The Prince William County School Board believes that our schools and our programs are designed to fit the needs of individual students. The Commonwealth of Virginia has authorized charter schools as one avenue for parents, teachers, and community members to provide for the education of children within the public school system as an alternative to what is being offered in Prince William County Public Schools (PWCS).

I. Purpose of Charter Schools

As adopted by the General Assembly (Virginia Code §§ 22.1-212.5 through 22.1-212.16), the purposes of the charter school legislation are to:

A. Stimulate the development of innovative programs;
B. Provide opportunities for innovative instruction and student assessment;
C. Provide parents and students more choices;
D. Provide teachers with innovative scheduling, instruction, and management;
E. Encourage performance-based educational programs;
F. Establish high standards for teachers and administrators; and
G. Develop models for replication in other public schools.

The Prince William County School Board will receive and consider requests for charter schools if such charters are focused on supporting the overall mission of PWCS.

II. Definition of Charter School

A charter school is a public, non-religious, or non-home-based alternative school located within PWCS. A public charter school may be created as a new public school or through the conversion of all or part of an existing public school; however, no public charter school shall be established through the conversion of a private school or a non-public home-based educational program.

PWCS shall give priority to public charter school applications designed to increase the educational opportunities of at-risk students, particularly those at-risk students currently
served by schools that have not achieved full accreditation. At-risk students shall be defined as those students having a physical, emotional, intellectual, socioeconomic, or cultural risk factor, as defined in Board of Education criteria, which research indicates may negatively influence educational success.

III. Establishment and Operation

All charter schools shall be subject to federal and Virginia state laws, regulations, and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, the need for special education services, or any other unlawful basis. Charter schools must comply with the Standards of Quality and the Standards of Accreditation. The academic program must be aligned with the Standards of Learning.

The public charter school applicant may submit its proposed charter application to the Board of Education for review and comment. The Board of Education’s review shall examine such applications for feasibility, curriculum, financial soundness, and other objective criteria as the Board of Education may establish, consistent with existing state law. The Board of Education’s review and comment shall be for the purpose of ensuring that the application conforms with such criteria, but shall not include consideration as to whether the application shall be approved by the Prince William County School Board. The charter applicant shall include in the proposed agreement the results of any Prince William County School Board review.

Enrollment shall be open to any child who lives within PWCS.

A charter school shall be administered and operated by a management committee in the manner agreed to by the public charter school applicant and the Prince William County School Board.

Any ownership or financial interest of members of the governing body, administrators, and other personnel serving in a public charter school in renovating, lending, granting, or leasing public charter school facilities, as the case may be, shall be disclosed in the public charter school application as required by Virginia Code § 22.1-212.8. Furthermore, a successful charter school 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 any charter.

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. Once a charter is approved, the 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 third party, for the provision of necessary services. Any services for which a charter school contracts with PWCS shall not exceed the School 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 PWCS. 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 and will be cost neutral.

IV. Charter Contract

An approved charter application shall constitute an agreement between the School Division and the charter school, and its terms shall be the terms of the agreement between the charter school and the Prince William County School Board. Upon approval of a charter application, the Prince William County School Board and the management committee of the charter school shall enter into a contract containing all agreements between the Prince William County 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 Prince William County School Board or its designee. A charter may be granted for up to five school years. Any material revision of the charter contract shall be made in writing and must be approved by the Prince William County School Board and the charter school.

V. Waivers of School Board Policy and State Regulation

Based on a charter agreement, a charter school may be authorized to operate free from specific Prince William County School Board policies and state regulations, except the Standards of Quality and, by reference, the Standards of Accreditation and Standards of Learning. Each waiver/deviation request from a charter school shall be accompanied by a proposal that includes a minimum of the following components:

A. Goal statement;
B. General outline or summary of the strategy;
C. Description of program development;
D. Description of the proposed implementation process;
E. Description of the evaluation process to be used; and
F. Anticipated costs.
The contract between the charter school and the Prince William 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 Prince William County School Board shall request from the Board of Education, on behalf of its charter schools, waivers from state regulation contained in each charter application that the Prince William County School Board deems appropriate. If the charter school is designed to increase the opportunities for at-risk students, then the Prince William County School Board shall request that the Board of Education approve an Individual School Accreditation Plan, as provided by state law.

VI. Application

A public charter school application shall be a proposed agreement which must include all content required by Virginia Code §§ 22.1-212.8 (B) (1) – (33) and (C).

