contract shall be signed by the chairman of the School Board and the president or chairman of the public charter school's management committee. Within 10 days of executing a charter contract, the School Board shall submit to the Board written notification of the charter contract execution, including a copy of the executed charter contract and any attachments.

No public charter school shall commence operations without a charter contract executed in accordance with this policy and approved in an open meeting of the School Board.

#### Waivers of School Board Policy and State Regulation

A charter school may operate free from School Board policies and state regulations, except the Standards of Quality, the Standards of Accreditation and Standards of Learning, as agreed in the charter contract. The School Board shall request from the Board of Education, on behalf of its charter schools, waivers from state regulation contained in each approved charter application. If the charter school is designed to increase the opportunities of at-risk students, then the School Board shall request that the Board of Education approve an Individual School Accreditation Plan.

#### Management and Operation

A charter school shall be administered and operated by a management committee in the manner agreed to in the charter contract. The management committee shall be composed of parents of students enrolled in the school, teachers and administrators working in the school and representatives of any community sponsors, or any combination thereof. A charter school shall be responsible for its own operations. However, a charter school may negotiate and contract with the School Board, or any other third party, for the provision of necessary services; services provided by the School Board must be provided at cost.

A charter school shall not be required to pay rent for space deemed by the school division to be available; as negotiated by contract, within the Albemarle County School Division.

The applicant and members of the management committee, administrators, and other personnel serving in a public charter school must disclose any ownership or financial interest they may have in renovating, lending, granting, or leasing public charter school facilities.

#### Personnel

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

Professional, licensed employees currently employed by the School Board may volunteer for assignment to a charter school and may be assigned by the School Board to a charter school for one contract year and reassigned annually upon the request of the employee and management committee. Professional, licensed employees assigned to a charter school shall receive the same employment benefits as such personnel assigned to noncharter schools. Professional, licensed personnel who request assignment to a noncharter school or who are not recommended for reassignment in the charter school, other than for reasons cited in § 22.1-307 of the Code of Virginia, shall be transferred to a noncharter school according to Albemarle County School Board policy.

The School Board may employ health, mental health, social services and other related personnel to serve in residential charter schools for at-risk students as determined in the charter agreement. However, the School Board is not required to fund the residential or other services provided by a residential charter school.

The School Board has the final authority to assign professional, licensed personnel to charter or other schools within the division

#### Funding

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

#### Revocation and Renewal of the Charter Contract

Nothing in this policy or attached regulations shall be construed to restrict the authority of the Albemarle County School Board to decline to renew a charter agreement.

The Albemarle County School Board may revoke a charter contract if

- the charter school violates the conditions, standards or procedures established in the application;
- the charter school violates a material term of the charter contract (for example, failing to provide required reports to the School Board);
- the charter school fails to meet or make reasonable progress toward achievement of the content standards or student performance standards identified in the charter application;
- the charter school fails to meet generally accepted standards of fiscal management; or
- the charter school violates any provision of law from which it was not specifically exempted.

A charter contract may be renewed for up to five school years. The management committee must apply to renew the charter by February 1 of the school year the charter expires.

The application for renewal shall contain

- a report on the progress of the charter school in achieving the goals, objectives, program and performance standards for students and other conditions and terms the School Board required in the charter;
- a financial statement, on forms prescribed by the Board of Education, disclosing the costs of administration, instruction and other spending categories which is written in a way to allow the Albemarle County School Board and the public to compare such costs to the costs of other schools and comparable organizations;
- other information the Albemarle County School Board may require.

Any revision of the terms of the charter contract may be made only with the approval of the Albemarle County School Board and the charter school's management committee.

If a charter contract is revoked or not renewed, or a charter school is dissolved, the management committee may be responsible for all financial obligations of the charter school.

### Reports

The School Board reports the following to the Board of Education:

- the grant or denial of charter applications, applications for renewal, and the revocation of any charter contract; for any such denial, revocation or failure to renew, the report to the Board of Education contains documentation as to the reason for the denial or revocation
- whether a public charter school is designed to increase the educational opportunities of at-risk students

The Board of Education will report the number of public charter schools established in Virginia, and the number of charters denied, in its annual report to the Governor and the General Assembly.

### Establishment and Operation

~~All charter schools shall be subject to federal and Virginia state laws, regulations, and constitutional provisions prohibiting discrimination in admissions, employment or operation on the basis of belonging to a protected class as outlined in Albemarle County School Board Policies GB, *Equal Employment Opportunity* and JB, *Equal Educational Opportunities*. Charter schools are also subject to any court ordered desegregation plan in effect for the school division. Charter schools, like all public schools, are also subject to all federal education requirements. Charter schools must comply with the Standards of Quality and, by implication, Standards of Learning and Standards of Accreditation.~~

~~Enrollment shall be open to any child who is deemed to reside within the Albemarle County School Division, through a lottery process on a space available basis. A waiting list shall be established if adequate space is not available to accommodate all students whose parents have requested to be entered in the lottery process. Such waiting list shall also be prioritized through a lottery process, in accordance with state guidelines concerning such lottery process, except that in the case of the conversion of an existing public school, students who attend the school and the siblings of such students are given the opportunity to enroll in advance of the lottery process.~~

~~A charter school shall be administered and operated by a management committee in the manner agreed to by the charter school applicant and the Albemarle County School Board, as reflected in the charter contract. The management committee shall be composed of parents of students enrolled in the school, teachers and administrators working in the school, and representatives of any community sponsors, or any combination thereof. Pursuant to an approved charter agreement, a charter school shall be responsible for its own operations, including, but not limited to, budget preparation, contracts for services, and personnel matters. A charter school may negotiate and contract with the School Board, or any other third party, for the provision of necessary services. Any services for which a charter school contracts with the Albemarle County School Division shall not exceed the division's costs to provide such services.~~

~~A charter school shall not be required to pay rent for space deemed by the School Division to be available, as negotiated by contract, within the Albemarle County School Division. All other costs for the operation and management of the charter school shall be subject to negotiation between the charter school and the School Division.~~

#### Charter Contract

~~An approved charter application shall constitute an agreement, and its terms shall be the terms of the agreement between the charter school and the Albemarle County School Board. Upon approval of a charter application, the Albemarle County School Board and the management committee of the charter school shall enter into a contract containing all agreements between the School Board and the charter school; the approved application shall serve as the basis for the contract. The charter contract shall also include other provisions negotiated by the Albemarle County School Board or its designee. A charter may be granted for up to five years. Any material revision of the charter contract shall be made in writing and must be approved by the Albemarle County School Board and the charter school.~~

### Waivers of School Board Policy and State Regulation

~~Pursuant to a charter agreement, a charter school may operate free from specific Albemarle County School Board policies and state regulations, except the Standards of Quality and, by reference, the Standards of Accreditation and Standards of Learning. The contract between the charter school and the Albemarle County School Board shall reflect all agreements for release from school division policies and all requests for release from state regulations, except as provided above. The School Board shall request from the Board of Education, on behalf of its charter schools, waivers from state regulation contained in each approved charter application. If the charter school is designed to increase the opportunities for at-risk students, then the School Board shall request that the Board of Education approve an Individual School Accreditation Plan, as provided by state law.~~

### Application

~~Any person, group, or organization may submit an application for the formation of a charter school to the Albemarle County School Board. Prior to submitting the charter school application to the School Board, a public charter school applicant shall submit its proposed charter application to the Board of Education for review and comment and a determination as to whether the application meets the approval criteria developed by the Board of Education. Charter School applications initiated by the Albemarle County School Board must conform to the Virginia Public Charter School Application. However, such applications are not required to receive Board of Education review and comment period prior to action by the school board.~~

