

Proposed Virginia Public Charter School Application Process



Virginia Public Charter School Application Process

Virginia Board of Education Responsibilities

SECTION I: BACKGROUND

Applications must adhere to the format prescribed by the Board and address the application elements stated in [Section 22.1-212.8](#). The Board is required to render a decision on whether the application satisfies its approval criteria. A decision by the Board that an application satisfies its approval criteria does not guarantee that the local school board will approve a request for a charter.

Requirements of the law for applications subject to review by the Board of Education are mirrored in the Board's Virginia Public Charter School Application.

For additional information on public charter schools in Virginia, please visit the Virginia Department of Education's (VDOE) [Charter Schools](#) web page.

Virginia Department of Education

Phone: (804) 750-8723

E-mail: charters@doe.virginia.gov

SECTION II: GENERAL INSTRUCTIONS

Applications for public charter schools should be submitted to the Board within a timeframe that is adequate to ensure that the public charter school application will also be submitted to the local school board in accordance with the application policies of said local school board.

Prospective charter school applicants are encouraged to contact a local school division for assistance in advance of submitting an application to the Board or the school division, and school division leadership may communicate with any applicant or potential applicant. Working with the local school division prior to submission of the application can help to ensure a smooth transition for any charter school that may be approved by the local school board and then established within the local school division.

Part A: Submit Application to Virginia Department of Education

A PDF and Word version of the completed public charter school application should be sent to the following address: charters@doe.virginia.gov. All e-mails are monitored by the Virginia Department of Education (VDOE) on a regular basis. VDOE staff will forward receipt of a new charter school application within 24 hours to the Charter School Standing Committee Chairman. A Charter School Standing Committee (CSSC) review meeting must be scheduled no later than 60 days after receipt of a new charter application.

Part B: Substantive Review of Application

Initial Receipt of Application

VDOE staff, on behalf of the Board and CSSC, will send an acknowledgement of receipt to the applicant. VDOE will determine, on behalf of the Board, within 5 business days of receipt of a charter school application submission whether all the required application elements have been completed in the required format, making the application administratively complete.

An application is administratively complete when it addresses all 33 required elements of the application as outlined in Section [Section 22.1-212.8](#). This is not a determination of content or substance.

- If the application is deemed administratively incomplete, VDOE will promptly notify the applicant by phone and e-mail and request that the outstanding information be submitted within 30 business days of such notification to the applicant that additional information is needed.
- If an applicant fails to respond to the initial request for additional information within the 30 business days, VDOE will contact the applicant by phone and e-mail with a second request for the outstanding information. In this communication, VDOE will indicate that the application will not be considered for Substantive Review by the Board's CSSC until all required information is received.
- The applicant may submit the additional information within 10 business days from the receipt of the second request or withdraw the application and resubmit it at a later date.

After the application is deemed to be administratively complete, it is sent to the Board's CSSC members.

Virginia Board of Education's Charter School Standing Committee

The Board President has appointed members with charter school experience and/or expertise to the CSSC to serve as a technical review panel to examine charter school applications to ensure they satisfy the Board's charter school criteria. Each member of the CSSC will review each application with the evaluation review form and provide comments.

A Substantive Review meeting will be scheduled with the Board's CSSC no later than 60 days after receipt of the public charter school application in consultation with the applicant and CSSC members' availability. All meetings of the Board's CSSC are publicly noticed at on the [Charter School Standing Committee Website](#) and as required by the Virginia Freedom of Information Act.

Although every effort is taken to ensure that the Substantive Review CSSC meeting will be held no later than 60 business days after the completed application is received, exceptions to scheduling may occur. The CSSC meeting cannot exceed 90 days from receipt of an administratively complete application.

At the Substantive Review CSSC meeting, the applicant and members of the charter school's management team or a representative of the organization submitting the application for a public charter school must attend and should be prepared to present on the public charter application's

feasibility, curriculum, financial soundness, and other Board criteria. CSSC members may ask questions with the purpose of evaluating the applicant's capacity to implement a plan to operate a high-quality public charter school in Virginia.

- An applicant's failure or refusal to attend the CSSC meeting and/or present will result in the CSSC not making a determination whether the application satisfies the Board's approval criteria.

