



SOUTH CAROLINA DEPARTMENT OF EDUCATION

2019

South Carolina Public Charter School

Application Guidance

(For charter schools that plan to open for the 2020–21 school year)

Deadline for Receipt of Applications:

February 1, 2019

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General Information

Introduction/Background

In 1996, the South Carolina Legislature passed the Charter Schools Act, thereby providing citizens the opportunity to apply to operate a public school. The focus of charter schools is to provide quality educational choices for parents and students. This application outlines the necessary components to propose, receive approval for, and implement a high quality charter school.

This application guidance and accompanying template (SCDE template) must be used to develop a complete application for charter schools that plan to open for the 2020–21 school year or later. Applicants who do not use this guidance and the SCDE template will not be eligible to apply for federal Planning and Implementation Grant funding under awards currently held by the South Carolina Department of Education (SCDE). However, sponsors may develop and require additional information as attachments to the SCDE template after review and approval by the SCDE. All charter school applications must comply fully with the South Carolina Charter Schools Act, S.C. Code Ann. § 59-40-10 *et seq.*, and the Procedures and Standards for Review of Charter School Applications (2 S.C. Code Ann. Regs. 43-601 (2013)).

Application sections must be presented as outlined in this application guidance and labeled accordingly with appropriate questions/headings. It is important to remember that each of the sections relate to one another. For instance, educational program components should align with the proposed budget. Thus, a completed application should readily reflect that all of its sections, irrespective of their individual focus, link together to form a comprehensive and viable plan to open and sustain a high-quality charter school.

There are at least four parts to the typical charter application process: the written narrative, support documents to the narrative, a capacity interview, and a hearing as defined below. This document provides guidance on the preparation of the written narrative and support documents.

- **Narrative:** The narrative is the formal application to the sponsor and is a comprehensive description of the school’s educational, operational, and financial plans.
- **Support Documents:** Throughout the proposal, specific documents are requested in addition to narrative answers. A comprehensive list of the support documents is provided in these instructions.
- **Capacity Interview (optional):** Applicants may have the opportunity to meet with the sponsor, prior to a hearing, to discuss and present the details of their application and provide any clarifying information requested by the sponsor.
- **Public Hearing:** Sponsors are required to rule on applications in a public hearing, after reasonable notice, within ninety days after receiving the application. Applicants have the opportunity to present their plan and demonstrate the team’s capacity to open and maintain a high-quality charter school as well as to answer specific questions about their narrative.
- **Contract (if approved):** If the charter is approved, the sponsor and charter school must enter an agreement including several provisions required by the charter school law. S.C. Code Ann. § 59-40-60(A)-(B).

Definitions

The following definitions, found in the South Carolina Charter Schools Act, S.C. Code Ann. § 59-40-40 *et seq.*, are included to assist the applicant in understanding various terms used in the application process.

Alternative Education Campus (AEC) means any charter school with an explicit mission as outlined in its charter to serve an enrolled student population with:

1. severe limitations that preclude appropriate administration of the assessments administered pursuant to federal and state requirements;
2. fifty percent or more of students having Individualized Education Programs (IEPs) in accordance with federal regulations or a demonstrated need for specific services or specialized instruction as defined in S.C. Code Ann. § 59-40-50, and the school shall provide the needed evidence-based specialized instruction, interventions, services, support, and accommodations based on the needs of the students; or
3. eighty-five percent or more of enrolled students meeting the definition of a "high-risk" student including students as outlined in S.C. Code Ann. § 59-40-111(A)(3).

Applicant means the person or nonprofit corporate entity that desires to form a charter school and files the necessary application with the South Carolina Public Charter School District Board of Trustees (SCPCSD), the local school board of trustees in which the charter school is to be located, or the board of trustees or area commission of a public or independent institution of higher learning. The applicant also must be the person or the nonprofit corporate entity that applies to the Secretary of State to organize the charter school as a nonprofit corporation.

Certified teacher means a person currently certified by the state of South Carolina to teach in a public elementary or secondary school or who currently meets the qualifications outlined in S.C. Code Ann. § 59-25-115.

Charter committee means the governing body of a charter school formed by the applicant to govern through the application process and until the election of a board of directors is held. After the election, the board of directors of the corporation must be organized as the governing body, and the charter committee is dissolved.

Charter school means a public, nonreligious, non-home-based, nonprofit corporation forming a school that operates by sponsorship of a public school district, the SCPCSD, or a public or independent institution of higher learning, but is accountable to the school board of trustees or, in the case of technical colleges, the area commission of the sponsor which grants its charter. Nothing in this chapter prohibits charter schools from offering virtual services pursuant to state law and subsequent regulations defining virtual schools.

A charter school

1. is, for purposes of state law and the state constitution, considered a public school and part of the SCPCSD, the local school district in which it is located, or is sponsored by a public or independent institution of higher learning;
2. is 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; however, an applicant may seek to form a single-gender charter school without regard to the gender makeup of that proposed charter school;
3. must be administered and governed by a governing body in a manner agreed to by the charter school applicant and the sponsor, the governing body to be selected as provided in S.C. Code Ann. § 59-40-50(B)(9);
4. may not charge tuition or other charges pursuant to S.C. Code Ann. § 59-19-90(8) except as may be allowed by the sponsor and is comparable to the charges of the local school district in which the charter school is located; and
5. is subject to the same fixed asset inventory requirements as are traditional public schools.

Charter school contract means a fixed term, renewable contract between a charter school and a sponsor that outlines the roles, powers, responsibilities, and performance expectations for each party to the contract.

Conversion Charter School means an existing public school converted into a charter school in accordance with S.C. Code Ann. § 59-40-100. Conversion schools are those where parents are requesting the school no longer be under the leadership of the residential district. A conversion school can only apply to the local school district in which it is located.

Local educational agency (LEA) is the sponsor of a charter school, and a charter school is a school within that LEA. The sponsor retains responsibility for the provision of special education and related services, and shall ensure that students enrolled in its charter schools are served in a manner consistent with LEA obligations under applicable federal, state, and local law.

Local school district means any school district in the state, except the SCPCSD, and does not include special school districts.

Noncertified teacher means an individual considered appropriately qualified for the subject matter taught and who has completed at least one year of study at an accredited college or university and meets the qualifications outlined in S.C. Code Ann. § 59-25-115.

Replication Charter School means to open one or more new charter schools that are based on the charter school model or models for which the applicant has presented evidence of success. The replicated school must be a stand-alone school. This means that they will have separate administration, staff, and will not be a feeder school. However, oversight of the replicated school may be provided by the same board of directors as the original school.

Resident public school means the school, other than a charter school, within whose attendance boundaries the charter school student's custodial parent or legal guardian resides.

Sponsor means the SCPCSD Board of Trustees, the local school board of trustees in which the charter school is to be located, and, as provided by law, a public institution of higher learning as defined in S.C. Code Ann. § 59-103-5, or an independent institution of higher learning as defined in S.C. Code Ann. § 59-113-50, from which the charter school applicant requested its charter and which granted approval for the charter school's existence. Only those public or independent institutions of higher learning who register with the SCDE may serve as charter school sponsors, and the SCDE shall maintain a directory of those institutions. The sponsor of a charter school is the charter school's LEA, and a charter school is a school within that LEA. The sponsor retains responsibility for special education and shall ensure that students enrolled in its charter schools are served in a manner consistent with LEA obligations under applicable federal, state, and local law.

Purpose of a Charter School

The purpose of a charter school is to create a legitimate avenue for parents, teachers, and community members to take responsible risks and create new, innovative, and more flexible ways of educating all children within the public school system as defined in S.C. Code Ann. § 59-40-20. The intent of Section 59-40-20 is to

1. improve student learning;
2. increase learning opportunities for students;
3. encourage the use of a variety of productive teaching methods;
4. establish new forms of accountability for schools;
5. create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site;
6. assist South Carolina in reaching academic excellence; and
7. create new, innovative, and more flexible ways of educating children within the public school system, with the goal of closing achievement gaps between low-performing student groups and high-performing student groups.

