

CHARTER SCHOOLS

Code **IHBH** Issued **MODEL/12**

Purpose: To establish the basic structure for the establishment and operation of charter schools within the district.

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, nonhome-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 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 disability, race, creed, color, gender, national origin, religion, ancestry or need for special education services (by law, however, a single gender charter school may be formed without regard to the gender makeup of the charter school). 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 as 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, 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.

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 activities 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 according to the provisions of law.

Cf. JJ

Adopted ^

Legal references:

A. S.C. Code of Laws, 1976, as amended:

1. Section 59-5-60 - General powers of board.
2. Sections 59-40-10 through 59-40-210 - South Carolina Charter Schools Act of 1996, as amended by the Charter Schools Act of 2005 and the South Carolina Public Charter School District Act amendments (2012).
3. Section 59-18-900 - Annual report cards and performance ratings.
4. Section 59-18-920 - Requirements of report cards.
5. Section 59-16-10, et. seq. - South Carolina Virtual School Program.

B. State Board of Education Regulations:

1. R43-601 - Procedures and standards for review of charter school applications.