~~All charter school applicants, other than those initiated by the School Board, must also complete the application addendum in the format provided in Exhibit LC-E. The School Board shall establish a "review team" consisting of appropriate school personnel, a local business representative and a resident charter school proponent to evaluate charter school applications. The School Board shall designate the chairman of the review team as the contact person answering questions about the application and receiving applications. The review team shall work cooperatively with applicants for charter schools. When an application is incomplete, the review team shall request the necessary information; an incomplete application is not grounds for denying a charter. However, if the applicant does not provide the necessary information within a reasonable timeframe (established by the review team) then the application may be denied.~~

~~The review team shall (1) recommend to the School Board appropriate criteria for reviewing the charter school applications; (2) evaluate all charter school applications based on the review criteria adopted by the School Board; (3) recommend one of the following options to the School Board for each application: approve, reject, place on a waiting list or return with suggestions for improvement; (4) monitor charter school progress; and (5) make recommendations for revocation, renewal or non-renewal of charter contracts.~~

~~The Albemarle County School Board shall establish a regulation for receiving, reviewing and ruling on applications for the establishment of charter schools. Such regulation must include a timeline for the application and review process and the means for reviewing and evaluating~~

~~each application, including the criteria on which the decision grant or deny a charter will be based. To provide appropriate opportunity for input from parents, teachers, citizens and other interested parties and to obtain information to assist the School Board in its decision to grant or deny a public charter school application, the regulation will provide for public notice and the receipt of comment on public charter applications. The School Board shall give at least 14 days' notice of its intent to receive public comment on an application. A copy of the regulation, including the review criteria, shall be posted on the division's website and a copy shall be made available to any interested party upon request.~~

~~The charter school application shall be a proposed agreement and, by law, shall include:~~

- ~~1. The mission statement of the charter school that must be consistent with the principles of the Standards of Quality;~~
- ~~2. The goals and educational objectives to be achieved by the charter school, which educational objectives must meet or exceed the Standards of Learning;~~
- ~~3. Evidence that an adequate number of parents, teachers, pupils, or any combination thereof, support the formation of a charter school;~~
- ~~4. A statement of the need for a charter school in a School Division or in a geographic area within a School Division;~~
- ~~5. A description of the charter school's educational program, pupil performance standards, and curriculum, which must meet or exceed any applicable Standards of Quality; the assessments to be used to measure pupil progress towards achievement of the school's pupil performance standards; the timeline for achievement of such standards; and the procedures for taking corrective action in the event that pupil performance at the charter school falls below such standards;~~
- ~~6. A description of the lottery process to be used to determine enrollment. A lottery process shall also be developed for the establishment of a waiting list for such students for whom space is unavailable and, if appropriate, a tailored admission policy that meets the specific mission or focus of the charter school and is consistent with all federal and state laws and regulations and constitutional provisions prohibiting discrimination that are applicable to public schools;~~
- ~~7. Evidence that the plan for the charter school is economically sound for both the charter school and the School Division; a proposed budget for the term of the charter; and a description of the manner in which an annual audit of the financial and administrative operations of the charter school, including any services provided by the School Division, is to be conducted;~~
- ~~8. A plan for the displacement of pupils, teachers, and other employees who will not attend or be employed in the charter school and for the placement of charter school pupils, teachers, and employees upon termination or revocation of the charter;~~
- ~~9. A description of the management and operation of the charter school, including the nature and extent of parental, professional educator, and community involvement in the management and operation of the charter school;~~
- ~~10. An explanation of the relationship that will exist between the proposed charter school and its employees, including evidence that the terms and conditions of employment have been addressed with affected employees;~~

- ~~11. An agreement between the parties regarding their respective legal liability and applicable insurance coverage;~~
- ~~12. A description of how the charter school plans to meet the transportation needs of its pupils;~~
- ~~13. Assurances that the charter school (i) is nonsectarian in its programs, admission policies, employment practices, and all other operations and (ii) does not charge tuition.~~
- ~~14. In the case of a residential charter school for at-risk students, a description of (i) the residential program, facilities, and staffing, (ii) any parental education and after-care initiatives; (iii) the funding sources for the residential and other services provided; and (iv) any counseling or other social services to be provided and their coordination with any current state or local initiatives.~~
- ~~15. Disclosure of any ownership of financial interest in the public charter school, by the charter applicant and the governing body, administrator, and other personnel of the proposed public charter school, and a requirement that the successful applicant and the governing body, administrators, and other personnel of the public charter school shall have a continuing duty to disclose such interests during the term of the charter.~~

#### Liability of Charter School

~~The charter school contract shall include language that the applicant specifically agrees to hold harmless and indemnify the Albemarle County School Board, its officials, employees, agents and representative, for all liabilities, debts, obligations, and other matters arising out of the operation of the charter school. In addition, the charter school contract shall address procedures for dissolution of the charter school, ensuring that the applicant's agreement to hold harmless and indemnify the Albemarle County School Board shall survive dissolution of the charter school, whether due to revocation, non-renewal, or other action.~~

#### School Board Review

~~As part of this policy, the Albemarle County School Board is adopting regulations for receiving, reviewing, and ruling on applications for the establishment of charter schools, including a timeline and procedures for soliciting public comment. A public hearing on each proposed charter school application will be required. Written notice of the Albemarle County School Board's decision shall be sent to the applicant, and posted on its website, and if the application is denied, the written notice shall include the reasons for the denial. Priority shall be granted to applications designed to increase the educational opportunities of at-risk students. A public charter school applicant whose application was denied, or a grantee whose charter was revoked or not renewed, is entitled to petition the School Board for reconsideration. The petition for reconsideration shall be filed no later than 60 days from the date the public charter school application is denied, revoked, or not renewed. Such reconsideration shall be decided within 60 days of the filing of the petition.~~

~~The School Board shall establish a process for reviewing the petitions of reconsideration, which shall include an opportunity for public comment. The petition of reconsideration may include an amended application based on the reasons given by the School Board for such~~

~~decision. Prior to seeking reconsideration, an applicant or grantee may seek technical assistance from the Superintendent of Public Instruction to address the reasons for denial, revocation or non-renewal.~~

~~Upon consideration, the School Board's decision to grant or deny an application or to revoke or decline to renew a charter agreement shall be final.~~

~~Nothing in this policy prohibits an applicant whose application has been denied or a grantee who charter has been revoked or not renewed from submitting a new application.~~

### ~~Terms, Renewals, and Revocations of the Charter Contract~~

~~A charter may be approved or renewed for a period not to exceed five school years. The management committee must apply to review the charter by February 1 of the school year the charter expires. An application for renewal shall contain the following:~~

- ~~— a report on the progress of the charter school in achieving the goals, objectives, program and performance standards for students, and other conditions and terms the Albemarle County School Board required in the charter;~~
- ~~— a financial statement, on forms prescribed by the Board of Education, disclosing the costs of administration, instruction, and other spending categories, written in a way that will allow the Albemarle County School Board and the public to compare such costs to the costs of other schools and comparable organizations; and~~
- ~~— other information the Albemarle County School Board may require.~~

~~Any revision of the terms of the charter contract may be made only with the approval of the Albemarle County School Board and the charter school's management committee.~~

~~The Albemarle County School Board may revoke or fail to renew a charter contract for any of the following reasons:~~

- ~~— violation of the conditions, standards or procedures established in the application;~~
- ~~— failure to meet or make reasonable progress toward achievement of the content standards or student performance standards identified in the application;~~
- ~~— violation of a material term of the charter contract (for example, failing to provide required reports to the School Board);~~
- ~~— failure to meet generally accepted standards of fiscal management;~~
- ~~— violation of any provision of law from which the charter school was not specifically exempted; or~~
- ~~— determination by the School Board in its discretion that it is no longer in the public interest or for the welfare of the students within the School Division to continue the operation of the charter school (for example, the charter school is no longer financially sound or fails to achieve state testing standards or decrease absentee rates);~~

~~Nothing in this policy or attached regulations shall be construed to restrict the authority of the Albemarle County School Board to revoke or decline to renew a charter agreement.~~