Eligible Applicants

An eligible applicant is any individual or group who desires to form a charter school and files the necessary application for review by the proposed sponsor (the local school district, the SCPCSD, or a public or independent institution of higher learning). The applicant must also be the same entity that is registered as a nonprofit corporation with the South Carolina Secretary of State to organize the charter school. Note that only public or independent institutions of higher learning that have registered with the SCDE may serve as a charter school sponsor. A list of higher learning sponsors can be found at <http://ed.sc.gov/districts-schools/school-choice-innovation/charter-schools-program/charter-school-sponsors-authorizers/>.

Technical Assistance for Applicants

A technical assistance session for charter school developers will be provided by the SCDE. Information on this session and notice of additional training dates, times, and locations will be posted on the SCDE website at <http://ed.sc.gov/districts-schools/school-choice-innovation/charter-schools-program/>. Technical assistance is available as needed regarding charter school law and the charter school application by contacting the SCDE Charter Schools Program at 803-734-2781.

Deadline and Submission Procedures

Letter of Intent Submission

At least 90 days prior to submitting an application, the applicant shall submit a letter of intent (LOI) to the board of trustees or area commission from which it is seeking sponsorship. To submit a LOI, please visit <http://ed.sc.gov/districts-schools/school-choice-innovation/charter-schools-program/charter-school-application-information/> and follow the directions provided.

Application Submission

Applicants must submit a completed application packet by 5:00 p.m. **February 1, 2019**, for charter schools that plan to open for the 2020–21 school year. Applications received *after* the deadline **will not** be considered for a 2020–21 opening. ***Late, incomplete, or incorrectly formatted submissions will not be accepted.***

An applicant shall submit the following:

- One complete version of the application to the board of trustees or area commission from which it is seeking sponsorship via the online submission dashboard, regardless of the intended sponsor. Application submission dashboard and a user guide may be accessed at <http://ed.sc.gov/districts-schools/school-choice-innovation/charter-schools-program/charter-school-application-information/> and follow the directions as provided.
- In the case of the SCPCSD or a public or independent institution of higher learning sponsor, the applicant, upon submission of a charter school application, shall provide notice of the application to the local school board of trustees in which the charter school will be located for informational purposes only. The applicant shall also notify the local delegation of a county in which a proposed charter school is to be located and shall also provide a copy of the charter school application upon request by a member of the local delegation. Evidence of notification to both the local school board of trustees and local delegation must be submitted along with the application as **Appendix Item B**. Failure to provide evidence of such notification shall render the application incomplete.

The planning committee chair must be listed as the primary contact person on all submitted application materials. A committee chair must be an active member of the planning committee (a consultant hired to write the application or a representative of a management organization is not eligible). Applicants should review all elements of their proposal for completeness before submitting. If an applicant believes a question or section does not apply to its team or proposal, the applicant should respond “Not Applicable,” and state the reason the question/section is not applicable.

All charter school proposal materials submitted to the SCDE and proposed sponsor become public records. For public transparency, the SCDE will post all letters of intent and hearing dates of which the SCDE has notice on the SCDE website.

Only applications that are complete and follow these guidelines will be considered. Applications must present information in the order specified to be deemed complete; applications that are **not complete** and that **do not** present information in the order specified in these guidelines **will not be reviewed**. If the sponsor determines that an application does not meet one or more of the standards, it may request clarifying information from the applicant prior to or during the hearing. The sponsor has the authority to incorporate this clarifying information into the application.

Applicants must submit the following application packet to their proposed sponsor and the SCDE:

1. Application Cover Sheet (accessible at <http://ed.sc.gov/districts-schools/school-choice-innovation/charter-schools-program/charter-school-application-information/>);
2. Application Narrative (including the table of contents);
3. Support Documents labeled as outlined in Part II; and
4. Information in response to any sponsor-required, SCDE-approved attachments to the SCDE template.

Review and Selection Process

All charter school applications must be reviewed by the sponsor to determine satisfaction of the standards outlined in the regulations and SC Charter Schools Act. The applications submitted to the sponsor must demonstrate both adherence to each standard and capacity to open and operate a high-quality charter school. The SCDE has developed a rubric aligned to this application guidance and SCDE template. The provided rubric must be used in evaluating charter applications. The rubric is located at the following link: <http://ed.sc.gov/districts-schools/school-choice-innovation/charter-schools-program/charter-school-application-information/>. The sponsor must make a determination to either approve or deny the charter in a public hearing within 90 days of receiving a completed application. If there is no ruling within 90 days, the application is considered approved. If the sponsor determines the application is compliant with state charter law, the applicant will be notified by letter and a charter contract will be negotiated. Once the application has been approved by the board of trustees or area commission, the charter school may open at the beginning of the following year.

An applicant to the SCPCSD may seek a 60-day extension to amend its charter application from the SCPCSD Board of Trustees pursuant to Proviso 1A.54. Applicants to the SCPCSD should contact the SCPCSD for information regarding the requirements to request and receive such an extension.

The following is a list of important dates as they pertain to the charter school application process:

- November 3, 2018: Last date for LOI to be submitted to proposed charter school sponsor and the SCDE.
- February 1, 2019: Final date for completed applications submitted via online dashboard; due **by 5:00 p.m.**
- *May 1, 2019: 90-day ruling deadline for sponsors to make a determination to approve or deny a charter school application received on February 1 (*Note: the 90-day clock timeline

runs from the actual application submission date).

If the sponsor determines that an application does not meet one or more of the standards, it may request clarifying information from the applicant prior to or during the hearing. The sponsor has the authority to incorporate this clarifying information into the application. The SCDE shall provide guidance on compliance to both sponsors and applicants to be included in the evaluation rubric.

A board of trustees or area commission shall deny an application only if the application does not meet the requirements specified in S.C. Code Ann. § 59-40-50 or 59-40-60, fails to meet the spirit and intent of this chapter; or adversely affects, as defined in regulation, the other students in the district in which the charter school is to be located; or if, based on the totality of information provided by the applicant, the board of trustees or area commission determines that the applicant has failed to demonstrate a substantial likelihood that it has the capacity to establish a viable school based on national industry standards of quality charter school authorization. It shall provide, within ten days of the public hearing, a written explanation of the reasons for denial, citing specific standards related to provisions of S.C. Code Ann. §§ 59-40-50 or -60 that the application violates, or evidence of not meeting national standards, as is applicable. This written explanation immediately must be sent to the charter committee and filed with the State Board of Education.

If an application is denied by the proposed sponsor, the applicant may appeal to the Administrative Law Courts (ALC).

Charter Contract and Ongoing Authorization of Charter

Upon recommendation for approval by the sponsor, the proposed sponsor and the applicant will enter into a contractual agreement.

In compliance with S.C. Code Ann. § 59-40-60 *et seq.*, the contract between the charter school and the sponsor must

- reflect all provisions outlined in the application as well as the roles, powers, responsibilities, and performance expectations for each party to the contract;
- include the proposed enrollment procedures and dates of the enrollment period of the charter school; and
- contain all agreements regarding the release of the charter school from school district policies.

Please note that a charter application, if approved, will constitute an agreement between the charter school and its sponsor. Once an application is approved, the charter school and sponsor will negotiate additional terms of the contract. The SCDE provides a contract template to be used by charter schools and the sponsor. This template must serve as a foundation for the development of a contract between the charter school and the sponsor and is posted on the SCDE website at <http://ed.sc.gov/districts-schools/school-choice-innovation/charter-schools-program/>. In accordance with the law, all provisions of the charter application must be included in the contract that must be executed between an approved charter school and its sponsor. A material revision of the terms of the contract between the charter school and the sponsor may be made only with the approval of both parties.

