

BOARD AGENDA ITEM

July 12, 2022

SUBJECT:

Revision of the following policy:

Policy IHBH Charter Schools, Second Reading

BACKGROUND INFORMATION:

Aiken County Public School District offers the opportunity for interested parties to submit an application for a Charter School by the South Carolina Charter Schools Act of 1996, which defines a charter school as a public, nonreligious, non home-based, nonprofit corporation forming a school that operates by sponsorship of a public school district, the South Carolina Public Charter School District, or a public or independent institution of higher learning, but is accountable to the board of trustees, or in the case of technical colleges, the area commission, of the sponsor which grants its charter. Currently, ACPSD does not sponsor a charter school.

ADMINISTRATIVE CONSIDERATION:

Administration recommended the deletion of Administrative Rule IHBH-R Charter Schools because it outlines the application process for Charter Schools, which was approved at a previous board meeting. Policy IHBH Charter Schools has been revised with a statement directing interested parties to the SCDOE webpage for the application process.

RECOMMENDATION:

Approve the following policy:

Policy IHBH Charter Schools, Second Reading

ATTACHMENTS:

Policy IHBH Charter Schools

PREPARED BY:

Salvatore Minolfo

CHARTER SCHOOLS

Code **IHBH** Issued **4/227/22**

To achieve its goal of promoting diversity, educational improvement, and academic excellence for all students, the board supports the establishment of charter schools within the district.

A charter school is a public, nonreligious, non-home-based, nonprofit corporation forming a school that operates by sponsorship of a public school district, the South Carolina Public Charter School District, or a public or independent institution of higher learning but is accountable to the board, or in the case of technical colleges, the area commission, of the sponsor that grants its charter.

A charter school sponsor will adopt national industry standards of quality charter schools and will authorize and implement practices consistent with those standards.

A charter school is considered a public school and will meet the following conditions:

- Be subject to all federal and state laws and constitutional provisions prohibiting discrimination on the basis of race, religion, sex (including pregnancy, childbirth, or any related medical conditions), color, disability, national origin, need for special education services, or any other applicable status protected by law (by law, however, a single gender charter school may be formed in which case gender may be the only reason to show preference or deny admission). Enrollment must not differ from the racial composition of the district or that of the targeted student population of the charter school by more than 20 percent.
- Open enrollment to any child who resides in the district subject to space limitations. The charter school will not charge tuition or charges of any other kind unless allowed by the sponsor and comparable to the charges of the district in which the charter school is located.
- Assume responsibility for its own operation including preparation of a budget, contracting for services, audits and curriculum, and personnel matters.
- Have an education program, curriculum, and student achievement standards that meet or exceed any content standards adopted by the State Board of Education and the sponsor.
- Follow the application process as required by law. In the case of sponsorship by the South Carolina Public Charter School District or a public or independent institution of higher learning, the applicant must provide notice of the application to the district for informational purposes only. [For information on the Charter School Application process, interested parties should contact the South Carolina State Department of Education to obtain the Charter School Application Submission Guide and additional support documentation.](#)

All board members and employees are subject to the ethics and government accountability requirements for public members and public employees.

A charter school may be designated as an Alternative Education Campus (AEC) as outlined in state law. An AEC is any charter school with an explicit mission as outlined in its charter to serve an enrolled student population meeting the requirements established in state statute.

A charter school is eligible for federally-sponsored, state-sponsored, or district-sponsored interscholastic leagues, competitions, awards, scholarships, grants, and recognition programs for students, educators, administrators, staff, and schools to the same extent as other public schools.

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A charter school student is eligible to compete for, and, if chosen, participate in any extracurricular activity not offered by the student's charter school which are offered at the resident public school he/she would otherwise attend, as well as any activities governed by the South Carolina High School League not offered at the charter school. Eligibility requirements and fees for these activities will be the same as those applied to full-time students of the resident school, and the district may not impose any additional requirements for participation on charter school students that are not imposed on full-time students.

If the board has information that an approved application by the South Carolina Public Charter School District or a public or independent institution of higher learning sponsor adversely affects the other students in the district, as defined in state regulation, or that the approval of the application fails to meet the spirit and intent of the law, the board may appeal the granting of the charter to the state administrative law court.

The performance of students attending a charter school sponsored by the district will be reflected on a separate line on the district's report card and will not be included in the overall performance ratings of the district.

The sponsor may deny, revoke or not renew a charter under certain conditions outlined in the law. This decision may be appealed to the state administrative law court for review.

Cf. JJ/JJA

Adopted 12/10/96; Revised 1/8/02, 4/19/22, 7/12/22

Legal References:

- A. S.C. Code of Laws, 1976, as amended:
 - 1. Section 8-13-100, *et seq.* - Ethics, Government Accountability and Campaign Reform Act.
 - 2. Section 59-18-900 - Annual report cards and performance ratings.
 - 3. Section 59-18-920 - Requirements of report cards.
 - 4. Section 59-40-10, *et seq.* - South Carolina Charter Schools Act of 1996.

- B. S.C. State Board of Education Regulations:
 - 1. R43-601 - Procedures and standards for review of charter school applications.