

# PUBLIC CHARTER SCHOOLS IN VIRGINIA

Virginia Board of Education  
Business Meeting  
March 28, 2024



**VIRGINIA DEPARTMENT OF EDUCATION**

# CHARTER SCHOOLS IN VIRGINIA

- As defined in the *Code of Virginia*, (§ 22.1-212.5): **Public charter schools in Virginia are nonsectarian, nonreligious, or non-home-based alternative schools located within a public school division.**
- Public charter schools may be created as a new public school or through the conversion of an existing public school.
- No public charter school can be established through the conversion of a private school or a nonpublic home-based educational program.

# VIRGINIA LEGISLATION 1998-2009

**1998:** Public charter schools first authorized in the state.

**2002:** Legislation required all school divisions to accept and review all public charter school applications submitted to them.

**2004:** Legislation provided that charter applicants *could* submit the application to the Virginia Board of Education (VBOE) for review and deleted the requirement that half the public charter schools must serve at-risk populations.

**2009:** Legislation removed the limit on the number of public charter schools that could be established in a school division.

# VIRGINIA LEGISLATION 2010

- **2010:** Legislation required that a public charter school applicant *must* first submit its application to the VBOE. The VBOE:
  - Posts the Board's review procedures on the Department's Website
  - Determines whether the application meets its approval criteria. (Approval of criteria does not guarantee that the local school board will approve a request for a charter.)

# VIRGINIA LEGISLATION 2010

## **Local school boards must:**

- Establish a procedure for public notice.
- Post review procedures on division's Website.
- Allow applicant to petition for reconsideration of a decision to deny an application.
  - Applicant may seek technical assistance from the state superintendent of public instruction.
  - Give at least 14 days' notice of its intent to receive public comment on an application.

# VIRGINIA LEGISLATION 2013

**2013:** Legislation provides that public charter school applications that are initiated by one or more local school boards are not subject to review by the VBOE.

- A local school board intending to open a new public charter school or convert an existing public charter school would still be required to adhere to state public charter school law.
- The division would submit public charter school applications for each of the new or conversion schools to its local school board for approval.

# VIRGINIA LEGISLATION 2014

**2014:** In the case of the conversion of an existing public school to a public charter public school:

- Students who attend the school and the siblings of such students shall be given the opportunity to enroll in advance of the lottery process; and
- The requirement shall not apply that at least one-half of the public charter schools per division shall be designed for at-risk students.

# VIRGINIA LEGISLATION 2016

**2016:** Legislation amended the charter application section, added a section on the applicability of other laws, regulations, policies, and procedures, and amended sections relating to contracts between the local school board and the public charter school management committee to require:

- Within 90 days of approval of a charter application, the local school board and the management committee of the approved public charter school shall execute a charter contract.



# VIRGINIA LEGISLATION 2016 (CONT'D)

- Academic and operational performance expectations and measures in the charter contract that are based on a performance framework with annual performance targets.
- An executed contract signed by the chair of the local school board and the chair of the public charter school's management committee with notification and a copy of the contract within 10 days to the VBOE.
- An executed charter school contract approved in an open meeting of the local school board before a charter school can begin.

# VIRGINIA LEGISLATION 2017

- **2017:** Legislation permits the VBOE to communicate any Board finding relating to the rationale for the local school board's denial of a public charter school application or revocation of or failure to renew the charter agreement based on documentation submitted by the school board in any school division in which at least half of the schools receive funding pursuant to Title I, Part A, of the *Elementary and Secondary Education Act of 1965*, as amended.

# HISTORY: ESTABLISHING CHARTERS 1992-2009

- **1992-2002**

- First eight public charter schools established and *converted* from traditional public schools.
- Two of these charter schools are still in operation: [Murray High School \(Albemarle\)](#) and [York River Academy \(York\)](#)

- **2008-2009**

- Third public charter school currently in operation was the first to be approved that was submitted from outside a school division: [The Community Public Charter School \(Albemarle\)](#)

# HISTORY: ESTABLISHING CHARTERS 2010-2014

## ○ **2010-2011**

- Fourth public charter school and second to be approved outside a school division began operation. [Patrick Henry School of Science and Arts \(Richmond\)](#)

## ○ **2013-2014**

- Fifth and sixth public charter school, initiated by a local school division, began operation: [Green Run Collegiate \(Virginia Beach\)](#) and [Richmond Career Education and Employment Academy \(Richmond\)](#)

# HISTORY: ESTABLISHING CHARTERS 2014-2016

- **2014-2015**

- Seventh public charter school, *a conversion*, initiated by Loudoun County Public Schools: [Middleburg Community Charter Schools](#)

- **2015-2016**

- Eighth public charter school, *a conversion*, initiated by Loudoun County Public Schools: [Hillsboro Charter Academy](#)

# HISTORY: ESTABLISHING CHARTERS 2017

- **2017 - [HB 2218](#)** passed by the 2017 General Assembly permits the Board of Education to communicate any Board finding relating to the rationale for the local school board's denial of a public charter school application or revocation of or failure to renew the charter agreement based on documentation submitted by the school board in any school division in which at least half of the schools receive funding pursuant to Title I, Part A, of the Elementary and Secondary Education Act of 1965, as amended.

# VIRGINIA BOARD OF EDUCATION

## CHARTER SCHOOL COMMITTEE

- Reviews a proposed public charter school application that has been submitted by the applicant to the VBOE.
- Comments on the application's feasibility, curriculum, and financial soundness before full Board review.
- Decision by the committee and Board that an application meets Board's criteria does not guarantee that the local school board will approve a request for a charter.
- Since July 2013, public charter school applications that are initiated by one or more local school boards or are conversions are not subject to review by the VBOE.

# CHARTER SCHOOLS IN OPERATION

- **Green Run Collegiate** – Virginia Beach City Public Schools (grades 9-12)
- **Middleburg Community Charter School** – Loudoun County Public Schools (grades K-5)
- **Hillsboro Charter Academy** - Loudoun County Public Schools (grades K-5)
- **Community Lab School** – Albemarle County Public Schools (grades 6-12)
- **York River Academy** – York County Public Schools (grades 9-12)
- **Patrick Henry Charter School** – Richmond City Public Schools (grades K-5)
- **Richmond Career Education & Employment** – Richmond City Public Schools (grades 9-12)