Application Overview, Content, and Instructions

Charter schools that plan to open for the 2020–21 school year must submit an application presented in the order outlined below and labeled accordingly, using the provided template. Applications should comply fully with the South Carolina Charter Schools Act (S.C. Code Ann. § 59-40-10 *et seq.*) and the Procedures and Standards for Review of Charter School Applications (2 S.C. Code Ann. Regs. 43-601 (2015)).

There are four types of charter schools which may be formed and for which an application may be submitted. All of the following should use this document as guidance and the provided template for application:

- Start-Up Charter Schools,
- Alternative Education Campus (AEC) Charter Schools,
- Replication Charter Schools, and
- Conversion Charter Schools.

Applicants should note that some sections may only be required for conversion, replication, or AEC schools. Start-up applicants are not required to complete the sections noted for AEC schools, replication applicants, or conversion applicants. Please see the definitions on Page 2 for additional clarification of each of these types of charter schools.

Provided below is an overview of the components of the charter school application. Applicants should use the provided template to ensure that they submit a complete application with items labeled accordingly and presented in the order outlined.

Application Overview

- Application Cover Page (accessible <http://ed.sc.gov/districts-schools/school-choice-innovation/charter-schools-program/> see page 43 for sample).
- Executive Summary
- Application Narrative (with table of contents)
 - I. Educational Plan and Capacity**
 1. Evidence of Need and Community Support
 2. Curriculum and Instructional Model
 - a) Educational Model
 - b) Educational Structure
 - c) Professional Development
 - d) Virtual Offerings – additional requirements
 3. Serving Students with Disabilities
 4. Goals, Objectives, and Assessment Plan
 - a) Goals and Objectives
 - b) Assessment Plan
 - II. Organizational Plan and Capacity**

1. Governing Body
2. Education/Charter Management Contract (EMO/CMO)
3. Administrative Structure and Building Leadership
4. Employees
5. Enrollment
6. Student Conduct, Rights, and Responsibilities
7. Transportation

III. Business Plan and Capacity

1. Budget and Finance
2. Facilities
3. Insurance Coverage

- Appendices (with table of contents)

See listing of appendix items on following page

Appendix Items

The following is a list of appendix items to be included with the application:

- A. Signature Certification Page (page 46)
- B. Evidence of Notification (to both the local school board of trustees and local delegation)*
- C. Evidence of Support
- D. Conversion School Support*
- E. Private School Documentation*
- F. School Calendar and Daily Schedule for the Academic Year
- G. Support Documents for the described Educational Program
- H. List of Teaching Positions
- I. Virtual School List of Courses*
- J. Agreement with Sponsoring District for Special Education Services*
- K. Charter Committee
- L. Bylaws
- M. Articles of Incorporation
- N. Organizational Chart
- O. EMO/CMO Documentation*
- P. Sample Job Descriptions
- Q. School Start-Up Plan
- R. Letter of Agreement from Sponsor Regarding Compliance with S.C. Code Ann. § 59-25-410 *et seq.* (2004)*
- S. Letter(s) from Sponsoring District Regarding Desegregation Plan or Order*
- T. Draft Discipline Policy
- U. Transportation Services Contract*
- V. Student Enrollment Projection Form
- W. SCDE Per Pupil Estimate Review
- X. Five-Year Budget (Excel spreadsheet)
- Y. Ten-Year Budget Plan (Excel spreadsheet)
- Z. Memorandums of Agreement for Negotiated Services*
- AA. Documentation of Any “Soft Funds”
- BB. Floor Plan of Identified Facility*
- CC. Proposed Lease or Rental Agreement*
- DD. Documentation from the SCDE’s Office of School Facilities*
- EE. Documentation from the SCDOT School Traffic Engineering*
- FF. Applicable Insurance Documentation

**Items marked with an asterisk may not be applicable for all applicants*

Executive Summary

The executive summary is not to exceed **two pages, single-spaced**. This section should provide a concise overview of what the applicant wishes to achieve, who the applicant wishes to serve, and why the applicant believes it has the capacity to open and operate a high-quality school.

Describe the following:

- Begin the executive summary with a mission statement that is clear and supports the principles of the South Carolina Charter Schools Act (S.C. Code Ann. § 59-40-10 *et seq.*)
- The proposed mission (fundamental purpose) of the proposed school and how it aligns with the purpose of state charter school law outlined in § 59-40-20;
- The targeted student population and the community the school will be designed to serve, including anticipated academic and nonacademic needs of the students and any non-academic challenges the school is likely to encounter;
- The key features of the educational program and why the school model will be successful in improving academic achievement for the targeted student population; and
- The founding group/planning committee - how it was formed, how it arrived at the collective decision to create a charter school in South Carolina, and why it believes it has the capacity necessary to open and oversee a high-quality charter school.
- If the applicant proposes to contract with an education management organization (EMO) or a charter management organization (CMO), identify the organization and describe why it has been selected as a partner.

Appendix Item(s):

No documents are needed here.

Application Narrative Content

Present the application narrative as outlined in the 15 sections below. Each section begins with an overview of relevant application requirements and concludes with a bulleted list of requested items, any corresponding support documents, and any evaluation criteria.

Identify each section using the subheading provided. Sections may not be combined. Incomplete applications will not be considered. Include a table of contents as the first page of the application narrative.

I. Educational Plan and Capacity

1. *Evidence of Need and Community Support*

The application must include evidence that an adequate number of parents or legal guardians with students eligible to attend the proposed school pursuant to S.C. Code Ann. § 59-40-50 support the formation of the charter school and justify the projected per pupil allocation in the application budget. The evidence must indicate substantial support that the school will reach its first year's projected enrollment, which is critical to producing a fiscally sound budget. Evidence may include, but is not limited to, documentation of attendance and support at community meetings and survey results. If the social situation of the proposed school's targeted population precludes establishing parental support, evidence should demonstrate support from community groups and agencies, including letters from these entities that specify the level of their commitment to the school.

However, a list of prospective or tentatively enrolled students or prospective employees is not required per S.C. Code Ann. § 59-40-60.

Outreach activities should be diverse and designed to reach all students in the community, thereby ensuring equal access. Specify the types of outreach activities that have been made to at-risk populations, especially if the applicant's mission is to serve at-risk student populations. Letters of support from community leaders, business people, or elected officials should be included in the appropriate support document. These letters should state why the individual believes the proposed new charter school would best serve the community. If the social situation of the school's targeted population precludes establishing parental support, evidence should demonstrate support from community groups and agencies, including letters from these entities that specify the level of their commitment to the school.

If the school is a proposed conversion charter, the application must also include evidence that two-thirds of the faculty and instructional staff voted to support the filing of the application and evidence that two-thirds of the voting parents or legal guardians voted to support the filing of the application (see Appendix Item C below). Parents or guardians shall have one vote for each of their children enrolled in the school (i.e., each student may be represented by only one vote). All parents or legal guardians of students enrolled in the school must be given the opportunity to vote. A conversion school must offer the same grades or non-graded education appropriate for the same ages and education levels of pupils as offered by the school immediately before conversion and may also provide additional grades and further educational offerings. The application for the school must be submitted by the principal or by his or her designee, who thus will be considered the applicant.