At the conclusion of the meeting, the CSSC will discuss the extent to which the application satisfies the Board's charter school criteria and take a consensus vote on each of the abovementioned Board criterion and on the application as a whole.

- If the Committee agrees by overall consensus that the Board criteria are satisfied, the application will be recommended and presented to the Board.
- If the Committee decides that not all criteria are satisfied, the applicant will be provided time to address those criteria and given a future opportunity to meet with the committee at a second meeting.

All charter school applicants will receive written comments by CSSC members on strengths and suggestions for improving their overall charter proposal no more than 5 business days after the CSSC meeting. (*See Below Section "Second Meeting with Charter School Committee"*).

Within ten business days following the meeting, VDOE staff and CSSC Chairman, on behalf of the Committee, will prepare a report for the Board summarizing the Committee's determination whether the application satisfies the approval criteria.

Request for Reconsideration:

An applicant who believes its charter school application proposal was erroneously designated as administratively incomplete by the Department or a final recommendation by the CSSC that a proposal does not satisfy Board criteria may submit a written request for reconsideration to the Board within 10 days of the date of notice.

Action by the Virginia Board of Education

For applications proceeding to the Board for review, the CSSC Report will be presented for first and final review. The Report will be presented at the Board's next scheduled business meeting. In addition to the CSSC recommendation, Board members will be provided with the final comprehensive evaluation rubric completed by the CSSC, the charter school application, and an executive summary prepared by VDOE staff with a focus on Board approved criteria as outlined in the Code of Virginia on feasibility, curriculum, financial soundness, and other identified Board priorities.

At the business meeting, the Board will take one of the following actions:

Action 1: The Board will render a decision that the application satisfies the Board's approval criteria; or

Action 2: The Board will render a decision that the application does not satisfy the Board's approval criteria. The Board will provide the applicant with an opportunity to address any deficiencies in the application within a mutually agreed upon time frame

with the applicant. If the applicant cannot address the deficiencies within the agreed upon date, the applicant may withdraw the application.

Following either action by the Board, the applicant will be formally notified by VDOE of the Board's decision within ten business days. Concurrent with its notification to the applicant, the applicable identified local school board will also receive a formal notification of the Board's action.

Local School Division Evaluation

A decision by the Board that an application satisfies its approval criteria does not guarantee that a local school board will approve a request for a public charter. The local school board review and approval process includes a 14-day public comment window and specific processes are determined by the local school division and outlined in the *Code of Virginia*. Final authority to authorize a new public charter school resides with local school division governing board(s).

Notably, pursuant to *Code of Virginia* Section 22.1-212.9.C., public charter school applications initiated by one or more local school boards are **not** subject to review by the Board of Education. The division would submit a charter school application for each of the new or conversion schools to its local school board for approval.

➤ *Second Meeting with the Charter School Committee*

When the applicant has addressed the Board criteria that were not satisfied, the applicant must submit an amended application that contains an Appendix highlighting the requested changes pursuant to CSSC feedback to charters@doe.virginia.gov and notify the Department at least four weeks in advance to schedule a second meeting with the CSSC.

- The application will be submitted in its entirety.
 - Criteria that were deemed satisfied at the initial meeting will remain intact with no changes required by the applicant.
 - Criteria that were not satisfied at the initial committee meeting will be addressed by the Committee with the applicant, and the Committee will make a recommendation on the revised portion(s) of the application.
- At the conclusion of the meeting, the CSSC will discuss whether the overall charter school application satisfies the Board's approval criteria, with a focus on those criterion that were not previously satisfied.
 - The CSSC will take a consensus vote on the overall public charter school application and whether to recommend presenting the application to the Board for review.

Within ten business days following the second meeting, VDOE staff and the CSSC Chairman, on behalf of the committee, will prepare a report that summarizes the committee's determination. Any plans for further review by the committee will be discussed with the applicant.

Withdrawal of an Application

An applicant may withdraw an application at any time during the review process and resubmit it at a later date. An application that is withdrawn and subsequently resubmitted is considered as a new charter school application.

Part D: Additional Information

Visit the VDOE's [Charter Schools](#) web page for additional information.