

REGULATION

MONTGOMERY COUNTY PUBLIC SCHOOLS

Related Entries: CFB
Responsible Office: Deputy Superintendent of Schools

Public Charter Schools

I. PURPOSE

To set forth guidance for the application, evaluation, approval, implementation, and ongoing monitoring process for public charter schools

II. BACKGROUND

Public charter schools, as authorized under Maryland law, may provide innovative educational opportunities and educational approaches for Montgomery County Public Schools (MCPS) students. A public charter school is subject to the same federal, state, and local policies, regulations, and statutes that affect all public schools, unless otherwise waived by the Montgomery County Board of Education or the Maryland State Department of Education (MSDE).

III. DEFINITIONS

- A. A *public charter school* is a public school that operates under a charter within the public school system and is accountable to the Board of Education.
- B. A *charter application* details the proposed plan and timeline for the operation of a charter school and is the basis for consideration of approval.
- C. A *charter agreement* delineates the responsibilities of all parties involved in the implementation and ongoing monitoring of a public charter school.
- D. *Renewal* is a continuation of a charter after the initial term.
- E. *Revocation* is the termination of an approved charter.
- F. *Technical completion* means that all questions and sections have responses.

- G. A *qualified applicant* would be staff of a public school, a parent or guardian of a student who attends a public school in the county, a nonsectarian nonprofit entity, a nonsectarian institution of higher education in the State, or any combination of persons specified above.

IV. PROCEDURES

A. Prior to Submission of an Application

- 1. Upon request for an “Application and Guidelines” packet, the applicant is informed about the availability of technical support during the application process, including staff support prior to the submission of an application.
- 2. Applicant submits a letter of intent to the deputy superintendent of schools by February 1.
- 3. Applicants may seek assistance in completing specific sections of the application by contacting the charter school liaison in the Office of the Deputy Superintendent of Schools.

B. Application Submission

- 1. Applicant submits the completed application by March 1.
- 2. A completed application must include the following:
 - a) A description of how the applicant meets the criteria for qualified applicant as delineated in state law, Policy CFB, and Section III.G., above
 - b) The applicant’s vision of the public charter school’s expectations and mission
 - c) The strategies for focused attention to student academic achievement
 - d) Specific plans and strategies for developing and delivering educational programs
 - e) Specific educational results, including student academic outcomes and how they will be measured and reported
 - f) A description of the major emphasis of the public charter school
 - g) A facilities plan that specifies cost, location, health and safety

compliance, available space and its use, and, if a lease is required, the terms and conditions of the lease

- h) A plan for student admission, enrollment, and withdrawal that does not deny admission based on illegal discriminatory factors such as race, gender, ethnicity, religious preferences, socioeconomic conditions, disability, or sexual orientation and is consistent with MCPS Policy CFB, Public Charter Schools and state law
- i) A staffing plan for the school consistent with MCPS Policy CFB, Public Charter Schools and state law
- j) A management plan for the school consistent with MCPS Policy CFB, Public Charter Schools and state law
- k) A financial plan and detailed three year budget for the school consistent with MCPS Policy CFB, Public Charter Schools and state law
- l) A description and documentation of the type and extent to which there is community support for the proposal for the public charter school
- m) The length of time the public charter school will operate with current charter and provisions for termination of the charter consistent with MCPS Policy CFB, *Public Charter Schools*
- n) A transportation plan
- o) A food and nutrition services plan

C. Review of the Application

The application for a public charter school is reviewed in a three-tiered process. The first review focuses on technical completion of the application. The second tier is a substantive internal review. Finally, the application is reviewed by an independent review panel representing a broad range of stakeholders.

1. Technical Review

- a) MCPS reviews the application for technical completion within 15 working days of submission.

- b) If the application is deemed technically deficient, it is returned to the applicant with written directions on what is needed to complete the application and the availability of resources to assist the applicant.

2. Internal Review

Once an application is considered technically complete, the application is submitted for internal review. The Board of Education will render a decision within 120 calendar days of receipt of the technically complete application.

- a) The internal reviewers will be sent copies of the application for review. Internal reviews must be completed within 30 calendar days. Internal reviewers will include representatives from various MCPS offices, MCPS employee organizations, and representatives of the Montgomery County Council of Parent Teacher Associations and/or other parent organizations.
- b) The feedback is collated and a determination is made whether or not the application meets criteria in all areas.
- c) If the application does not meet criteria in an area evaluated, the application may be returned to the applicant with feedback for revision and possible resubmission. Reasonable technical assistance from MCPS staff reviewers may be made available to the applicant upon request.
- d) At the direction of the superintendent, based on the recommendation of the internal review, the deputy superintendent of schools will forward the application to an external review panel for further review. Alternatively, based on the recommendation of the internal review, the superintendent may recommend to the Board of Education that the application be denied, if not withdrawn.
- e) If the application meets criteria in all areas evaluated, the external review is initiated.