Narrative Requirements

1. Provide evidence that an adequate number of parents or legal guardians with students eligible to attend the proposed school pursuant to S.C. Code Ann. § 59-40-50 support the formation of the charter school and justify the projected per pupil allocation in the application budget. **Do not include names of individual students.** Include a table indicating interest documented by grade level or non-graded education groupings appropriate for the targeted population (outline the groupings and how they are categorized, i.e. age levels and/or education levels) for the first year of operation.
2. Explain the plan for student recruitment and marketing that will provide equal access to interested students and families. Where possible, include specifics such as the types of marketing that will be used, partners who will be engaged, and the number of families who will be reached. Describe how the plan will reach a diverse group of families.
3. Discuss the type(s) of outreach the charter committee has conducted thus far to make the student population and their families aware of the proposed charter school and the outcomes of this outreach.
4. Provide information on community members, parents, and leaders who publicly support the proposed school and their role in the development of the school and application.
5. Discuss specifically what has been done to assess and build parent and community demand for the school. Explain the plan to continue to engage parents and community members from the present time, to approval, and through opening. If applicable, provide evidence of engagement such as letters of support or partnership agreements.
6. Explain the plan to engage parents in the life of the school (in addition to any proposed governance roles described previously). Describe the plan for building family/school partnerships to strengthen support for learning and encourage parental, student, and community involvement. Describe any opportunities and/or expectations for ongoing parent, student, and community involvement.
7. Describe any partnerships the school will have with community organizations, business, or other educational institutions. Specify the nature, purpose, terms and scope of services of any such partnerships, including any fee-based or in-kind commitments from community organizations or individuals that will enrich student learning.
8. If you are a private school, describe the need/evidence in the community to support converting to a charter school.

Appendix Item(s):

- A. Signature Certification Page (see additional details on pages 41 and 46)
- B. Evidence of Notification (if applicable) — In the case of the applicant applying to the SCPCSD or a public or independent institution of higher learning sponsor, the applicant, upon submission of a charter school application, shall provide notice of the application to the local school board of trustees in which the charter school will be located for informational purposes only. The applicant shall also notify the local delegation of a county in which a proposed charter school is to be located and shall also provide a copy of the charter school application upon request by a member of the local delegation.
- C. Evidence of Support—letters or other documents indicating support from parents and the community (do not include a list of potential students). One method that may be used to protect the identity of potential students is to submit the information to an independent third

party of the applicant's choosing and have them provide a notarized affidavit certifying that there is documented family interest in enrolling their child in the school.

- D. Conversion School Support (if applicable)—evidence that two-thirds of the faculty, instructional staff, and parents voted to support filing the application to convert the school from a traditional school to a charter school
- E. Private Schools (if applicable) —evidence that the enrollment of the converted private school for the most recently completed school term before the date of the proposed conversion to a charter school reflects the racial composition of the local school district in which the converted private school is located

2. *Curriculum and Instructional Model*

The charter school's educational program must include how it will meet or exceed the academic performance standards and expectations, including academic standards adopted by the State Board of Education and how the instructional design, learning environment, class size and structure, curriculum, and teaching methods enable each pupil to achieve these standards per S.C. Code Ann. § 59-40-60 (F)(5).

There should be a research basis for selecting a particular curriculum. In addition to obtaining information from the publisher, research is available online at ERIC (<http://www.eric.ed.gov>) and the What Works Clearinghouse (<http://ies.ed.gov/ncee/wwc/>). The research should support using the curriculum with the student body that the proposed school will likely attract, and benchmark assessments should be chosen to align with the curriculum.

All core content areas plus supplemental or elective areas should be described. If certain characteristics of the school culture are critical to the overall educational program (i.e., small school size, character education, and high expectations), the research basis should thoroughly support the unique educational program design.

Charter schools must provide evidence of increased student academic achievement for all groups of students described in Section 1005(2)(B)(xi) of the Every Student Succeeds Act (ESSA). Sponsors must use increases in student academic achievement for all students described in ESSA as the most important factor when determining to renew or revoke a school's charter. Sponsors and charters must enter a contractual agreement that student performance of all students described in ESEA is the most important factor when determining to renew or revoke a school's charter.

If the proposed charter school will serve high school grades, the charter school must offer a high school diploma program, which includes offering a course of study that will lead to the issuance of the state high school diploma. The proposed charter school's program must meet the state's requirements for the high school diploma, including, but not limited to, course unit requirements, seat time for Carnegie units, as applicable, and administration of the required examinations. Charter schools may provide a plan for providing proficiency credit in lieu of meeting the seat-time requirements for Carnegie units. *See* Reg. 43-234. Schools that wish to offer a proficiency-based system must submit a plan that provides procedures for establishing and developing a proficiency-based system, including the method for determining proficiency. Schools are accountable for making sure that the academic standards and the individual learning needs of the students are addressed. **Charter schools may not offer GED preparation programs as they do not meet the state requirements for a high school diploma program.**

If the proposed charter will be virtual or will be a blended model, the application must describe how the charter school will comply with the legislative requirement that 25 percent of instruction will be delivered in "real time" (or regular instructional opportunities) and how much teacher interaction students will receive within the online instruction. The application must describe the process for curriculum alignment with the state standards, including a timeline. At least one course per grade level should be "live," meaning it can be previewed by the SCDE for curriculum alignment; so, a description of the portal and how it works must be included in the narrative. Lastly, the school must describe how it will comply with teacher requirements in S.C. Code Ann. § 59-40-50.

If the charter school is contracting with an external company for online curriculum delivery, the application must describe the company's history in the field of virtual education and its success.

After approval of the charter school application, virtual schools must submit their courses for review in accordance with 2 S.C. Code Ann. Regs. 43-601. Note: the 2013 amendments to S.C. Code Ann. Regs. 43-601 transferred the responsibility for course approval to the sponsor.

Narrative Requirements

a) Instructional Model

1. Provide an introduction and summary of the educational program to include an overview of the curriculum and instructional design, the guiding educational philosophy, and how the educational program aligns to the mission of the school; included should also be an explanation of how the education program will improve student learning. Be sure to address any non-negotiable elements of the school model, including any distinctive learning or teaching techniques to be used. Briefly describe the evidence that promises success for this program with the anticipated student population.
2. A description of how the educational program is research-based and data-driven including why the selected curriculum was chosen for the anticipated population of students.
3. An explanation of how the charter school will meet or exceed the academic performance standards and expectations, including how the school will ensure alignment with the academic standards adopted by the State Board of Education.
4. Describe the methods, systems, and development teachers will have available for adapting the curriculum and instruction to meet the needs of all students. Describe the school's Response to Intervention (RtI) plan and what specific social-emotional and academic supports teachers will use to support students, including students i) above or below grade level, ii) with disabilities, iii) identified as gifted and talented, and iv) requiring English learners (ELLs) services.
5. Discuss the systems and structures the school will implement for students at risk of dropping out or not meeting grade level or graduation requirements.
6. High school grades, if applicable: describe how the school will meet the state's graduation (exit) requirements. Explain how students will earn credit hours, how grade-point averages will be calculated, what information will be on transcripts, and what elective courses will be offered. If graduation requirements will exceed state and district standards, explain the additional requirements.
7. **Additional Requirements for Replication Schools:**
 - Describe any changes in instructional methodology and strategies in your new school. Why are these changes being implemented? How will you know if they create the intended impacts and create rigorous instruction?
 - Explain the organization's approach to replicating and implementing the curriculum and instructional design among multiple schools.
 - How will you ensure the fidelity and consistency of your instructional methodology and strategies across sites?

b) Educational Structure

8. A description of any unique features, such as a non-traditional school year, longer school day, key partner organizations, multiple campuses, school culture, etc.
9. The proposed charter school's grade levels or non-graded education groupings appropriate for the targeted population (outline the groupings and how they are categorized, i.e. age levels and/or education levels) to be served at build-out, the grade levels non-graded education groupings upon opening, and the growth plan (if the school does not plan to initially open with all grade levels non-graded education groupings).
10. The size of the school at full capacity, including the number of classes per grade level and the number of students per class.
11. Describe the basic learning environment (e.g., classroom-based, independent study), including class size and structure.
12. Describe the structure of the school day and school week for each division. Include the number of instructional hours/minutes in a day for core subjects such as language arts, mathematics, science, and social studies. Note the length of the school day, including start and dismissal times. Provide the minimum number of hours/minutes per day and per week that the school will devote to academic instruction in each grade. **As appendix item F, include the school calendar and daily schedule for the Academic year for each division of the proposed school.**
13. Explain how the instructional design, learning environment, class size and structure, curriculum, teaching methods, and schedule will be optimal for student learning and how it will support the mission of the school.
14. A brief description of the average school day for a prospective student. How would their experience set itself apart from the average school day at nearby schools?
15. A description of the teacher lesson planning process. What planning tools will teachers use to prepare lessons?
16. Describe a typical day for a teacher of a grade that will be served in the first year of operation. If, particularly for a virtual or alternative school, a "typical" day will vary widely, also explain the boundaries of that variation.

