

POLICY TITLE: Public Charter Schools		
ADOPTION/EFFECTIVE DATE: 10/13/2003	MOST RECENTLY AMENDED: 8/9/2010	MOST RECENTLY REAFFIRMED:
POLICY/PROCEDURE MANUAL SUMMARY CATEGORY: District Management		

I. Purpose

The purpose of this policy is to establish standards and requirements for the approval and operation of a public charter school in Harford County in accordance with Maryland law.

II. Definitions

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

III. Policy Statement

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

1. The staff of a public school.
 2. A parent or guardian of a student who attends a public school in the county.
 3. A nonsectarian, nonprofit entity.
 4. A nonsectarian institution of higher education in the state.
 5. Any combination of the above.
- B. An application to establish a charter school may not be submitted by:
1. A private school.
 2. A parochial school.
 3. A home school.
- C. Application Process
1. Any person or entity qualified to apply to establish a charter school shall complete a charter school application which shall be in such form and content as the Superintendent deems appropriate.
 2. After receiving a completed application, the Superintendent shall cause a review of the application to occur in accordance with such procedure as the Superintendent deems appropriate.
 3. The Superintendent shall make a recommendation to the Board regarding what action it should take relative to a charter school application.
 4. The Board shall take action with respect to the application no later than 120 days after it was received by the Superintendent.
 5. If the Board approves an application, such approval is subject to the applicant and the Board entering into a charter school agreement.
 6. No charter school agreement shall have a duration greater than four years.
- D. Annual Review of a Public Charter School
1. The Superintendent shall annually review and evaluate the operation of a charter school including the school's student achievement; fiscal management; human resource administration; and other relevant criteria.

2. Upon the completion of such review and evaluation, the Superintendent shall make a report to the Board regarding same.
- E. Revocation of a Charter Agreement or Termination of a Charter Agreement
1. The Board may revoke a public charter school's charter agreement for the following reasons.
 - a. The school/operator has breached the terms of its charter agreement.
 - b. The school/operator has failed to comply with the provisions of federal or state law or regulation.
 - c. The fiscal condition of the charter school is substantially deficient.
 - d. The academic/instructional services provided by the school are substantially deficient.
 - e. Continued operation of the school presents a health, safety or security risk to the school's students or staff.
 - f. Continued operation of the school is not in the best interest of the public school system of Harford County.
- F. Financial, Programmatic or Compliance Audits of a Public Charter School
1. The Superintendent shall require that all charter schools undergo programmatic and compliance audits consistent with federal and state law and Board policy.
 2. The charter school shall make available all required financial records and other documents/materials necessary to conduct an audit.

Board Approval Acknowledged By:



Robert M. Tomback, Ph.D., Secretary and Treasurer
Board of Education of Harford County

Policy Action Dates					
ACTION	DATE	ACTION	DATE	ACTION	DATE
Adopted	10/13/2003				
Amended	8/9/2010				

Responsibility for Policy Maintenance & References		
LAST EDITOR/DRAFTER NAME: Patrick P. Spicer, Esquire		JOB POSITION OF LAST EDITOR/DRAFTER: General Counsel
PERSON RESPONSIBLE: Patrick P. Spicer, Esquire		JOB POSITION OF PERSON RESPONSIBLE: General Counsel
DESIGNEE NAME: N/A		JOB POSITION OF DESIGNEE: N/A
REFERENCE 1 TYPE: Legal	REFERENCE 1 NO. Section 9-101 et seq.	REFERENCE 1 DESCRIPTION: Education Article of the Maryland Annotated Code
REFERENCE 2 TYPE:	REFERENCE 2 NO.	REFERENCE 2 DESCRIPTION:
REFERENCE 3 TYPE:	REFERENCE 3 NO.	REFERENCE 3 DESCRIPTION:
REFERENCE 4 TYPE:	REFERENCE 4 NO.	REFERENCE 4 DESCRIPTION:
REFERENCE 5 TYPE:	REFERENCE 5 NO.	REFERENCE 5 DESCRIPTION:
POLICY NUMBER PRIOR TO NOVEMBER 1, 2005: General Administration .02.09.147		