The applicant must demonstrate administrative ability through:

A. A management committee composed of parents, teachers, administrators, and sponsors;

B. A sound economic plan, budget, and description of an annual audit;

C. A transportation plan;

D. Plans for displacement of students and employees if all or part of an existing school is converted, and upon termination or revocation of the charter;

E. A description of the management and operation of the school;

F. An explanation of the relationship with employees, and evidence that the terms and conditions of employment have been addressed with the affected employees; and

G. A proposal for allocation of liability and insurance coverage.

The applicant must demonstrate educational ability through:

A. Innovative programs, instruction, assessment, school scheduling, management, and/or structure;

B. A mission statement consistent with the Standards of Quality;

C. Goals and objectives which meet or exceed the Standards of Learning; and

D. A description of the educational program, pupil performance standards, and curriculum, which must meet or exceed the Standards of Quality.
The applicant must demonstrate community support through:

A. Evidence of support from parents, teachers, residents of the School Division, or any combination thereof; and

B. Statement of need.

The applicant must provide assurances that the public charter school does not charge tuition.

The applicant must disclose any ownership or financial interest in the public charter school by the applicant and the governing body, administrators, and other personnel of the proposed public charter school, and pledge that the applicant and the governing body, administrators, and other personnel shall promptly disclose any such interest that arises after the submission of the application.

The school comes into existence only when granted a charter by the local School Board.

VII. Liability of Charter School

Under no circumstances will the Prince William County School Board assume responsibility for any contractual or other liabilities of the charter school, except as agreed to by contract.

A charter school shall assume liability for claims and losses arising out of operation of the charter school, whether resulting from contract, tort, violation of state or federal laws, or under any other theory of liability. The charter school must carry liability insurance covering the Prince William County School Board and its members, in addition to the charter school and its employees equal to the amount of the Prince William County School Board’s current coverage.

VIII. School Board Review

A public hearing on each proposed charter school application will be conducted consistent with Virginia Code § 22.1-212.9 (B). The public shall be given at least 14 days’ notice of such hearing and the right to provide the Prince William County School Board with public comments on any proposed charter school application. Written notice of the Prince William County School Board’s decision shall be sent to the applicant and if the application is denied, the written notice shall include the reasons for the denial. The reasons shall also be posted on the PWCS website. 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, shall be entitled to petition the Prince William County School Board for reconsideration. Such petition must be filed with the Clerk of the School Board no later than 60 days from the
date the application was denied or the charter agreement revoked or not renewed. The Prince William County School Board shall decide such reconsideration within 60 days of the filing of the petition. The Prince William County School Board’s decision to grant or deny an application or to revoke or decline to renew a charter agreement shall be final.

IX. Terms, Renewals, and Revocations of the Charter Contract

A charter may be approved or renewed for a period not to exceed five school years. An application for renewal shall contain the following:

A. 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 Prince William County School Board required in the charter;

B. A financial statement, on forms prescribed by the Board, that discloses the costs of administration, instruction, and other spending categories for the public charter school and that has been concisely and clearly written to enable the School Board and the public to compare such costs to those of other schools or comparable organizations; and

C. Other information the Prince William County School Board may require.

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

A. Violation of the conditions, standards, or procedures established in the application;

B. Failure to meet or make reasonable progress toward achievement of the content standards or student performance standards identified in the application;

C. Failure to meet generally accepted standards of fiscal management; or

D. Violation of any provision of law from which the charter school was not specifically exempted.

Nothing in this regulation shall be construed to restrict the authority of the Prince William County School Board to revoke or decline to renew a charter agreement.

Under no circumstances will the Prince William County School Board assume responsibility for any contractual or other liabilities of the charter school except as agreed to by contract.
X. Employment of Professional, Licensed Personnel

Charter school personnel shall be employees of PWCS. However, it is the responsibility of the charter school’s management committee to recruit staff for the school. Current employees of the School Division may volunteer for assignment to a charter school and may be assigned to a charter school for one contract year. The Division Superintendent (Superintendent) and the Offices of Student Learning and Human Resources shall review the charter school’s staffing level by July 15 and make a recommendation to the School Board regarding the charter school’s ability to fulfill its mission.