3. External Review

- a) If the application is sent for external review, the applicant is invited to participate with the independent review panel for the application review.

- b) The independent review panel is comprised of individuals external to MCPS, who are either experts in the field of education and/or key stakeholders from the community. The panel is convened to review the application and the findings of the internal review and to make recommendations to the deputy superintendent of schools.
- c) The independent review panel forwards recommendations to the deputy superintendent of schools who will, in turn, make a recommendation to the superintendent.
- d) The superintendent considers the recommendations of the deputy superintendent of schools and the internal review panel report and presents a recommendation to the Board of Education for approval or denial of the public charter school application.

D. Approval of a Public Charter School Application

- 1. The Board of Education takes final action on the public charter school application.
- 2. Denial of a public charter school application may be appealed to the Maryland State Board of Education within 30 days.

E. Chartering a Public Charter School

- 1. Once the charter school application has been approved, MCPS and the applicant develop a formal written Charter Agreement between the public charter school applicant and the Board of Education. The approved application becomes the basis of the charter agreement.
- 2. MCPS and the applicant will make every effort to have the charter agreement signed within 30 working days from the date of Board action.
- 3. If within 30 days agreement has not been reached, the superintendent may notify the Board of Education and request appropriate action, including modification or revocation of the Board's approval.
- 4. The charter is legally enforceable and must describe all aspects of the new public charter school, including:
 - a) The applicant's vision of the public charter school's expectations and mission

- b) The strategies for focused attention to student academic achievement
- c) Specific plans and strategies for developing and delivering educational programs
- d) Specific educational results, including student academic outcomes and how they will be measured and reported
- e) A description of the major emphasis of the public charter school
- f) Additional issues, such as waivers, may be addressed in the charter as agreed upon by MCPS and the applicant.
- g) A facilities plan that specifies cost, location, health and safety compliance, available space and its use, and, if a lease is required, the terms and conditions of the lease
- h) A plan for student admission, enrollment, and withdrawal consistent with MCPS Policy CFB, Public Charter Schools and state law
- i) A staffing plan for the school consistent with MCPS Policy CFB, *Public Charter Schools*, all relevant negotiated agreements, and state law
- j) Certification requirements for public charter school professionals or paraeducators are the same as those for professionals or paraeducators in other MCPS schools in accordance with state and federal law
- k) A school improvement plan for the school consistent with MCPS standards
- l) A financial plan for the school
- m) A description of the extent to which appropriate communities support the proposal for the public charter school
- n) The length of time the public charter school will operate (no longer than four years) and provisions for termination of the charter consistent with MCPS Policy CFB, *Public Charter Schools*, and state law
- o) A transportation plan

- p) A food and nutrition services plan

F. Review, Renewal, and Revocation of a Charter

1. Review

- a) A charter may be granted for no longer than four years and will be reviewed annually by the Board of Education.
- b) For approved charter schools to remain in operation, their annual report must include:
 - (1) Evidence that they are meeting the academic needs of their students
 - (2) Evidence that they are achieving positive results on student outcomes consistent with their school improvement plan
 - (3) Evidence that the school maintain a high level of parent involvement
 - (4) Evidence of student interest in enrolling
 - (5) Evidence that the school is in compliance with all health and safety requirements
 - (6) Evidence of utilization of MCPS input on the operation of the charter school
 - (7) Evidence of having met accountability requirements under the terms of the charter
 - (8) Evidence that all provisions of the charter are being met

2. Renewal

The public charter school shall provide to MCPS written notice of closure or intent to renew its charter immediately upon decision of its governing board, but no later than six months prior to closure or expiration of its charter.

3. Revocation

A charter may be revoked for the following reasons:

- a) The school has not fulfilled conditions in accordance with the charter agreement
- b) The school has violated any provisions of the charter
- c) The fiscal condition of the school is substantially deficient subject to the audit requirements of MCPS
- d) The school does not meet audit requirements in accordance with MCPS policies and regulations
- e) The academic achievement of charter school students has not met specified accountability measures

Regulation History: New Regulation, March 12, 2004; revised April 25, 2006.