

REGULATION

MONTGOMERY COUNTY PUBLIC SCHOOLS

Related Entries: CFB
Responsible Office: 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 (Board) or the Maryland State Department of Education (MSDE).

III. DEFINITIONS

- A. A *charter agreement* delineates the responsibilities of all parties involved in the implementation and ongoing monitoring of a public charter school.
- 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. *Charter school liaison* (CSL) is the person designated by the superintendent of schools to provide technical assistance to persons or entities interested in submitting an application for a public charter school; to facilitate the charter school application and review process; and to serve as the MCPS point of contact for MSDE on matters relating to charter schools.
- D. *Due date* is the first business day in April of each school year for schools seeking to open in August or September of the following calendar year.

- E. *A public charter school* is a public school that meets the criteria of the Maryland Public Charter School Program and which operates under a charter within the public school system and is accountable to the Board.
- F. *A qualified applicant* would be staff in a public school, a parent or guardian of a student who attends a public school in the county, a nonsectarian institution of higher education in the state, or any combination of persons specified above.
- G. *Renewal* is a continuation of a charter after the initial term.
- H. *Review panel* is a group of individuals with different interests and expertise, including representatives from various MCPS offices; MCPS employee associations; the Montgomery County Council of Parent Teacher Associations and/or other parent organizations; and individuals external to MCPS who are either expert in the field of academic design, governance, facilities, finance and operations, education, and/or key stakeholders from the community, who are selected to review applications.
- I. *Revocation* is the termination of an approved charter.
- J. *Superintendent of school's designee* is the person identified by the superintendent of schools to oversee the application review process and to make a recommendation to the superintendent of schools regarding approval of applications.
- K. *Technical assistance* is the information provided to the applicant solely to clarify the application process requirements and associated documents, and to direct the applicant to resources about technical procedures such as the *Code of Maryland Regulations*, Board policies, and MCPS regulations.
- L. *Technical completion* means that all questions and sections have responses relevant to the questions presented.

IV. PROCEDURES

- A. Prior to Submission of an Application
 - 1. MCPS will establish and maintain a website where potential applicants and other interested parties may obtain applications, guidelines, CSL name and contact information, and other information regarding applying to form a charter school in Montgomery County.
 - 2. MCPS will conduct meetings to provide information and technical assistance prior to the application submission due date.

3. Applicant submits a letter of intent to the CSL the first business day in March.
4. Applicants may seek technical assistance by contacting the CSL.

B. Application Criteria

1. Application must be submitted by one or any combination of the following:
 - a) Current MCPS staff
 - b) Parent or guardian of a current MCPS student
 - c) A nonprofit entity that is nonsectarian in all its programs, policies, and operations
 - d) A Maryland institution of higher education that is nonsectarian in all its programs, policies, and operations
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, Board Policy CFB, *Public Charter Schools*, and Section III. F., 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, including the Maryland College and Career-Ready Standards and the Core Learning Goals, aligned with Common Core State Standards, as applicable; also including how the school will meet the needs of all students, including English language learners, students with an Individualized Education Program or Section 504 Plan, and students covered under the *Americans with Disabilities Act (ADA)*.
 - 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, compliance with requirements of the ADA, and, if a lease is required, the terms and conditions of the lease.
- h) A staffing plan for the school consistent with Board Policy CFB, *Public Charter Schools*, and state law.
- i) A management plan for the school consistent with Board Policy CFB, *Public Charter Schools*, and state law.
- j) The school improvement process including school improvement team membership, school improvement plan development, monitoring, reporting, review, and revisions.
- k) A financial plan and detailed four-year balanced budget for the school consistent with related Board policies, MCPS regulations, 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 Board Policy CFB, *Public Charter Schools*.
- n) A transportation plan.
- o) A food and nutrition services plan.
- p) A description of waivers applicant deems necessary to the operation of the public charter school. Waivers to any MSDE regulations must be obtained prior to submitting an application to MCPS.

C. Review of the Application

1. Optional Pre-submission for Technical Completion

MCPS will provide an opportunity for applicant to pre-submit an application to the CSL no less than 10 working days in advance of the application due date to be reviewed for technical completion.

2. Application Submission

- a) Applicants must submit applications to the CSL by the due date. The CSL will review all applications for technical completion. Any applications that the CSL deems technically incomplete will be returned to the applicant with a list of the questions or sections that do not have responses relevant to the question presented.
 - (1) Applicants will be granted seven days to cure the identified deficiencies related to technical completion.
 - (2) If the applicant does not cure the deficiencies within seven days the CSL will advise the superintendent of schools' designee that the application should be recommended for denial as technically incomplete without sending it to the entire review panel.
- b) Copies of the application will be provided to a panel of reviewers.
- c) Panel members will review applications based on the review criteria and submit their comments to the CSL.
- d) The CSL will provide the applicant with a list of any questions or concerns expressed by review panel members.
- e) Applicants will be given the opportunity to meet with review panel members to advocate for their public charter school and discuss or clarify any aspect of the application about which there may be questions or concerns and cure identified deficiencies by submitting additional documents or through oral response.
- f) Panel members will submit their recommendations, based on the review criteria, to the CSL who will convene a meeting of review panel members to reach a consensus recommendation.
- g) The CSL forwards recommendations to the superintendent of schools' designee who will, in turn, make a recommendation to the superintendent of schools.
- h) The superintendent of schools considers the recommendations of the superintendent of schools' designee and presents a recommendation to the Board for approval or denial of the public charter school application.

- i) The Board will approve or deny all applications within 120 calendar days of the due date.

D. Approval of a Public Charter School Application

- 1. The Board 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 of a denial by the Board.

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. 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 calendar days from the date of Board action.
- 3. If within 30 calendar days agreement has not been reached, the superintendent of schools may notify the Board 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, which will be addressed in the charter as agreed upon by MCPS, the Maryland State Board of Education, 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 Board Policy CFB, *Public Charter Schools*, and state law
- i) A staffing plan for the school consistent with Board Policy CFB, *Public Charter Schools*, all relevant negotiated agreements, and state law
- j) Certification requirements for public charter school professionals or paraeducators that 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) The length of time the public charter school will operate and provisions for termination of the charter consistent with Board Policy CFB, *Public Charter Schools*, and state law
- n) A transportation plan
- o) 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.
- 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 maintains a high level of parent/guardian 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 Board policies and MCPS regulations.
- e) The academic achievement of charter school students has not met specified accountability measures.

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