



VIRGINIA BOARD OF EDUCATION

AGENDA ITEM

Agenda Item: K

Date: July 25, 2024

Title: First and Final Review of Charter School Standing Committee Materials

Presenter: Sofia McDaniel, Senior Innovation Policy Analyst

Purpose of Presentation

Present proposed revisions to the Charter School Evaluation Metric Rubric, the Charter School Application Process and the Charter School Application, as recommended by VDOE Staff and the Charter School Standing Committee.

Executive Summary

Subsection A of § [22.1-212.9](#) of the *Code of Virginia* states, in part, that “[t]he Board of Education and each local school board shall establish procedures for receiving, reviewing, and, in the case of local school boards, ruling upon applications. The Board of Education and local school boards shall post their procedures on their websites and make a copy of the procedures available to all interested parties upon request. If any such board finds the public charter school application is incomplete, the board shall request the necessary information from the charter applicant.” And furthermore, in subsection C of § [22.1-212.9](#) of the *Code of Virginia* states “[t]he Board's review shall examine such applications for feasibility, curriculum, financial soundness, and other objective criteria as the Board may establish, consistent with existing state law”.

[Section 22.1-212.9.H](#) requires all applications for public charter schools to be submitted to the Virginia Board of Education (Board) for review prior to the submission of the application to the local school board. Charter school applications must address a list of elements required by [Section 22.1-212.8](#). The Board is required to review, comment, and make a determination as to whether the application satisfies the criteria developed by the Board. Applications must adhere to the format prescribed by the Board and address the application elements stated in [Section 22.1-212.8](#). The Board is required to render a decision on whether the application satisfies its criteria.

Virginia currently has seven public charter schools, all of which were approved by their local governing boards between 2002 and 2015. The last charter school model to open was in 2016 in Loudoun County Public Schools. There have been three gubernatorial administrations,

multiple state superintendents, and multiple governing boards since the Commonwealth last utilized the Charter School Standing Committee and since the Board of Education last reviewed the Charter School Evaluation Criteria (2018), the Charter School Application Process (2018), and the Charter School Application (2016, revised for accessibility in 2018) itself. Moreover, there has been a rapidly changing technological landscape with more efficient and transparent ways to operate and learn from other states on best practices.

The proposed revisions to the public Charter School Evaluation Criteria Rubric, the public Charter School Application Process, and the public Charter School Application, encapsulate these changes in technology, better align and reflect what is outlined in the *Code of Virginia*, account for an additional eight years of lessons learned when it comes to reviewing, commenting, and supporting new charter school applicants as well as using committees of technical experts with charter school expertise, and reflect best practices from state authorizers' operating high-quality charter school portfolios on what they look for in the evaluation process.

These proposed revisions to the public Charter School Evaluation Criteria Rubric, the public Charter School Application Process, and the public Charter School Application were reviewed by the Charter School Standing Committee on July 16, 2024, and were recommended to the Board of Education on a vote of 4Y-0N.

The Charter School Standing Committee was re-formed this year, and the Committee serves as a technical review panel of members with national and local charter school leadership experience. The Charter School Standing Committee consists of: Ms. Mashae Ashton (Chair and Board of Education Member), Mr. Chris Braunlich, Ms. Ebony Lee, Mr. Antoine Green, and Ms. Nina Rees.

The Virginia Charter School Initiative is in alignment with [Board of Education Priorities from the Comprehensive Plan 2024-2029](#).

Action Requested

First and Final Review: Action requested at the July 25, 2024, meeting.

VDOE Recommendation

VDOE and the Board's Charter School Standing Committee recommends that the Board of Education approve on First and Final review the 2024 proposed public charter school application criteria evaluation metric, the 2024 proposed application process, and the 2024 proposed application.

Previous Review or Action:

On July 16, 2024, the Charter School Standing Committee voted (4Y-0N) to recommend to the Board of Education the proposed application criteria evaluation metric, the 2024 proposed application process, and the 2024 proposed application for use pursuant to Section [22.1-212.9](#) of the *Code of Virginia*.

Background Information and Statutory Authority

[Section 22.1-212.5](#) defines a public charter school as “a public, nonreligious, or non-home-based alternative school located within a public school division. 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 nonpublic home-based educational program. A charter school for at-risk pupils may be established as a residential school.”

It is important to note that charter school applications initiated by one or more local school boards are not subject to review by the Board of Education. The division would submit a charter school application for each of the new or conversion schools to its local school board for approval.

A local school board intending to open a new charter school or convert an existing charter school is still required to adhere to [Article 1.2](#) and must address all application elements required in the charter school law, including the provisions specifically for conversions of existing public schools.

Prior to review by the Board, the Public Charter School Application is first reviewed by the Charter School Standing Committee. The Board President has appointed members with charter school experience and/or expertise to the Charter School Standing Committee to serve as a technical review panel to examine public charter school application to ensure they adhere to the Board’s charter school criteria. Upon a satisfactory review by the Charter School Standing Committee, the application is then recommended to the Board of Education who determines if the application satisfies its approval criteria.

A decision by the Board that an application satisfies its approval criteria does not guarantee that the local school board will approve a request for a charter.

Implementation and Communication

Upon approval by the Board, VDOE staff will update the VDOE website with the updated documents and inform applicants of the new documents and procedures.

Impact on Fiscal and Human Resources

This item will not impact resources at VDOE.