~~The charter school contract shall reflect procedures for dissolution of the charter school, including liability for financial and other matters. Such procedures will survive dissolution or revocation or declination to renew a charter school contract. Under no circumstances will the Albemarle County School Board assume responsibility for any contractual or other liabilities of the charter school except as agreed to by contract.~~

#### Employment of Professional, Licensed Personnel

~~Charter school personnel may, but are not required to, be employees of the Albemarle County School Board and shall be selected as agreed in the charter contract. However, all charter school personnel shall be subject to the provision of Va. Code §§ 22.1-296.1, 22.1-296.2, and 22.1-296.4. Professional, licensed employees currently employed by the School Board may request assignment to a charter school and may be assigned by the School Board to a charter school for one contract year and reassigned annually upon the request of the employee and the charter school's management committee. Professional, licensed employees assigned to a charter school shall receive the same employment benefits as such personnel assigned to non-charter schools. Professional, licensed personnel who are not recommended for reassignment in the charter school, other than for reasons cited in § 22.1-307 of the Code of Virginia, may request transfer to a non-charter school. All personnel requests shall be handled according to Albemarle County School Board policy. The School Board has the final authority to assign professional, licensed personnel to charter or other schools within the Albemarle County school division.~~

#### Funding

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

#### Reports

~~The Albemarle County School Board shall report annually to the Board of Education the following:~~

- ~~— the grant or denial of charter applications;~~
- ~~— the maximum number of charters that may be granted;~~
- ~~— the number of charters granted or denied;~~
- ~~— whether a public charter school is designed to increase the educational opportunities of at-risk students;~~
- ~~— an annual evaluation of each charter school;~~
- ~~— an annual comparison of the performance of charter school students and students enrolled in regular schools; and~~
- ~~— the number of students enrolled in each charter school at the end of the school year.~~

Adopted: January 25, 1999

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Amended: October 11, 1999; August 8, 2002; January 8, 2015; January 28, 2016

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~~Cross Ref.: School Board Policy AE, School Division Goals and Objectives~~

Legal Refs.: 20 U.S.C. § 6311(b)(1)(B).

Code of Virginia, 1950, as amended, § 22.1-212.5 et seq.

~~Cross Refs: Code of Virginia, 1950, as amended, Sections 22.1-212.5 et seq.~~

~~House Bill 543 and Senate Bill 318, effective July 1, 1998, KBA Requests for Information~~

~~KBA F1 Request for Public Records~~

~~KBA F2 Record of Inspection and/or Delivery of Copies~~

~~KBA R Requests for Information~~

~~LC E Albemarle County Charter School Application Addendum~~

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## **ALBEMARLE COUNTY CHARTER SCHOOLS**

### **A. — Establishment of a Review Committee**

Prior to consideration by the Albemarle County School Board, all charter school applications shall be examined by a Review Committee. The Review Committee will be chaired by the Assistant Superintendent for Instruction; membership will include the following individuals: the Assistant Superintendent for Support Services; the School Board Attorney; the Directors (or their designees) for Curriculum Development and Program Analysis, Special Education and Student Services, Federal Programs, Fiscal Services, Human Resources, Building Services, and Transportation; a School Division teacher; and one qualified educator with specific knowledge of charter schools. The five non-staff members, who must be residents of Albemarle County, will be appointed by the School Board to a two-year term on the standing committee.

### **B. — Development of an Application**

1. — The Assistant Superintendent for Instruction/Designee will be available to respond to questions from the applicant in preparation of the application.
2. — An original, completed application plus twelve (12) copies must be submitted to the office of the Assistant Superintendent for Instruction (see E-1).
3. — For applicants who propose to open a charter school for the 2001-2002 school year and subsequent years, the application must be delivered on or before March 15<sup>th</sup> (or the following Monday if March 15<sup>th</sup> is on a weekend) eighteen months prior to the anticipated opening of the charter school (see E-4).
4. — Application deadlines may be extended only by mutual agreement. An application fee of \$100 must be submitted with the completed application.

### **C. — Review of Charter Applications**

1. — The Assistant Superintendent for Instruction/Designee shall undertake a preliminary review of the application to determine whether it is complete in all respects. If the charter school application is incomplete, the applicant shall be notified and requested to supply the necessary information. If the applicant fails to supply such information after being requested to do so, the application shall be placed in an inactive file and no further review or other consideration shall be required until such time as the application is considered complete.
2. — The Assistant Superintendent for Instruction shall distribute copies of each application to the members of the Review Committee. Each component of the application shall be rated by the committee members (see E-2).
3. — The Review Committee will make copies of applications available to interested employee organizations, parent teacher associations, and other interested persons in the proposed affected areas for their review and written comment.

~~4. After reviewing each application, the Review Committee may schedule an interview with each applicant.~~

~~5. The Review Committee will provide a written recommendation to the Board, based on the results of their application ratings, community input, and interviews.~~

~~**D. Judgment of Applications by the Albemarle County School Board**~~

~~1. In considering applications, the School Board will use the following criteria:~~

~~a. What are the recommendations of the Review Committee?~~

~~b. Have the scheduled deadlines been met?~~

~~c. Would establishment or operation of the proposed charter school be inconsistent with the Virginia Charter Schools Act or any federal or Virginia state laws concerning civil rights?~~

~~d. Would the establishment or operation of the proposed charter school be in the best interests of the pupils and residents of Albemarle County?~~

~~2. After giving reasonable public notice, the Albemarle County School Board will hold a public hearing to rule on all charter applications.~~

~~3. The Albemarle County School Board hearing shall be held within sixty (60) calendar days of receipt of the Review Committee's recommendations, or one hundred fifty (150) calendar days of the application deadline (see E-3).~~

~~4. The Albemarle County School Board may take any of the following actions with each application:~~

~~a. accept without conditions;~~

~~b. accept with conditions;~~

~~c. reject;~~

~~d. place on a waiting list;~~

~~e. negotiate further with the applicant;~~

~~f. defer action; or~~

~~g. return with request for additional information.~~

~~5. If an application is rejected, the Albemarle County School Board shall communicate its decision and reasons for denial to the applicant.~~

~~6. A charter may be approved for a one, two, or three year period, but in no event shall it exceed three academic years.~~

~~E. Renewal Procedures~~

~~An existing charter school seeking renewal must provide the following information to the Albemarle County School Board:~~

- ~~1. A written request for renewal submitted during the last academic year of the charter term but no later than 180 days prior to expiration of the charter;~~
- ~~2. A report on the progress of the school in achieving the goals, objectives, pupil performance standards, content standards, and other terms of the charter contract;~~
- ~~3. A financial statement that discloses the costs of administration, instruction, and other spending categories for the charter school that is understandable to the general public and that will allow comparison of such costs to other schools or other comparable organizations; and~~
- ~~4. Any additional information the Board may require to assist it in its determination of the renewal application.~~

~~F. Revocation of a Charter~~

~~A charter may be revoked or not renewed if the charter school:~~

- ~~1. Violates the conditions, standards, or procedures established in the charter school application;~~
- ~~2. Fails to meet or make reasonable progress toward achievement of the content standards or student performance standards identified in the charter application;~~
- ~~3. Fails to meet generally accepted standards of fiscal management; or~~
- ~~4. Violates any provision of law from which the charter school was not specifically exempted.~~

~~— A public charter school applicant whose application was denied, or a grantee whose charter was revoked or not renewed, is entitled to petition the School Board for reconsideration. The petition for reconsideration shall be filed no later than 60 days from the date the public charter school application is denied, revoked, or not renewed. Such reconsideration shall be decided within 60 days of the filing of the petition.~~

~~— The School Board shall establish a process for reviewing petitions of reconsideration, which shall include an opportunity for public comment. The petition for reconsideration may include an amended application based on the reasons given by the School Board for such decision. Prior to seeking reconsideration, an applicant or grantee may seek technical assistance from the Superintendent of Public Instruction to address the reasons for denial, revocation, or non-renewal.~~

