

# Maryland State Board of Education

## POLICY

### THE CHARTER SCHOOL PROGRAM

#### **BACKGROUND:**

The Maryland Public Charter School program was adopted into law by Maryland's General Assembly in 2003 through Title 9, §101-110 of the Education Article of the Code of Maryland. The general purpose of the program, as defined by law, is to establish an alternative means within the existing public school system in order to provide innovative learning opportunities and creative educational approaches to improve the education of students.

#### **INTENT:**

This policy is established to clearly define the obligations of charter schools and their authorizers. The State Board of Education recognizes that providing flexibility and autonomy in exchange for innovation, educational reform and high accountability is a key component of the Charter School concept.

#### **PURPOSE:**

Consistent with the intent of federal legislation and the Maryland Charter School Program law, this State Board declares that the purpose of the State's public charter schools are to:

- A. Improve student learning by creating high-quality public schools with high standards for student performance;
- B. Close achievement gaps between high-performing and low-performing groups of public students;
- C. Increase high-quality educational opportunities within the public education system for all Maryland students and their families;
- D. Create new professional opportunities for teachers, school administrators, and other school personnel that allows them to actively participate in the development of their schools;
- E. Encourage the use of different, high-quality models of teaching, governing, scheduling, or other aspects of schooling that meet a variety of student needs;
- F. Allow, through chartering, public school freedom and flexibility in exchange for exceptional levels of results-driven accountability;
- G. Provide parents, community members, and other non-profit entities with expanded opportunities for involvement in the design, development and management of public school models within the public education system; and
- H. Encourage the replication of successful public charter schools.

**I. To achieve these purposes, the State Board encourages each County Board to:**

*Local Policies*

1. Appoint a representative that serves the board in the role of Charter School Liaison and supports the Board in performing its authorizing responsibilities;
2. Adopt charter school policies that include guidelines related to the application process and its assessment, the process of performance contracting, the process for how charter school operators will be informed of requirements pertaining to children with disabilities, and how the funds will be disbursed to charter schools;
3. Adopt charter school policies and regulations acknowledging the purpose of charter schools and what differentiates them from other public schools. These policies will express a commitment to providing increased flexibilities which will enable charter schools to implement innovations in exchange for higher levels of accountability;
4. Submit their public charter school policies, along with any implementing regulations to the Maryland State Department of Education for review and comment prior to adoption by the County Board;
5. Ensure alignment of charter School policy definitions of commensurate funding with that of the State Board to guarantee that charter schools receive federal, State and local funding in an amount proportionate to the amount of funds expended for elementary, middle and secondary level students in other public schools in the same school system. Such funding includes funding for services for which students in the public charter schools are eligible such as free and reduced priced meals, pre-kindergarten, special education, English language learners, Perkins, Title I and transportation;

*Charter School Applications*

6. Submit a copy of their application, review process and assessment rubric to the State Department of Education for review and feedback, and re-submit these documents whenever there is a proposed change;
7. Post their most recent application, along with the description of their review process and assessment rubric on their website thereby making it available to charter school developers and the public;
8. Include an assurance statement in the application that will be signed by the developer of the charter school acknowledging and committing to accountability standards in exchange for local school system flexibilities and waivers from local school system policies, internal practices, processes and procedures that have the potential to impact a charter school's ability to implement innovative structures, programs and may impede

the functions of the school's non-profit governing board to make decisions pertinent to the school's development and to ensure the implementation of the school's vision and mission;

*Flexibilities for Charter Schools*

9. Provides flexibility when applying the school system procedures to the charter school, particularly those that could impede or alter a charter school's ability to design and implement innovative practices in school operations, educational program and school governance and address those flexibilities in the performance contracting process;
10. Reviews and considers a charter school's waiver requests to local policies and grants those that are reasonable;
11. Negotiates flexibilities in collective bargaining agreements that allow implementation of charter school innovations;

*Performance Contract*

12. Adopts and implements a performance contract contains the following:
  - a. Roles and responsibilities of both parties (County Board and Charter School Operator),
  - b. Performance Standards that the charter school must meet or exceed,
  - c. An evaluation process of public charter schools that includes the use of financial, program and compliance audits,
  - d. A renewal and revocation process,
  - e. Reporting requirements, and,
  - f. Descriptions of waivers and flexibilities provided to the charter school.

**II. To achieve the purposes set forth here, the State Board encourages charter schools to:**

*Accountability*

1. Commit to high levels of accountability that include:
  - a. Performance Standards that the charter school must meet or exceed, including clear demonstrations of increased academic growth for all students; and
  - b. Meeting or exceeding standards in operational areas as demonstrated through the use of financial, programmatic and compliance audits.

**III. To achieve the purposes set forth here, the State Board directs MSDE to:**

1. Provide training to County School Boards, Superintendents, Local School System Charter School Liaisons, and Charter School Developers, Operators, Governing Boards

and Leaders to ensure an understanding of how to implement the Maryland Charter School Law and this policy to achieve the purpose and intent of the Charter School Program goals;

2. Provide technical assistance in problem solving issues that may impede the implementation of this policy; and
3. Ensure the development of understanding and commitment to the concept of charter schools within the department and their support of unique designs intended to promote educational reform through innovation. Ensure that these differences are recognized and taken into consideration in the development and design of program procedures and initiatives.