c) Professional Development

17. Identify the person(s) or position(s) responsible for overseeing professional development (PD).
18. Discuss the core components of the school's PD plan for all staff (all teachers, leaders, other staff) and how they will support effective implementation of the educational program.
19. Provide a schedule and explanation of professional development that will take place prior to school opening. Explain what will be covered during this induction period and how teachers will be prepared to deliver any unique or particularly challenging aspects of the curriculum and instructional methods.
20. Describe the expected number of days/hours for professional development throughout the school year, and explain how the school's calendar, daily schedule, and staffing structure accommodate this plan. Include time scheduled for common planning or collaboration.
21. How does professional development align with the vision and core academic priorities of the school? How will the effectiveness of PD be evaluated? When teachers have time for common planning or collaboration? How will this time be used?
22. An explanation of how the school calendar, daily schedule, and staffing structure will help

facilitate sufficient time to conduct, reviews, and provide guidance on professional development and growth.

23. Additional Requirements for Replications Schools:

- Describe any shared PD across campuses. Who will be responsible for developing, leading, and evaluating any shared PD?

d) Virtual Charter Schools – A virtual charter school is a charter school whereby students are taught primarily through online methods; however, at least 25 percent of the instruction in core areas as defined in Section IV(E)(1) of SC SBE Regulation 43-601. If the proposed charter school is a virtual charter school, the following additional information must be submitted as part of the application:

24. List of currently developed courses that are ready for curriculum alignment;
25. Access to one course per level that can be previewed by the SCDE to assess depth of work necessary for curriculum alignment;
26. A description of how the proposed charter will comply with the 25 percent real time requirement;
27. A timeline of how curriculum development will be completed and then approved by the SCDE;
28. A description of how much teacher interaction students will receive within the online instruction;
29. A description of the portal used and how it works;
30. A description of how the applicant plans to comply with the teacher requirements in S.C. Code Ann. § 59-40-50.

Appendix Item(s):

- F. School Calendar and daily schedule for the Academic year for each division of the proposed school (elementary, middle, and high as applicable); must reflect a minimum of 180 instructional days per year and six hours of instructional time per day, or its equivalent weekly (S.C. Code Ann § 59-1-425).
- G. Supporting Documents for the described educational program – if needed, the applicant may include supporting documents to supplement their outlined educational program as “Appendix Item E”
- H. List of Teaching Positions, grade(s), and content areas the teachers will instruct and the required qualifications/certifications
- I. Virtual School List of courses (if applicable)

3. *Serving Students with Disabilities and Special Populations*

As public schools, charter schools must open their enrollment to *any* student and must provide a free appropriate public education (FAPE) by offering special education and related services as needed for students with disabilities. To ensure a FAPE and a continuum of services, including transition and technical assistance, will be provided in the initial year of operation, the application must include either a budget that reflects the employment of at least one appropriately certified special education teacher starting with the initial year or the agreement reached for the provision of special education and related services between the school and the sponsor. The applicant's plan should follow the policy established by their proposed sponsor.

In addition, a charter school application must demonstrate that the educational program is designed to enable each student to achieve the charter school's stated student achievement goals and academic performance standards. The application requires a clear indication that the prospective charter school understands requirements of the Individuals with Disabilities Education Improvement Act (IDEA) of 2004, Section 504 of the Rehabilitation Act, the Americans with Disabilities Act, and Title III of the Elementary and Secondary Education Act (ESEA) and plans to comply with these requirements, which includes appropriately certified personnel, documentation, assessments, adaptations, and modifications.

In this section of the application, the applicant will not only address how they will serve students with disabilities. The applicant will also address how the proposed charter school will meet the diverse needs of special student populations that require additional supports to include: ELLs, high achieving/gifted students, homeless, military, etc.

Narrative Requirements

1. Identify the types and size of the various special populations that the school expects to serve and the basis for these assumptions;
2. Discuss how the curriculum, daily schedule, staffing plans, and support strategies and resources of the proposed educational plan will meet diverse needs of any special populations or any modifications to the educational plan that will be made in order to do so;
3. Describe the school's plan to provide a continuum of services in the least restrictive environment;
4. Clearly define the roles and responsibilities, as well as provide an explanation of the partnership between the proposed charter school and the potential sponsor;
 - *Include an explanation of any contracted services between the proposed school and a local district*

Appendix Item(s):

- J. Agreement with Sponsoring District for Special Education Services (if applicable)

4. *Goals, Objectives, and Assessment Plan*

The charter school's goals, objectives, and academic performance standards must be clearly described in the application and must meet or exceed the academic performance standards and expectations, including academic standards adopted by the State Board of Education.

The charter school's goals and objectives, along with the strategies to meet such goals, must be clearly described in the application. While it is understood that before the school is established, there are no actual baseline test scores, attendance rates, or other data, an applicant can use the residential district average as a baseline and/or state that a baseline will be established in the first year of operation. **NOTE:** Some, but not all goals and objectives should utilize standardized test data that aligns with the state accountability system. Goals and related objectives may include indicators for students served over multiple years to document growth and educational program outcomes.

The proposed charter school should develop measures or indicators aligned with their mission for which they will be held accountable. These goals and objectives will be used to measure the progress of the school in advancing its mission. Such indicators may include school climate or culture. Be sure to include only realistic and achievable measures, as these additional indicators will become a part of the school's accountability plan.

A charter school application should include a clear plan for evaluating pupil performance across the curriculum. This plan should align with state performance standards, as well as with the school's pupil performance goals, and should be presented along with a clear timeline for achieving these standards/goals. A clear explanation of the types of assessments and frequency of administration should be included, reflecting the thoughtfulness given to tracking student progress while still preserving as much class learning time as possible. A plan for the use of data gathered through assessments should include procedures for taking corrective action (both individually and collectively) if pupil performance falls below expected standards.

A quality assessment plan will include summative (end-of-year) assessments and formative (more frequent, end-of-unit) assessments to track student skill and knowledge development. The plan should include how this data will be used to guide professional development of teachers as well as how this data will be used to guide refinement of the curriculum. When developing the assessment plan, consideration should be given to the appropriateness of assessments to the curriculum, what will serve as the baseline for student progress comparisons, and the inclusion of state and federal assessments to demonstrate appropriate student growth. See the SCDE website for the most recent student assessment information at <http://ed.sc.gov/agency/ac/Assessment/>.

Narrative Requirements

1. Outline goals that are appropriate and manageable and will provide evidence that the school is advancing its mission and meeting the purpose of S.C. Code Ann. § 59-40-20 including closing achievement gaps, as applicable. Goals should be specific, measurable, attainable, realistic of the school's mission, and time-based (SMART).
2. A summary of test scores, attendance rates, or other data of the residential district which will be used as a baseline or an explanation of how the applicant intends to establish a baseline in the first year of operation (assessment plan to include which assessment(s) will be used and at what point in the school year they will be administered).