~~G. Authority of the Albemarle County School Board~~

~~Nothing in this regulation shall be construed to restrict the authority of the Albemarle County School Board to grant, revoke, or decline to renew a charter agreement.~~

~~Adopted: January 25, 1999~~

~~Amended: August 8, 2002; January 8, 2015~~

**ALBEMARLE COUNTY CHARTER SCHOOL APPLICATION**

~~Any person, group or organization may submit an application for the formation of a charter school. Applicants must follow Virginia state law and Albemarle County School Board policy regarding charter schools. A complete Albemarle County Charter School Application consists of (i) the applicant’s Virginia Public Charter School Application package submitted to the State Board of Education, (ii) the result of the State Board of Education’s review of the applicant’s state application, and (iii) the Albemarle County Charter School Application Addendum prepared in accordance with this policy. However, Charter School applications initiated by the Albemarle County School Board are not required to receive Board of Education review and comment prior to action by the School Board.~~

~~Applications must be received by the Assistant Superintendent for Instruction on or before March 15<sup>th</sup> (or the following Monday if March 15<sup>th</sup> is on a weekend) eighteen months prior to the anticipated opening of the charter school. An original plus twelve (12) copies of the application must be submitted. An application fee of \$100 shall be submitted with the application. Applicants must follow the application format provided below.~~

~~An internal Review Committee shall determine if each section of the application: (1) does not meet the criteria; (2) meets some of the criteria; (3) meets all of the criteria; or (4) meets and exceeds all of the criteria.~~

**Note: Please do not mark in the shaded sections.**

**I.** ~~Applicant / Contact Person~~ Rating: ~~1 2 3 4~~

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

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

Telephone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

**Background and Experience:**

**II.** ~~Mission Statement~~ Rating: ~~1 2 3 4~~

~~Describe the mission of the proposed charter school, including any specific area of concentration (i.e. math and science, technology or the arts). This statement should include the core philosophy or purpose of the school as well as the target student population, including whether the school intends to increase the opportunities of educationally at risk students. As required by law, the mission must be consistent with the Standards of Quality and, by reference, the Standards of Accreditation and Standards of Learning.~~

**III.** ~~Statement of Need~~ \_\_\_\_\_ Rating: ~~1 2 3 4~~

~~Describe the need for the charter school and how that need was determined.~~

**IV.** ~~Evidence of Support~~ \_\_\_\_\_ Rating: ~~1 2 3 4~~

~~Provide tangible evidence of support (such as a petition, signed letters of support, surveys, or minutes of a charter school organizational meeting) for the formation of the charter school.~~

**V.** ~~Goals and Educational Objectives~~ \_\_\_\_\_ Rating: ~~1 2 3 4~~

~~Describe the goals and educational objectives of the proposed charter school. This section should include broad student achievement goals. The objectives should be expressed as a concrete, measurable statement of what students should know and be able to do at various levels of education and identify practices that will improve teaching and enhance learning. As required by law, the objectives and goals must meet or exceed the requirements of the Standards of Quality and, by reference, the Standards of Accreditation and Standards of Learning.~~

7

**VI.** ~~Description of Education, Pupil Performance~~ \_\_\_\_\_ Standards, and  
~~Curriculum~~ \_\_\_\_\_ Rating: ~~1 2 3 4~~

~~Describe the curriculum and the methods of instruction, including teaching materials and any unique instructional techniques to be used. List the pupil performance standards and how they were established. This section should also provide the school calendar. As required by law, the elements in this section must meet or exceed the applicable requirements of the Standards of Quality and, by reference, the Standards of Accreditation and Standards of Learning.~~

~~**VII. Pupil Evaluation: Assessments, Timeline, \_\_\_\_\_ and  
Corrective Action \_\_\_\_\_ Rating: 1 2 3 4**~~

~~Describe the plan for evaluating student performance, including any assessments to be used to measure pupil progress towards achievement of the school's pupil performance standards, in addition to the Standards of Learning assessments prescribed by Section 22.1-283.13 of the Code of Virginia. Applications for secondary charter schools must describe the method for determining that a student has satisfied the requirements for graduation and how the transfer of credits between schools will be accomplished. Include a timeline for the achievement of the stated standards and goals and a procedure for corrective action if student performance falls below the stated standards and goals. This section should demonstrate how the charter school will be accountable to the Albemarle County School Board, parents, the community, and the state.~~

~~VIII. Admissions Process~~ ~~Rating: 1 2 3 4~~

~~Describe the student admission policy, including the lottery (random) process to be used if there are more applicants than spaces available. In the case of the conversion of an existing public school, describe how students who attend the school and the siblings of such students shall be given the opportunity to enroll in advance of the lottery process. If applicable, the admission policy may be tailored to meet the specific mission and goals of the charter school. Any admission process must be consistent with federal and state laws, regulations and constitutions regarding discrimination and any court-ordered desegregation plan in effect in the school division. However, any admission process must be consistent with federal and Virginia state laws and regulations and constitutions regarding discrimination. This section should include a time frame for registering and admitting students and explain how the school will seek a cross-section of the community's children, including at-risk students. Describe how transfers of students between charter schools and non-charter schools will be accomplished and how students enrolled after the start of the school year will be accommodated.~~

~~IX. Discrimination~~ ~~Rating: 1 2 3 4~~

~~Assure that the charter school will follow state and federal laws prohibiting discrimination on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, or the need for special education services and shall be subject to any court-ordered desegregation plan in effect in the School Division.~~

~~X. Displacement Plan: Pupils and Employees~~ ~~Rating: 1 2 3 4~~

~~Describe the displacement plan for students and employees who will not attend or be employed in the charter school **in instances of the conversion of an existing public school to a public charter school**, and for the placement of students and employees upon termination or revocation of the charter. This section should also include a plan for the placement of students and employees if the charter school facility is destroyed (e.g. by flood or fire), unable to be occupied, or dissolved for any reason.~~

~~XI. Management and Operation Rating: 1 2 3 4~~

~~Describe the management and operation of the charter school, including the nature and extent of parental, professional educator, and community involvement. List the names and addresses of the proposed management committee, which may include only parents of students in the charter school, teachers and administrators working in the charter school, or representatives of any community sponsor. This section should include (1) a detailed description of the relationship between the management committee and the Albemarle County School Board, including the charter school spokesperson (i.e. who is accountable to the school board); (2) how the charter school will be accountable to the public, including a plan for compliance with the Virginia Freedom of Information Act and reporting requirements; (3) how the management committee is selected and its relationship to the teachers and administrators; (4) a description of the rules and procedures followed to arrive at policy and operational decisions; and (5) summaries of the job descriptions of key personnel, including the school leader/principal.~~

~~XII. Employee Relations Rating: 1 2 3 4~~

~~Explain the relationship that will exist between the charter school and its employees, including evidence that the terms and conditions of employment have been addressed with affected employees. Terms and conditions of employment must be consistent with the Albemarle County School Board personnel policies and practices.~~

~~XIII. Health and Safety \_\_\_\_\_ Rating: 1 2 3 4~~

~~Describe the procedures the charter school will implement to ensure the health and safety of the students and employees, including how and if the management committee will conduct a state criminal record check on all employees; how the charter school will conduct fingerprinting and federal criminal record checks; how the charter school will comply with the requirement to report child abuse; and how the charter school will comply with Occupational Safety & Health Act requirements.~~

~~XIV. Financial Plan: Evidence of Economical Soundness, \_\_\_\_\_  
 \_\_\_\_\_ Proposed Budget and Annual Audit \_\_\_\_\_ Rating: 1 2 3 4~~