Employees assigned to a charter school shall receive the same employment benefits as such personnel assigned to non-charter schools. The charter school’s management committee will make recommendations for retention or transfer of teachers at the end of each year. All personnel requests shall be handled according to Prince William County School Board policy. The Prince William County School Board, acting through the Superintendent, has the final authority to assign professional, licensed personnel to charter or other schools within PWCS.

XI. Funding

Charter schools shall be funded as provided by law and negotiated in the charter contract. No contracts for goods, services, or insurance with non-governmental sources shall be awarded except through compliance with the Virginia Public Procurement Act and PWCS purchasing regulations (or in accordance with a waiver of those regulations by the Prince William County School Board).

XII. Reports

The Prince William County School Board shall report annually to the Virginia Board of Education the following:

A. The number of charters granted or denied, and the reasons for any such denials, and whether any of those granted are designed to increase the educational opportunities of at-risk students or any student served by schools that have not achieved full accreditation;

B. An annual evaluation of each charter school that compares the success of the school against the objectives of the school;

C. An annual comparison of the performance of charter school students and students enrolled in a traditional school setting;

D. The number of students enrolled in each charter school at the end of the school year; and

E. All data required by the Virginia Department of Education calendar of reports.
XIII. Establishment of a Review Committee

Prior to consideration by the Prince William County School Board, all charter school applications shall be examined by a Review Committee. The Review Committee will be chaired by the Associate Superintendent for Student Learning and Accountability. Membership will include the Associate Superintendent for Human Resources, the Associate Superintendent for Finance and Support Services, the Director of Human Resources, a Level Associate Superintendent (depending on the location of the school), and Division Counsel.

XIV. Development of an Application

A. The Level Associate Superintendent for the school’s location will be available to respond to questions from the applicant in preparation of the application.

B. An original, completed application plus 15 copies must be submitted to the office of the Associate Superintendent for Student Learning and Accountability.

C. Applications, in final format, must be received by the Associate Superintendent for Student Learning and Accountability by July 1 of the year preceding the anticipated opening of the charter school. An application fee of $2,000 must be submitted with the completed application.

D. Prince William County School Board approval is required by December 1 of the year prior to the desired opening date.

XV. Review of Charter Applications

A. The appropriate Level Associate Superintendent shall undertake a preliminary review of the application to determine whether it is complete in all respects and complies with the requirements of Virginia Code § 22.1-212.8. 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 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.

B. The Associate Superintendent for Student Learning and Accountability 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.
C. The Review Committee will make copies of the applications available to interested employee organizations, parent-teacher associations, and other interested persons in the proposed affected areas on an as-requested basis, for their review and written comment.

After reviewing each application, the Review Committee may schedule an interview with each applicant. This interview would need to be held within 60 days of the final application deadline.

D. The Review Committee will provide a written recommendation to the Prince William County School Board, based on the results of their application ratings, community input, and interviews.

XVI. Judgement of Applications by the Prince William County School Board

A. After giving reasonable public notice, the Prince William County School Board will hold a public hearing to rule on all charter applications.

B. The Prince William County School Board may take any of the following actions with each application:

1. Accept without conditions;
2. Accept with conditions;
3. Reject;
4. Place on a waiting list;
5. Negotiate further with the applicant;
6. Defer actions; or
7. Return with request for additional information.

C. If an application is rejected, the Prince William County School Board shall communicate its decision and reasons for denial to the applicant in writing.

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

XVII. Renewal Procedures

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

A. A written request for renewal submitted during the last academic year of the charter term but no later than 180 days;

B. 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;
C. 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 will allow comparison of such costs to other schools or other comparable organizations; and

D. Any additional information the Prince William County School Board may require to assist in its determination of the renewal application.

XVIII. Revocation of a Charter

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

A. Violates the conditions, standards, or procedures established in the charter school application;

B. Fails to meet or make reasonable progress toward achievement of the content standards or student performance standards identified in the charter application;

C. Fails to meet generally accepted standards of fiscal management; or

D. Violates any provision of law from which the charter school was not specifically exempted.

A charter school may also be revoked or not renewed if the Prince William County School Board determines, in its sole discretion, that it is not in the public interest or for the welfare of the students within PWCS to continue the operation of the school.

XIX. Authority of the Prince William County School Board

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

The Associate Superintendent for Student Learning and Accountability (or designee) is responsible for implementing and monitoring this regulation.

This regulation and related policy shall be reviewed at least every five years and revised as needed.