

PRINCE GEORGE’S COUNTY PUBLIC SCHOOLS  
Board of Education  
Upper Marlboro, Maryland

3506  
Policy No.

BOARD OF EDUCATION POLICY

BUSINESS AND OTHER NON-INSTRUCTIONAL OPERATIONS

Public Charter Schools

**I. POLICY STATEMENT**

The Board of Education (Board) is committed to providing every Prince George’s County Public Schools (PGCPS) student with a premier education characterized by innovative, relevant, accessible learning and development opportunities that build 21st-century competencies. The Board recognizes that a public charter school provides parents and students an alternative means within the existing public school system for additional innovative learning opportunities and creative educational approaches to improve the education of students. The Board is also committed to applying lessons learned from public charter schools, but also expects public charter schools to apply lessons learned from traditional public schools, to support success for all students and for all public schools, and to encourage positive transformation in public education.

**II. PURPOSE**

To establish guidelines for the evaluation of proposals for public charter schools and the oversight of approved public charter schools.

**III. DEFINITIONS**

- A. *Applicable Requirements* – These requirements consist of Title 9 of the Education Article of the Maryland Annotated Code (“the Charter Law”), federal laws and regulations, all other state laws and regulations, all Board policies, and PGCPS administrative procedures, all court orders, consent decrees, and requirements relating to corrective action taken by the Maryland State Board of Education, and Maryland State Department of Education requirements.
- B. *Charter operator* – An applicant who has been approved by the Board to operate a public charter school in accordance with Section 9-104 of the Charter Law.

C. *Eligible applicant* – An *eligible applicant* consists of the following:

1. The staff at a public school;
2. A parent or guardian of a student who attends a public school in Prince George's County;
3. A nonsectarian, nonprofit entity;
4. A nonsectarian institution of higher education in the state; or
5. Any combination of persons specified above.

D. *Public charter school* – 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. Absent specific exceptions found in the Charter Law, 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 an age range between grades pre-K and 12;
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 Prince George's County public 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. Is in compliance with § 9-107 of the Charter Law;
11. Operates under the supervision of the public chartering authority from which its charter is granted and in accordance with its charter, except as provided in §§ 9-104.1 and 9-106 of the Charter Law, and the provisions of law and regulation governing other public schools;
12. Requires students to be physically present on school premises for a period of time substantially similar to that which other PGCPS students spend on school premises;

13. Is created in accordance with State law and regulations, and appropriate Board policies; and
14. Is required to meet all federal and State mandated accountability outcomes and the Board's standards in the application review and at the time of renewal.

#### **IV. STANDARDS**

##### **A. Board Authority**

1. The public chartering authority for the granting of a charter is the Board, in accordance with Section 9-103 of the Charter Law.
2. A public charter school operates under the authority of the Board. The public charter school must abide by the provisions of all federal and State laws and regulations, (unwaived) Board policies, and PGCPs administrative procedures, except as otherwise provided in State law or policy.
3. An application to establish a public charter school shall be submitted to the Superintendent/designee by an eligible applicant. A decision must be rendered within 120 days of receipt of the application.
4. The Superintendent/designee shall review and evaluate the application. Upon completion of the evaluation, the Superintendent shall forward the public charter school application to the Board for consideration.
5. The Board retains the right to accept, modify, or deny any charter school application.
6. The Superintendent and the Board will work collaboratively to ensure adequate time for the evaluation of the application within the 120 day time period.
7. If the Board 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.
8. The Board shall not grant a charter to:
  - a. A private school;
  - b. A parochial school;
  - c. A home school; or
  - d. A school that operates fully online.

## B. Public Charter School Funding

1. PGPCS will provide to the public charter school an amount of county, State, and federal money that is commensurate with the amount provided to other public schools in Prince George's County.
2. The charter operator shall have the financial management and decision-making authority, including budget development and implementation, for all funds directed to public charter schools.
3. The Superintendent/designee shall, at all times, retain authority and responsibility for approving a public charter school's annual fiscal year budget.

## C. Student Enrollment

1. A public charter school is open to all PGPCS students on a space-available basis. The PGPCS lottery will be implemented in the event that the number of student applications exceed the number of students approved in the public charter school application.
2. The public charter school may not discriminate against any student on the basis of race, color, national origin, citizenship status, religion, marital status, sex, gender, sexual orientation, gender identity, gender expression, disability, or age.
3. Individual Education Programs (IEPs) for students with disabilities must be implemented and all local, state and federal requirements followed.

## D. Public Charter School Facilities

1. Public charter school facilities must meet all federal, state and local facility, health and safety standards.
2. Public charter school facilities must be appropriate for the educational program being offered and must be accessible in accordance with the Americans with Disabilities Act (ADA).

## E. Audit and Reporting Requirements

1. Public charter schools shall comply with all applicable reporting requirements, including all federal, State, local, and Board reporting requirements, unless waived.

2. The Board shall require financial, programmatic, compliance and/or internal audits consistent with federal and State law, Board policies and PGCPs administrative procedures.

F. Evaluation

The public charter school shall be evaluated based on student achievement, fiscal management, and other criteria pursuant to its approved application and the terms and conditions of its charter.

G. Revocation

1. The Board may revoke a public charter school's charter for any one or more of the following reasons:
  - a. The public charter school or charter operator has breached the terms of its charter;
  - b. The public charter school/charter operator has failed to comply with the provisions of federal, state or local law;
  - c. The fiscal condition of the public charter school is substantially deficient;
  - d. The academic or instructional services provided by the public charter school are substantially deficient;
  - e. The facility can no longer support the needs of the educational program;
  - f. Continued operation of the public charter school presents a health, safety or security risk to the school's students or staff; or
  - g. Continued operation of the public charter school is not in the best interests of the students it serves or of PGCPs.
2. Upon revocation of a public charter school's charter:
  - a. Personnel and students will be reassigned pursuant to Board policies, PGCPs administrative procedures and negotiated agreements; and
  - b. All resources provided by the Board shall remain under control of the Board, which reserves the right to implement control and operation of the public charter school on an immediate basis upon revocation.

The Superintendent is responsible for developing administrative procedures to implement this policy.

**VI. REFERENCES**

A. Legal

§§ 9-101, *et seq.*, MD. CODE ANN., EDUC.

B. Other Board Policies or Administrative Procedures

AP 3506 – Public Charter Schools

AP 3506.1 – Public Charter Schools Lottery Process

**VII. HISTORY**

Policy Adopted

10/23/03

Policy Reviewed – No Revisions Required

10/22/04

Policy Reviewed – No Revisions Required

9/23/05

Policy Reviewed – No Revisions Required

10/30/06

Policy Amended

4/29/10

Policy Amended

10/26/2023