~~Provide a budget and any other information that illustrates the proposed charter school is economically sound for both the charter school and Albemarle County School Division. Include detailed sources of revenue and expenditures for the proposed term of the charter (at most five years) and a description of the manner in which an annual audit of the financial and administrative operations of the charter school, including any services provided by the School Division, will be conducted. Anticipated gifts, grants or donations and a student fee schedule should be included.~~

~~XV. Assurances \_\_\_\_\_ Rating: 1 2 3 4~~

~~Assure that the charter school is non-sectarian and will not charge tuition by including a statement to that effect.~~

~~XVI. Legal Liability and Insurance Coverage~~ ~~Rating: 1 2 3 4~~

~~Describe the arrangement between the charter school and the Albemarle County School Board regarding their respective legal liability and applicable insurance coverage. Insurance coverage should include health, property, casualty (automobile liability, general liability, property, officer and employee liability) and workers' compensation.~~

~~XVII. Indemnity~~ ~~Rating: 1 2 3 4~~

~~Assure that the Albemarle County School Board will be defended, held harmless and indemnified against any claim, action, loss, damage, injury, liability, cost or expense of any kind as a result of the operation of the charter school or actions by its agents, employees, invitees or contractors.~~

~~XVIII. Facility~~ ~~Rating: 1 2 3 4~~

~~Describe the proposed facility(ies) to be used for the charter school or the plan for the acquisition of a facility. If the facility is not property of the Albemarle County Board of Supervisors, then the following must be provided before operation: (1) a certificate of occupaney; (2) a health inspection certificate; (3) an annual certificate of fire inspection; (4) proof of compliance with federal, Virginia, and Albemarle County health and safety laws and regulations; and (5) a copy of the lease or contract under which the charter school will use the facility. If the facility is property of the Albemarle County Board of Supervisors, then describe plans, if any, for alteration or renovation.~~

~~XIX. Services \_\_\_\_\_ Rating: 1 2 3 4~~

~~List the services and their estimated costs that the applicant wishes the Albemarle County School Board to provide (food service, accounting, maintenance, etc.). Any services provided by the Albemarle County School Board will be at cost. Also, list services and their estimated costs that will be provided by others.~~

~~XX. Transportation \_\_\_\_\_ Rating: 1 2 3 4~~

~~Describe the plan for transporting students to and from school, including arrangements to be made with the Albemarle County School Board, private providers, or parents.~~

~~XXI. Waivers \_\_\_\_\_ Rating: 1 2 3 4~~

~~Describe and justify any waiver from Albemarle County School Board policies and Virginia state regulations that the charter school requests. The Standards of Quality and, by reference, the Standards of Accreditation and Standards of Learning may not be waived. Please note that state law only allows waivers of policy and regulation. With the exception of the Virginia Public Procurement Act, no waiver of state or federal statutes is permitted.~~

~~XXII. Timeline~~ \_\_\_\_\_ ~~Rating: 1 2 3 4~~

~~Provide a detailed timeline, identifying each step required to establish the charter school, including but not limited to the opening of an appropriate facility, staff hiring, locating and purchasing materials, obtaining necessary services, implementing the evaluation plan, and consulting with experts, if necessary. Please remember that, as with establishing Regional Vocational and Governor's Schools, it will take at least 8-12 months to implement the proposal.~~

~~XXIII. Renewal~~ \_\_\_\_\_ ~~Rating: 1 2 3 4~~

~~Assure that if the charter school wants to renew its contract, it shall apply at least six months prior to the expiration of the contract.~~

Adopted: \_\_\_\_\_ January 25, 1999  
Amended: \_\_\_\_\_ August 8, 2002; January 8, 2015

**CHARTER SCHOOL APPLICATION  
REVIEW TEAM CRITERIA**

**In reviewing an application for a charter school, the members of the Review Committee will determine if each section of the application (1) does not meet any, (2) meets some, (3) meets all, or (4) meets and exceeds all of the following criteria:**

**Overall:** Do all elements of the proposal fit together? Is the proposal complete and feasible? Is the proposal clear and specific? Does the proposed school offer something different from existing schools within the School Division?

**Applicant Information:** Do the applicants have the knowledge, skill, and ability to implement the proposal? Do the applicants have expertise or access to expertise in the areas of finance, fundraising, educational development, human resource management, and community organizing? Do the applicants have the ability for further recruitment of founders and organizers if necessary?

**Mission Statement:** Is there a clearly articulated vision? Does it meet one or more of the objectives enumerated in the charter school law and established by the School Board? Is it consistent or compatible with the strategic plan of the School Board? Is it consistent with the Standards of Quality and, by reference, the Standards of Accreditation and Standards of Learning? Do other elements of the application support the stated mission? Are the targeted student populations and specific area(s) of concentration designated? Does the proposed school intend to increase the educational opportunities of at-risk students?

**Statement of Need:** Is the need realistic? Is the need based on accurate information? Is there a demand among the target population?

**Evidence of Support:** Is there tangible evidence of sufficient support (such as a petition, signed letters of support, surveys, or minutes of a charter school organizational meeting) to open and maintain the charter school? If the proposal is for the conversion of an existing school to a charter school, do teachers, parents, and students support the conversion? Do the parents of the existing school's students understand the charter school's admissions process?

**Goals and Educational Objectives:** Do they meet or exceed the requirements of the Standards of Learning? What is the likelihood that the school will meet the goals and objectives and improve educational results for students? Are they clear, measurable, and sound goals for building an educational program? Do they promote high student expectations and achievement? Do research and experience indicate that the goals and objectives are appropriate for the target population?

**Description of Education, Pupil Performance Standards, and Curriculum:** Does it meet or exceed the requirements of the applicable Standards of Quality and, by reference, the Standards of Accreditation and Standards of Learning? Is the educational program based on a sound educational model or approach? Do the education, curriculum, and standards reflect the mission, goals, and objectives? Do the curriculum and education offer an alternative to what currently is offered? Has the applicant demonstrated how student achievement will be improved? Are the standards attainable?

**Pupil Evaluation: Assessments, Timeline, and Corrective Action:** Will the proposed assessments accurately measure pupil progress and achievement toward the stated standards and goals? Are the assessments for assessing achievement well developed and comprehensive? Is the timeline for achievement realistic? Will the proposed corrective action yield results?

**Admissions Process:** Does it comply with state and federal charter school laws? Does it comply with state and federal laws, regulations, and constitutional provisions regarding discrimination and any court ordered desegregation plan? Is it consistent with the mission? Does the proposal demonstrate a solid plan to attract sufficient students to open and maintain the school? Does the process foster a diverse student body? Is there a timely and realistic procedure for admitting students? Is the plan for the transfer of students the same or better than the plan the school division uses for transfers from private and home schools? Will the charter school's enrollment be high enough to ensure the viability of the school and low enough to limit the school division's financial obligation?

**Discrimination:** Does the applicant demonstrate a commitment and willingness not to discriminate and to accommodate the needs of special students? Does the applicant have the knowledge and resources to comply with the Rehabilitation Act of 1973 and the Americans with Disabilities Act?

**Displacement Plan:** Is the plan realistic? Does the plan provide adequate time to transfer employees and implement due process for licensed employees who will be laid off or not renewed? Does the plan provide enough time for students to be placed in appropriate schools? Will employees and students be treated fairly and equitably?

**Management and Operation:** Is the management structure consistent with the mission, goals, and objectives? Does it help fulfill the mission? Are roles and responsibilities clearly defined? Is the method of management workable and realistic? Is parent, teacher, and student involvement in decision making addressed? Is there a clear description of how the management committee will be chosen, what the term limits will be, and the committee's relationship to teachers and administrators?

**Employee Relations:** Does the proposal contain high professional standards for teachers and staff? Is there a commitment to professional development? Has the applicant demonstrated that quality staff will be attracted to the school? Has the applicant developed an adequate human resources plan, including appropriate policies that are in compliance with state and federal law? Does the proposal provide for state and federal, if applicable, criminal background checks of employees and how those will be conducted? Is there an appropriate evaluation process for probationary teachers and all other employees? Have affected employees been notified of the terms and conditions of employment?