3. Strategies to meet the goals and objectives that reference the educational program section.
4. A description of the diagnostic, formative, and summative assessments including state-mandated assessments with baseline data gathering and details on the types of assessments. Discuss why the assessments were chosen, the plan to administer the selected assessments, and how the results will be used to inform instruction. The description should also address how the data will be used to measure and evaluate academic progress – of individual students, student cohorts, and the school as a whole – throughout the school year, at the end of each academic year, and for the term of the charter.
5. A plan to monitor progress toward meeting the goals and objectives of the school and how the school will make modifications based on data, including revising and redirecting professional development and instruction.
6. Identify the resources (technology, personnel, staff development) that will be needed to successfully implement the proposed assessment plan. Who will be responsible for analyzing and interpreting academic data and communicating student achievement data to the board? Who will communicate student achievement data to parents?
7. **Additional Requirement for Replication Schools:**
 - Please provide a brief description of the school’s recent academic performance. In particular, were the goals that were set met? If not, describe the corrective action plan used to address those goals which were not met.
 - Discuss any achievement gaps that were present at the school and how they were addressed.

Appendix Item(s):

No documents are needed here.

II. Organizational Plan and Capacity

1. Governing Board

In accordance with the South Carolina Charter Schools Act (S.C. Code Ann. § 59-40-50 (B)(9)), the number of members on a charter school board cannot be less than seven but may be more as set by the bylaws. Members of a board of directors may serve a term of two years and may serve additional terms. A choice of the membership of the board must take place every two years. Fifty percent of the members of the board as specified by the bylaws must be individuals who have a background in K–12 education or in business, and the bylaws of the charter school also must provide for the manner of selection of these members. In addition, at least 50 percent of the members of the board, as specified by the bylaws, must be elected by the employees and the parents or guardians of students enrolled in the charter school. Parents or guardians shall have one vote for each student enrolled in the charter school. All members must be residents of the state of South Carolina. A person who has been convicted of a felony must not be elected to a board of directors. If the board of directors consists of an odd number of members, the extra member must be an individual who has a background in K–12 education or in business. Charter boards must comply with the Freedom of Information Act (FOIA). For FOIA information, see <http://www.scstatehouse.gov/code/t30c004.php>. Required governing documents, such as articles of incorporation and bylaws define the authority that rests in the charter school governing board.

The charter school application must show evidence that the school has filed articles of incorporation with the Secretary of State. The articles and bylaws define the authority that rests in the charter school governing board and, in essence, “who holds the charter.”

Narrative Requirements:

1. Identify the key members of the founding group/planning committee. Key members are individuals who will play a substantial and ongoing role in the school’s development, governance and/or operation, and thus will share responsibility for the school’s outcomes. Provide a brief biography of each member, highlighting what experience they will bring to the proposed school and any leadership experience and credentials.
2. Describe how and why the founding group/planning committee decided to form a school in South Carolina.
3. Describe the model or philosophy of governance that will guide the board (*the identified model/philosophy should serve as a guide to the board but this question is not requiring the board to formally adopt a specific model/philosophy*).
4. Describe the governance structure of the proposed school, including the primary roles, powers, and duties of the governing board and how it will interact with and evaluate the school leader. Include the nature and extent of involvement by key stakeholder groups. Explain how this structure and composition will ensure that the school will be an educational and operational success and that there will be an active and effective representation of key stakeholders. Describe the desired size and composition of the future governing board. *Note: The composition of the board must be aligned with the requirements stated in S.C. Code Ann. § 59-40-50 (B)(9).*
5. Describe how governance will transition from the charter committee to the governing board in the first year of operation.

6. Describe the process to appoint or elect new members of the board, including when and in what manner elections will be held that ensure proper participation of parents and/or employees of the school in voting in a manner that is consistent with the school's by-laws. How will the board expand and develop over time? How and on what timeline will new members be recruited and added, and how will vacancies be filled? What are the priorities for recruitment of additional board members?
7. Describe plans for building the capacity of the governing board and professional development plans. What kinds of orientation or training will new board members receive, and what kinds of ongoing development will the existing board members receive? The plan for training and development should include a timetable, specific topics to be addressed, and any requirement to participate
8. Describe the relationship of the governing board to the school's administrators, staff, parents, and students.
9. Describe any advisory bodies or councils that are in place or will be formed, including the roles and duties of each. For each identified group describe:
 - a. Its current and/or planned composition and the strategy for achieving that composition; and
 - b. The role of parents, students, and teachers, as applicable, and community members.
10. **Additional requirements for Replication Schools:**
 - a. How will the governance structure of the new school relate to the school which is being replicated?

Appendix Item(s):

- K. Charter Committee—resumes of charter committee members
- L. Bylaws must reflect the SC Nonprofit Corporation Act and should clearly include:
 - The election process of the governing board, including when elections will occur and the voting procedures. Procedures should include that parents/legal guardians will have one vote for each student enrolled in the school. In addition, each employee will have one vote.
 - Detailed plan for dissolving the charter committee and instituting the first governing board. Procedures should specifically describe how nominations will be taken, when the vote will occur, how eligible voters will cast their ballots, and when training will be provided for these governing board members.
 - Explanation of powers and duties, size, terms, composition, qualifications, term limits, officer positions and duties, election procedure, vacancy replacement, minimum number on the board, quorum and decision-making process, how board members are elected or appointed, and when this takes place.
 - An explanation of the proposed board meeting frequency and focus, and the role of any standing subcommittees.
 - A description of the relationship between the governing board and the school administrator, which includes the amount of authority the governing board will convey to the school administrator.
 - A statement that the proposed charter school and its governing body will comply with the FOIA.
- M. Articles of Incorporation and signed Certificate of Incorporation.

N. Organizational Chart (include school administration, employees, and the relationship to the sponsoring district).

2. *Education/Charter Management Contracts*

Complete this section only if the proposed charter school intends to contract with an EMO/CMO.

It is important for the charter school's committee to research their EMO/CMO options if they intend to contract with an EMO/CMO for the proposed charter school.

The application must contain evidence that the selected EMO/CMO is authorized to conduct business in South Carolina. The application should include how and why the EMO/CMO was selected and should present detailed evidence of the EMO's/CMO's success in serving student populations similar to the targeted student population, including demonstrated academic achievement as well as successful management of non-academic school functions (e.g., back-office services, school operations, extra-curricular programs). If the EMO/CMO does not have other schools open under their portfolio, please explain why you believe this EMO/CMO could run a high-quality charter school.

The application should describe the duration of the proposed contract and define the roles and responsibilities of the EMO/CMO in relation to the charter school's board of directors and the employment of school personnel, specifically the Head of School. The scope of services and resources to be provided by the EMO/CMO should be included, along with the fees to be paid to the EMO/CMO for those services. Describe the conditions for renewal and termination of the contract.

Narrative Requirements:

1. Describe how the partnership between the applicant board and EMO/CMO originated: was the applicant recruited by an EMO/CMO to form a board or did the board conduct a search for an EMO/CMO; what due diligence was conducted (were other management organizations considered and why was the decision made to partner with this particular organization).
2. Describe the oversight and evaluation methods that the school's governing board will use to oversee the EMO/CMO; include the supervisory responsibilities of the EMO/CMO (if any), including which school employees the EMO/CMO will supervise, how the EMO/CMO will supervise these employees, and how the charter school board will oversee the EMO/CMO's responsibilities.
3. Provide evidence that the school's governing board is independent from the EMO/CMO and self-governing, including evidence of independent legal representation and arm's-length negotiating.
4. Describe any existing or potential conflicts of interest between the school's governing board, proposed school employees, proposed EMO/CMO, and any affiliated business entities.
5. List all subsidiaries or related entities that are affiliated or owned in whole or in part by the EMO/CMO, and identify the nature of those entities' business activities and explain whether the school has or will have any relationship with or receive any services from any of the entities listed in the previous question.
6. Describe and provide documentation of any loans, grants, or investments made between the EMO/CMO and the school, including an explanation of how any such loans, grants, or investments may be initiated, repaid, and refused by the school.

