

**TALBOT COUNTY
PUBLIC SCHOOLS
EASTON, MD 21601**

**POLICY CODE
9.9
ADOPTED: 10/22/03
REVIEWED: 07/30/10
APPROVED: 02/13/13**

CHARTER SCHOOLS

I. Policy Statement

In keeping with the Talbot County Board of Education's interest in providing varied innovative and creative instructional programs, a public charter school may be established in Talbot County.

The superintendent/designee is responsible for the development & coordination of a process by which individuals/groups apply to the Talbot County Board of Education to establish a public charter school.

II. Purpose

To provide parents and students who reside in Talbot County an alternative means within the existing public school system for additional innovative learning opportunities and creative educational approaches to improve the education of students. To provide a procedure by which a public charter school may be established under the supervision of the Talbot County Board of Education in accordance with state and federal laws and regulations.

III. Definition

- A. Charter Agreement – a formal contract entered into by the Talbot County Board of Education and the operator (s) of a public charter school that specifies the terms and conditions under which a school is authorized to operate.
- 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 Talbot 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 Talbot County Public School students spend on school premises.

IV. Policy Guidelines

A. General Information

1. A public charter school operates under the authority of the Board of Education of Talbot County. Except as provided in Section 9 –104 of the Education Article, *Annotated Code of Maryland*, the public charter school must abide by the provisions of all laws, policies, and regulations governing other public schools, except as otherwise provided in policy or state law.
2. The primary public chartering authority for the granting of a Charter is the Board of Education of Talbot County.
3. The secondary public chartering authority for the granting of a Charter is the State Board of Education. The State Board may assume chartering authority for a restructured school in accordance with Section V of this policy.
4. The application of an approved public charter school shall be incorporated into its Charter Agreement. A Charter Agreement may be approved for no more than four years. The Board of Education of Talbot County will review Charter Agreements annually.

V. Restructured Schools

Restructured schools are schools that must implement an alternative governance arrangement that has been approved by the State Superintendent of Schools and the State Board of Education if, after a year of corrective action, a school does not make adequate yearly progress as defined by *No Child Left Behind* legislation.

- A. Upon submission of a completed and required application for creating a Charter Agreement for a school it has identified as meeting the conditions of restructuring (on a form provided by the Talbot County Board of Education superintendent), the Talbot County Board of Education shall render a decision within 30 days of receipt of said application.
- B. The Talbot County Board of Education may apply to the State

Board of Education for an extension of up to 15 days from the time limit imposed under A of this Section.

- C. If an extension is not granted, and 30 days have elapsed, the State Board of Education may become a chartering authority. If an extension has been granted, and 45 days have elapsed, the State Board of Education may become a chartering authority.
- D. If the Talbot County Board of Education denies an application to establish a public charter school, the applicant may appeal the decision to the State Board of Education, in accordance with § 4-205(c) of the Education Article, *Annotated Code of Maryland*.
- E. By law, the State Board of Education shall render a decision within 120 days of the filing of an appeal under this section.
- F. If the Talbot County Board of Education denies an application to establish a public charter school and the State Board of Education reverses the decision, the State Board of Education may direct the local board of education to grant a Charter and shall mediate with the Talbot County

VI. Delegation of Authority

The Superintendent is directed to develop a process for accepting and evaluating proposals for public charter schools, for developing recommendations to the Talbot County Board of Education, and for otherwise implementing this policy.

VII. Legal Authority

This policy is consistent with Title 9 of the Education Article, *Annotated Code of Maryland*, known as the “Maryland Public Charter School Program”.

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