**Health and Safety:** Are adequate procedures proposed to ensure the health and safety of students and employees?

**Financial Plan: Evidence of Economical Soundness, Proposed Budget, and Annual Audit:** Is the budget reasonable and viable? Will the establishment of the charter school have a negative fiscal impact on the school division? (Note: Funding and service agreements shall not constitute a financial incentive or disincentive to the establishment of a charter school.) Is the budget for one, two, or three years? Are projected costs realistic in light of the proposal? Does the budget account for realistic planning and start-up costs? Does the budget provide for services required by special-needs students? Are revenues accurately estimated? Is reliance on anticipated grants and private funding realistic? Does the financial plan provide for contingencies? Are proposed student fees acceptable? Is the plan for the annual audit sound and based on generally accepted accounting principles? Does the plan provide for monthly reporting of financial information to the School Board? Is the manner of audit and reporting clear and understandable?

**Assurances:** Is the applicant committed to establishing a non-sectarian school? Does the applicant agree not to charge tuition?

**Legal Liability and Insurance Coverage:** Are the School Board and the School Division sufficiently protected from legal liability? Will the charter school be insured through the School Division or obtain its own coverage? Is the charter school insurable? Has the charter school planned for adequate insurance coverage?

**Indemnity:** Is the applicant legally binding itself to defend, hold harmless, and indemnify the school division and the School Board?

**Facility:** *For applicants who have a facility, a site visit will be conducted to determine the following:* Is the space adequate for the proposed program and student population? Does the facility meet state building code and Americans with Disabilities Act requirements? Are the arrangements for facility maintenance appropriate? Has required documentation been submitted (certificate of occupancy, certificate of health inspection, certificate of fire inspection, proof of compliance with federal, state, and local health and safety law and regulations)? Is the lease or purchase contract legal? *For applicants who have not yet acquired a facility:* What is the status of the effort to find a facility? Does the applicant have a realistic estimate of the space needed? *For all applicants:* Does the applicant understand the legal requirements for a public school building? Does the applicant have the means to ensure the facility's compliance with local

~~building codes and health and safety requirements? Will the facility and/or its location help fulfill the mission?~~

~~**Services:** Has the applicant obtained appropriate services from reliable providers? Can the School Division provide the requested services?~~

~~**Transportation:** Does the proposal provide equal access for all students? Is the proposal a workable, fair, non-discriminatory, and cost-effective arrangement for safely transporting students to and from school?~~

~~**Waivers:** Are the requested waivers necessary to fulfill the mission or achieve the goals and objectives of the school?~~

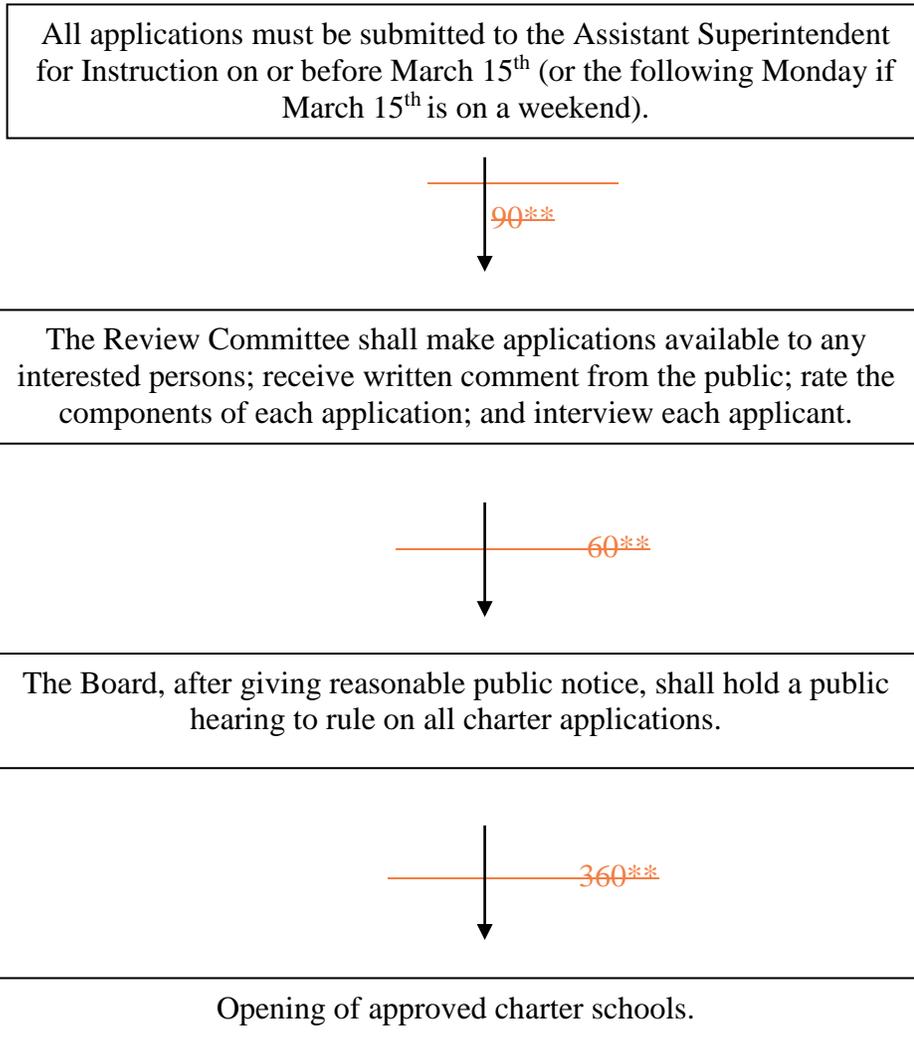
~~**Timeline:** Is there a specific and feasible plan for starting a school? Are projected dates realistic? Does the timetable provide for unexpected contingencies? Is the timetable complete?~~

~~**Renewal:** Does the applicant understand when renewal is required?~~

Adopted: ~~January 25, 1999~~

Amended: ~~August 8, 2002; January 8, 2015~~

### CHARTER SCHOOLS TIMELINE



~~\*\* This refers to calendar days~~

~~Adopted: January 25, 1999~~

~~Amended: August 8, 2002~~

~~Reviewed: January 8, 2015~~ **ALBEMARLE COUNTY CHARTER SCHOOL**

## APPLICATION ADDENDUM

Any person, group or organization may submit an application for the formation of a charter school. Applicants must follow state law and Albemarle County School Board policy regarding charter schools. A complete Albemarle County Charter School Application (“Application”) consists of (i) the Applicant’s Virginia Public Charter School Application package submitted to the State Board of Education, (ii) the result of the State Board of Education’s review of the Applicant’s state application, and (iii) the Albemarle County Charter School Application Addendum prepared in accordance with this policy. However, Charter School applications initiated by the Albemarle County School are not required to receive Board of Education review and comment prior to action by the School Board.

Applications must be received by the superintendent on or before March 15<sup>th</sup> (or the following Monday if March 15<sup>th</sup> is on a weekend) eighteen months prior to the year in which the charter school desires to open. An original plus twelve (12) copies of the application must be submitted. An application fee of \$1,000 shall be submitted with the application. Applicants must follow the application addendum format provided below.

### I. Goals and Objectives; Educational Program

Provide a statement of the goals and objectives of the proposed public charter school. The following components must be addressed:

- A. A description of the performance-based goals. To the extent possible, the application should include the academic performance indicators, measures and metrics that will guide the Albemarle County School Board’s evaluations of the charter school and should include, at minimum:
 
  1. student academic proficiency;
  2. student academic growth;
  3. academic gaps in both proficiency and growth between major student subgroups;
  4. attendance;
  5. recurrent enrollment from year to year; and
  6. postsecondary readiness (for high schools).
  