7. Describe the plan for the operation of the school in the event of termination of the management agreement.
8. If the following are not included in the contract, address each one accordingly in the narrative:
 - If the school’s governing board intends to execute promissory notes or other negotiable instruments, or enter into a lease, lease-purchase agreement, or any other facility or financing relationships with the EMO/CMO, provide evidence that such agreements are separately documented and not part of or incorporated in the school management contract. Any facility or financing agreements must be consistent with the school governing board’s authority and practical ability to terminate the management agreement and continue operation of the school.
 - Describe the respective financial responsibilities of the school’s governing board and the EMO/CMO. Who will own property purchased with public funds? Which operating and capital expenditures will each party be responsible for? What types of spending decisions can the management organization make without obtaining board approval? What reports must the EMO/CMO submit to the board on financial performance, and on what schedule? How will the school governing board provide financial oversight?
9. Explain the EMO/CMO’s success in serving student populations similar to the target population of the school. Describe the organization’s demonstrated academic track record as well as successful management of non-academic school functions (e.g., back-office services, school operations, extracurricular programs).
10. List all schools currently or formerly operated by the EMO/CMO. Identify those schools that serve the same grade levels and student populations demographically similar to the anticipated population of the proposed school. Include name, year opened, contact information, location, number of students, and contact information for the authorizer for each currently operating school.
11. State accountability data for the schools in comparable markets (if available) managed by the EMO/CMO for at least the last three years including performance data for all subgroups served by grade level; data demonstrating the schools’ progress in closing within school and within comparable schools’ achievement gaps; and any additional evidence that the existing design has been effective in raising student achievement.
12. List and describe any management contract terminations as well as any charter revocations, non-renewals, or withdrawals/non-openings that the proposed EMO/CMO has experienced in the past five (5) years.
13. Describe any current or past litigation that has involved the EMO/CMO or any school it operates.
14. **Additional requirements for replication applications:**
 - Describe any key educational features that will differ from the operator’s or management provider’s existing schools or schools proposed for replication, not previously mentioned above. Explain the rationale for the variation in approach and any new resources the variation would require.
 - Discuss the results of past replication efforts and lessons learned – including particular challenges or troubles encountered; how you have addressed them; and how you will avoid or minimize such challenges for the proposed schools.

Appendix Item(s):

If applicable, include the following corresponding information:

O. EMO/CMO Documentation:

1. Term sheet – for the proposed management of the charter school to include clear performance measures and contract severance provision(s)
2. Conflict of Interest Form(s) –for any individual of an EMO/CMO with which the planning committee plans to partner
3. Proposed EMO/CMO Management Agreement/Contract to include:
 - i. the scope of services and costs of all resources to be provided by the EMO/CMO;
 - ii. the compensation structure and payment schedule, including clear identification of all fees, bonuses, and any other compensation to be paid to the EMO/CMO;
 - iii. the term (duration) of the management agreement? Explain the conditions and procedures (including time frames, notice, and decision-making procedures) for renewal and termination of the contract. How often will the management agreement be renewed; and
 - iv. the conditions that both the EMO/CMO and the school must satisfy for the management agreement to be renewed. On what grounds may the EMO/CMO or the school terminate the management agreement for cause, and without cause? List any indemnification provisions in the event of default or breach by either party.
4. Copy of EMO's/CMO's SC business license
5. Draft copy of employee contract
6. Copy of the EMO/CMO employee policy manual
7. Evidence of the financial health of the EMO/CMO – include the most recent independent financial audit report of the organization and its most recent annual report.

3. *Administrative Structure/Building Leadership*

The application should include a description of the administrative structure/building leadership of the charter school.

Narrative Requirements:

1. Describe the administrative structure of the school.
2. Describe the capacity and experience that will be sought for school leadership and management team members along with job descriptions of the administrative positions, including the school leader and any other administrative staff with a clear delineation of employee classification and who is responsible for employment decisions and oversight at each level. Explain how the capacity of the school's administrative team is tied to the mission, organizational sustainability, and student achievement.
3. Describe how a lead administrator will be hired and how the transition of leadership and charter committee responsibilities will happen.
4. Describe the nature and extent of parental, professional educator, and community involvement in the operation of the charter school.
5. Describe the capacity building plan for leadership and staff development with funding reflected in the budget.
6. Describe the process of evaluating the school leader and management company (if applicable).
7. **Additional Requirement for Replication Schools:**
 - Describe any involvement with the replication of existing successful public charter schools.

Appendix Item(s):

- P. Sample job descriptions (for administrators and key employees)
- Q. A school start-up plan

4. *Employees*

The application must provide an explanation of the relationship that will exist between the charter school and its employees. This must include evidence that the terms and conditions of employment are addressed with affected employees and their recognized representative, if any. In addition, proposed employment policies should be included. If the charter will contract with an EMO, the relationships between the school and the employees must be clearly stated in the application.

As charter schools are, by statute, public schools, employees of charter schools are public employees. Charter schools and their employees can, but are not required to, participate in the state retirement fund. **If a charter contracts with an EMO, then those employees are not considered public employees and therefore do not qualify for state retirement or state benefits.**

Charter school law provides flexibility in hiring teachers, allowing a newly created charter school to hire noncertified teachers, not to exceed 25 percent of its faculty. A converted charter school may hire noncertified teachers, not to exceed 10 percent of its faculty. A noncertified teacher must be appropriately qualified for the subject matter taught, must have completed at least one year of study at an accredited college or university, and must meet the qualifications outlined in S.C. Code Ann. § 59-25-115. Elementary certified teachers may teach in any academic area and in any grades allowable by the status of their certification.

Charter schools must adopt an evaluation program for teachers; charter schools may elect to use the ADEPT Evaluation System, South Carolina TAP or adopt an evaluation program submitted for approval by the Office of Teacher Effectiveness.

The application must include a description of a reasonable grievance and termination procedure, including notice and a hearing before the governing body of the charter school. The application must state whether or not the provisions of Article 5, Chapter 25, Title 59 apply to the employment and dismissal of teachers at the charter school.

Teacher Employment and Dismissal Procedures

1. If the school will adopt the procedures for the employment and dismissal of teachers outlined in S.C. Code Ann. § 59-25-410 *et seq.* (2004), include a letter of agreement from the sponsor as Appendix Item R.
2. If the school does not adopt the procedures outlined in S.C. Code Ann. § 59-25-410 *et seq.* (2004), explain the school's employment and termination procedures that will provide for notice and a right to a hearing before the governing board.

Narrative Requirements:

1. Describe the criteria that will be used in hiring teachers, administrators, and other school staff.
2. Describe the recruitment strategies that will be employed to achieve the desired quality of staff.
3. Include a statement that the school will ensure that at least one member of the administrative staff holds a current SC certification of administration or has at least one year of experience in the field of school-based administration.

4. Describe the proposed evaluation process for teachers. Charter schools may use the ADEPT Evaluation System, SC TAP, or another evaluation system that has been approved by the Office of Teacher Evaluation.
5. Describe the process the school will use to communicate its employment policies and any policy changes.
6. Describe the grievance and termination procedures for the charter school's employees.

Appendix Item(s):

- R. Letter of Agreement from Sponsor Regarding Compliance with S.C. Code Ann. § 59-25-410 *et seq.* (2004), if applicable

5. *Enrollment*

The admission policies and procedures must reflect compliance with 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.

The admission policies and procedures must provide that, subject to space limitations, the charter school admits all students who are eligible to attend public school in the school district where the charter school is operating. For schools sponsored by the SCPCSD and the board of trustees or area commission of a public or independent institution of higher learning, the enrollment is open to all students who are eligible to attend public school in the state. If the number of applications exceeds the capacity of a program, class, grade level, non-graded education groupings, or building, students must be accepted by lottery, as specified in federal or state guidance. There is no appeal to the local school board of trustees.

The policies and procedures must not limit or deny admission or show preference to any individual group, except if the application is to create a single-gender charter school.