- B. A description of the measurable educational objectives to be achieved by the public charter school.
  
- C. A description of the pupil performance standards and curriculum, which must meet or exceed any applicable Virginia Standards of Quality.
  
- D. A description of how the Virginia Standards of Learning (SOL) and the corresponding SOL Curriculum Framework will be used as the foundation for curricula to be implemented for each grade or course in the public charter school. Include within the description how the goals and objectives of the curricula will meet or exceed the Virginia Standards of Learning, address student performance standards related to state and federal assessment standards and include measurable outcomes.

- E. A description of any internal and external assessment to be used to measure pupil progress towards achievement of the school's pupil performance standards, in addition to the SOL assessments prescribed by Va. Code § 22.1-253.13:3.
- F. A description of the public charter school assessment plan to obtain student performance data, which includes how the data will be used to monitor and improve achievement and how program effectiveness will be measured over a specified period of time. Also provide benchmark data on how student achievement will be measured and how these data will be established and documented in the first year of operation and how the data will be measured over each year of the term of the charter. The benchmark data should address targets for student improvement to be met in each year.
- G. The timeline for achievement of pupil performance standards, in accordance with the Virginia SOL.
- H. An explanation of the corrective actions to be taken in the event that pupil performance at the public charter school falls below the standards outlined in the Virginia Board of Education's *Regulations Establishing Standards for Accrediting Public Schools in Virginia*.
- I. Information regarding the minimum and maximum enrollment per grade for each year during the term of the charter contract, as well as class size and structure for each grade served by the public charter school.
- J. Information regarding the proposed calendar and a sample daily schedule, including any plans to open prior to Labor Day.
- K. A description of plans for identifying and successfully serving students with disabilities, English Learners, academically at-risk students and gifted and talented students which include the extent of the involvement of the School Board in providing such services.
- L. If applicable, the following components should be addressed:
1. any plans to utilize virtual learning in the educational program, including identification of the virtual learning source and a description of how virtual learning will be used and an estimate of how many students are expected to participate.
  2. a general description of any alternative accreditation plans, in accordance with the Virginia Board of Education's *Regulations Establishing Standards for Accrediting Public Schools in Virginia* (8 VAC 20-131-420), that the public charter school will request the School Board to submit to the Virginia Board of Education for approval.
  3. a general description of any alternative accreditation plan for serving students with disabilities, in accordance with the Virginia Board of Education's *Regulations Governing Special Education Programs For Children With*

Disabilities in Virginia that the public charter school will request the School Board to submit to the Virginia Board of Education for approval.

## **II. Evidence of Support**

Provide evidence that an adequate number of parents, teachers, pupils or any combination thereof, supports the formation of a public charter school. The following components must be addressed:

- Information and materials indicating how parents, the community and other stakeholders were involved in supporting the application for the public charter school.
- Tangible evidence of support for the public charter school from parents, teachers, students and residents, or any combination thereof, including but not limited to information regarding the number of persons and organizations involved in the process and petitions related to the establishment of the charter school.
- A description of how parental involvement will be used to support the education needs of the students, the school's mission and philosophy and its educational focus.

## **III. Statement of Need**

Describe the need for a public charter school in the school division or relevant part of the school division. The following components must be addressed:

- A statement of the need for a public charter school that describes the targeted school population to be served and the reasons for locating the school in its proposed location.
- An explanation of why the public charter school is being formed. (Is the school being formed at the requests of parents or community organizations? How was the need determined? What data were examined as part of the needs assessment? Briefly describe the need and include a summary of the quantitative data.)
- An explanation of why a public charter school is an appropriate vehicle to address the identified need.

## **IV. Applicant Information**

List the name, address, phone number and qualifications of the applicant(s) and designate an applicant contact person.

## **V. Facility**

Describe the facility(ies) to be used for the charter school or the plan for the acquisition of a facility. The description should address

- how the facility provides suitable instructional space;
- provisions for library services;
- provisions for the safe administration and storage of student records;
- provisions for the safe administration and storage of student medications;
- the applicant's plan for complying with building and fire codes and the federal Americans with Disabilities Act (ADA);

- information on emergency evacuation plans;
- information regarding site location and preparation;
- the structure of operation and maintenance services; and
- financial arrangements for the facility, including any lease arrangements with the School Board or other entities and whether any debt will be incurred.

If the facility is not property of the school division, then the following must be provided:

- a certificate of occupancy;
- a health inspection certificate;
- an annual fire certificate of inspection;
- proof of compliance with federal, state and local health and safety laws and regulations; and
- a copy of the lease or contract under which the charter school will use the facility.

If the facility is property of the school division, then describe plans, if any, for alteration or renovation.

## **VI. Enrollment Process**

Describe the enrollment process that is consistent with all federal and state laws and regulations and constitutional provisions prohibiting discrimination that are applicable to public schools and with any court-ordered desegregation plan in effect for the school division or, in the case of a regional public charter school, in effect for any of the relevant school divisions. The following components must be addressed:

- A description of the lottery process to be used for the establishment of a waiting list for students for whom space is not available.
- A description of a tailored admission policy that meets the specific mission or focus of the public charter school, if applicable.
- A timeline for when the lottery process will begin for the first academic year of enrollment and when parents will be notified of the outcome of the lottery process.
- A description of any enrollment-related policies and procedures that address special situations, such as the enrollment of siblings and children of faculty and founders and the enrollment of nonresident students, if applicable.
- An explanation of how the applicant will ensure that, consistent with the public charter school's mission and purpose, community outreach has been undertaken so that special populations are aware of the formation of the public charter school and that enrollment is open to all students residing in the school division where the public charter school is located or in school divisions participating in a regional charter school.
- A description of how the transfer of student records and other program information to and from the public charter school will be accomplished.
- A description of how students seeking enrollment after the school year begins will be accommodated.

In the case of the conversion of an existing public school, describe how students who attend the school and the siblings of such students shall be given the opportunity to enroll in

advance of the lottery process.

## **VII. Employment Terms and Conditions**

Provide an explanation of the relationship that will exist between the proposed public charter school and its employees, including evidence that the terms and conditions of employment have been addressed with affected employees. At the discretion of the School Board, charter school personnel may be employees of the School Board, or Boards, granting the charter. Any personnel not employed by the School Board shall remain subject to the provisions of Va. Code §§ 22.1-296.1, 22.1-296.2, and 22.1-296.4. The following components must be addressed:

- A plan that addresses the qualification of teachers and administrators at the public charter school, including compliance with state law and regulation regarding Virginia Board of Education licensing requirements.
- A plan to provide high-quality professional development programs.
- Provisions for the evaluation of staff at regular intervals and in accordance with state law and regulation.
- Provisions for a human resource policy for the public charter school that is consistent with state and federal law.
- Notification to all school employees of the terms and conditions of employment.

## **VIII. Transportation**

Describe how the public charter school plans to meet the transportation needs of its pupils. The following components must be addressed:

- A. A description of how the transportation of students will be provided:
1. by the local school division;
  2. by the public charter school;
  3. by the parent(s); or
  4. though a combination of these options.
- B. If transportation services will be provided by the public charter school, explain whether the school will contract for transportation with the School Board or with another entity or have its own means of transportation and indicate whether transportation will be provided to all students attending the school.
- C. A description of transportation services for students with disabilities in compliance with Va. Code § 22.1-221 and the Board of Education's *Regulations Governing Special Education Programs For Children With Disabilities in Virginia*.
- D. A description of transportation services for students in foster care in compliance with federal law.

## **IX. Residential Charter Schools**

If the application is for a residential charter school for at-risk students, the following

components must be addressed:

- A. A description of the residential program to include:
1. the educational program;
  2. a facilities description to include grounds, dormitories and staffing;
  3. a program for parental education and involvement;
  4. a description of after-care initiatives;
  5. the funding sources for the residential facility and other services provided;
  6. any counseling and other social services to be provided and their coordination with current state and local initiatives; and
  7. a description of enrichment activities available to students.
- B. A description of how the facility will be maintained including, but not limited to:
1. janitorial and regular maintenance services and
  2. security services to ensure the safety of students and staff.

### **X. Services to be Provided by the School Board**

List the services and their estimated costs that the applicant wishes the School Board to provide; for example, food service, payroll or conducting criminal background checks. Also, list services and their estimated costs that will be provided by others.

### **XI. Timeline**

Provide a detailed timeline, identifying each step required to establish the charter school, including, but not limited to, staff hiring, location and purchase of materials, implementing the evaluation plan, obtaining necessary services, opening an appropriate facility and consulting with experts, if necessary. **Please remember that, as with establishing Regional Vocational and Governor’s Schools, it will take at least 8-12 months to implement the proposal.**

### **XII. Health and Safety**

Describe the procedures the charter school will implement to ensure the health and safety of the students and employees, including:

- how and if the management committee will conduct a state criminal record check on all employees;
- how the charter school will conduct fingerprinting and federal criminal record checks, if applicable;
- how the charter school will comply with the requirement to report child abuse; and
- how the charter school will comply with Occupational Safety & Health Act requirements.

### **XIII. Indemnity**

Include a statement that the charter school shall defend, hold harmless and indemnify the School Board against any claim, action, loss, damage, injury, liability, cost or expense of any kind as a result of the operation of the charter school or actions by its agents, employees, invitees or contractors.

**XIV. Renewal**

Assure that if the charter school wants to renew its contract, it shall apply at least six months prior to the expiration of the contract.

**XV. Displacement Plans: Pupils and Employees**

A. Describe the plan for the displacement of pupils, teachers and other employees who will not attend or be employed in the public charter school, in instances of the conversion of an existing public school to a public charter school, and for the placement of public charter school pupils, teachers and employees upon termination or revocation of the charter.

The following components must be addressed:

1. Identification of a member of the school's leadership who will serve as a single point of contact for all activities that may need to take place for the school to close, including but not limited to the transfer of students to another school, the management of student records and the settlement of financial obligations.
2. A notification process to parents/guardians of students attending the school and teachers and administrators of the closure date.
3. A notification process to parents/guardians of students attending the public charter school of alternative public school placements within a set time period from the date that the closure is announced.
4. Provisions for ensuring that student records are provided to the parent/guardian or another school identified by the parent or guardian within a set time period. If the student transfers to another school division, provisions for the transfer of the student's record to the school division to which the student transfers shall be made upon request of that school division.
5. Notification to the School Board of a list of all students in the school and the names of the schools to which these students will transfer.
6. A placement plan for school employees that details the assistance to be provided, if any, within a set period of time from the date of closure. For teachers and administrators, the plan of assistance should address finding employment with the school division where the public charter school is located or other public school divisions.
7. A close-out plan related to financial obligations and audits, the termination of contracts and leases, and the sale and/or disposition of assets within a set period of time from the date of closure. The plan shall include the disposition of the school records and financial accounts upon closure.

B. Describe the plan for the placement of students and employees if the charter school facility is destroyed (e.g. by flood or fire) or unable to be occupied for any reason.

**XVI. Management and Operation**

Describe the management and operation of the charter school, including the nature and extent of parental, professional educator and community involvement. List the names and addresses and relevant experience of the proposed management committee. This section should

include:

- a detailed description of the relationship between the management committee and the School Board, including the charter school spokesperson (i.e. who is accountable to the School Board);
- how the charter school will be accountable to the public, including a plan for compliance with the Virginia Freedom of Information Act, the Virginia Public Records Act and reporting requirements;
- how the management committee is selected and its relationship to the teachers and administrators;
- a description of the rules and procedures followed to arrive at policy and operational decisions; and
- summaries of the job descriptions of key personnel, including the school leader/principal.

The following components must also be addressed:

A. An explanation of how support services will be funded and delivered. These services include, but are not limited to:

1. food services;
2. school health services;
3. custodial services;
4. extracurricular activities; and
5. security services

B. An explanation of any partnership or contractual relationships (education management organization, food services, school health services, custodial services, security services, etc.) central to the school's operations or mission, including information regarding the relationship of all contractors to the governing board of the public charter school, and information regarding how contractors and the employees of the contractors having direct contract with students will comply with Va. Code § 22.1-296.1.

C. Plans for recruiting and developing school leadership and staff.

## **XVII. Financial Plan: Evidence of Economical Soundness, Proposed Budget and Annual Audit**

Provide a budget and any other information that illustrates the proposed charter school is economically sound for both the charter school and the school division. Include detailed sources of revenue and expenditures for the proposed term of the charter (at most five years) and a description of the manner in which an annual audit of the financial and administrative operations of the charter school, including any services provided by the school division, will be conducted. Anticipated gifts, grants or donations and a student fee schedule should be included. The following components must also be included:

- Proposed start-up and three-year budgets with clearly stated assumptions and information regarding projected revenues and expenditures.
- Proposed start-up and three-year cash flow projections with clearly stated assumptions and indications of short- and long-term sources of revenue.

- A proposed funding agreement with the School Board including information regarding anticipated local, state and federal per-pupil-amounts to be received and any information pertaining to the maintenance of facilities. In accordance with Va. Code § 22.1-212.14, the per pupil funding provided to the charter school will be negotiated in the charter agreement and will be commensurate with the average school-based costs of educating the students in the existing schools in the division or divisions unless the cost of operating the charter school is less than that average school-based cost. To the extent discussions have been held with the school division, please describe the outcome of those discussions. If there have been no discussions to date, please indicate the reason.

### **XVIII. Legal Liability and Insurance Coverage**

Describe the proposed arrangement between the charter school and the School Board regarding their respective legal liability and applicable insurance coverage, including the types of insurance that will be obtained for the public charter school, its property, its employees, the charter school management committee and the School Board and its agents and the levels of insurance sought. Types of insurance include, but are not limited to,

- general liability;
- health;
- property;
- property and casualty (including vehicle coverage);
- officer and employee liability; and
- workers' compensation.

### **XIX. Disclosures**

Disclose ownership or financial interest in the public charter school by the charter applicant and the governing body, administrators, and other personnel of the proposed public charter school, and require that the applicant and the governing body, administrators, and other personnel of the public charter school shall have a continuing duty to disclose such interests during the term of the charter. The following components must be addressed:

- A description of how the applicant and members of the management committee will disclose any ownership or financial interest.
- Information regarding the frequency by which such disclosures will be made during the term of the charter.
- A description of ownership or financial interest of the applicant and/or members of the management committee in the proposed charter school. This includes any relationships that parties may have with vendors performing services at the school.

### **XX. Waivers**

Describe and justify any waiver from School Board policies and state regulations that the charter school requests. The Standards of Quality, and by reference the Standards of Accreditation and Standards of Learning, may not be waived. **Please note that state law only allows waivers of policy and regulation. No waiver of state statutes or federal statutes or regulations is permitted.**

**XXI. Discrimination**

Assure that the charter school will follow state and federal law prohibiting discrimination on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, or the need for special education services and shall be subject to any court-ordered desegregation plan in effect in the school division.

**XXII. Assurance**

By signing and submitting this application for a public charter school, the applicant expressly assures the School Board that if the application is approved by the School Board, the school leadership of the public charter school will be retained on contract no later than 60 days prior to the opening date of the school.

**XXIII. Signatures**

The Applicant hereby certifies that the information and assurances contained within the *Virginia Public Charter School Application* submitted on behalf of the proposed charter school to the Virginia Board of Education and the information contained in this *Public Charter School Application Addendum* is correct.

**Name of Authorized Official:** \_\_\_\_\_ **Title:** \_\_\_\_\_

**Signature of Authorized Official:** \_\_\_\_\_ **Date:** \_\_\_\_\_