Enrollment priorities may include:

- A sibling of a pupil currently enrolled and attending or who, within the last six years, attended the school for at least one complete academic year.
- Children of charter school employees and children of the charter committee (these students may not exceed 20 percent of the enrollment of the charter school).
- For a public conversion school, admission priority must be given to all students enrolled in the school prior to the conversion and those that live in the attendance zone in future years.
- In the case of a charter school designated as an Alternative Education Campus, pursuant to (S.C. Code Ann. § 59-40-111), mission-aligned preference may be given to educationally disadvantaged students as specifically defined in their charter and charter contract approved by their sponsor and as allowed by the ESSA.

Policies and procedures must include provisions to grant or deny permission for students to attend the charter school if they reside in a school district other than the one where the charter school is located. This is not applicable to schools sponsored by the SCPCSD or the board of trustees or area commission of a public or independent institution of higher learning.

- If a charter school denies admission to a student for reasons other than the results of a lottery, the student may appeal the denial to the sponsoring district. The decision will be binding on the student and the charter school.
- In-district students will be given priority.
- Out-of-district student enrollment must not exceed 20 percent of the total enrollment of the charter school without the approval of the sponsor's board of trustees. The sending district must be notified immediately of the transferring students. Out-of-district students must be considered on the basis of the order in which their applications are received.
- If the 20 percent of out-of-district students are from one school district, then the sending district must concur with any additional students transferring from that district to attend the charter school.

The application must describe how the charter school intends to ensure that the enrollment of the school reflects that of the local school district in which the charter school is located or that of the targeted student population of the local school district that the charter school proposes to serve, to be defined for the purposes of this chapter (S.C. Code Ann. § 59-40-50) as differing by no more than twenty percent from that population. The application must demonstrate timely, fair, and realistic procedures for recruiting, registering, and admitting students that reflect the racial composition of the school district or the targeted school population.

If the sponsoring district is under a desegregation order or plan by the U.S. Department of Education's Office of Civil Rights, the applicant must provide assurance that the school will comply with the plan or order. To ensure compliance with a desegregation plan or order, the charter school applicant should request and receive a letter from the sponsor indicating whether the school will be subject to any desegregation plan or order.

For a prospective charter school that is subject to a desegregation plan or order, the application should demonstrate that the charter school's policies and procedures are in compliance with the desegregation plan or order. The school must request and receive an additional letter from the sponsor that indicates whether the charter school's proposed policies and procedures are in compliance with the desegregation plan or order in effect in the district or whether clarification must be received from the U.S. Department of Education's Office for Civil Rights.

Narrative Requirements:

1. Describe the policies and procedures that will guide the enrollment and withdrawal of students, including the proposed timeline to reach a diverse student population, processing of applications, lottery process if needed, and the appeal process for a student who is denied admission for a reason other than the lottery;
2. Describe the recruitment strategies that will be utilized. Provide a rationale for each one.
3. Explain how the community will receive information about the formation of a new charter school and any upcoming lottery and enrollment deadlines;
4. Explain the notification of placement process and the timeline for parents to accept the placement or not;
5. Describe any enrollment priorities that will be granted by the school consistent with state charter school law.
6. Explain how the school intends to enroll out-of-district students, including estimated percentage of enrollment, notification to sending district, and approval procedures for receiving and sending districts (not applicable if applying with the SCPCSD as sponsor); and
7. Describe how the proposed charter school intends to ensure that enrollment reflects that of the local school district in which the charter school is located or that of the targeted student population of the local school district that the charter school proposes to serve, to be defined for the purposes of this chapter as differing by no more than 20 percent from that population.

Appendix Item(s):

- S. Letter(s) from Sponsoring District Regarding Desegregation Plan or Order (if applicable)

6. *Student Conduct, Rights and Responsibilities*

The charter school application must include a description of student rights and responsibilities, including behavior and discipline standards, and a reasonable hearing procedure. The application must set forth an appeal process for students recommended for expulsion that includes a right to appeal a decision to the charter school board.

The charter school application must include a policy governing student conduct, student rights and responsibilities, and student discipline standards and procedures. The policy must set forth disciplinary actions to be taken by the administration for breaches of the student conduct policy.

The application must set forth an assurance that the charter school will comply with S.C. Code Ann. § 59-63-235 (Supp. 2001), which provides for the expulsion of any student who brings a firearm to school.

The application must include an assurance that the charter school will comply with the Family Education Rights and Privacy Act (20 U.S.C. § 1232).

The application must contain the explanation of the policies with regard to student conduct, rights, and responsibilities that will be given to parents and students at the beginning of the school year.

Note that under The Individuals with Disabilities Act (IDEA) of 2004, the continued provision of FAPE for a student with a disability who is expelled from a public school remains with the LEA. The sponsor may have a policy or agreement with the charter schools within the LEA that puts the obligation on the school to ensure the continued provisions of a FAPE for expelled students. The SCDE, however, is required to hold the LEA responsible for the education of that student.

Narrative Requirements:

1. Describe the process and timeline for developing a student handbook and related policies; ensure that the discipline policy **complies** with the Family Education Rights and Privacy Act (20 U.S.C. § 1232) (FERPA).
2. Describe the student rights and responsibilities, including behavior and discipline standards and disciplinary actions to be taken by the administration for breaches of student conduct policy.
3. Provide a reasonable appeal process for students recommended for expulsion that includes a right to appeal a decision to the charter school board, including notice and hearing procedures for the board of directors of the charter school.
4. Provide the process for addressing IDEA compliance regarding student discipline, suspension, and expulsion for students with IEPs and the continued provision of FAPE and a description of how the school will identify and address significant behavioral concerns, specifically as it relates to students with disabilities.
5. Discuss how the proposed plan protects students' rights including due process. How will the school ensure that the discipline policy does not disproportionately affect students with disabilities? Include the school's plans for conducting discipline hearings.

Appendix Item(s):

- T. A draft policy governing student conduct, student rights and responsibilities, and student discipline standards and procedures that meet state law. Include the hearing procedures for the charter board appeals process for students recommended for expulsion. Must also comply with S.C. Code Ann. § 59-63-235, which provides for the expulsion of any student who brings a firearm to school.

7. *Transportation*

The SC Charter Schools Act of 1996 does not require charter schools to provide transportation for students but does allow for a charter school to enter into a contract with a school district or private provider to provide transportation to the charter school students. ***The law does, however, require an applicant to describe how the charter school plans to meet the transportation needs of its students.***

If the charter school will provide transportation by school bus, the application must include a plan that complies with the state requirements for drivers and training and the state safety requirements for school buses. If the charter school intends to contract with the district or a third party for transportation services, a description of those services and a proposed contract must be provided in the application. A charter school is not required to provide or facilitate transportation for students. If the lack of transportation is preventing students from attending, the charter school should provide a plan to address their transportation needs.

Narrative Requirements:

1. Discuss the plan which will be put in place if the school is planning to provide transportation by school bus (must comply with state regulations for driver and training and the state safety requirements for school buses).
2. Discuss the proposed transportation service if the school intends to contract with the local school district or a third party.
3. Regardless of the applicant's intention to contract with a third party for transportation services, describe how the proposed charter school plans to address the transportation needs of its students and, in particular, if the lack of transportation is preventing a child from attending school.

Appendix Item(s):

- U. Transportation Services Contract (if applicable)

III. Business Plan

1. *Budget and Finance*

The application should provide evidence that the plan for the charter school is economically sound, a proposed budget for the term of the charter, and a description of the manner in which an annual audit of the financial and administrative operations of the charter school, including any services provided by the sponsor, is to be conducted.

The proposed budget should be based on reasonable estimates that reflect choices made throughout the rest of the charter application. In nearly all cases, the combination of facility costs, insurance, instructional materials, and staff salaries/benefits represents the bulk of spending in charter schools. As such, close attention should be paid to these areas. In addition to these areas, other items that need to be planned for financially include special education, various professional services, classroom supplies and materials, general supplies and materials, liability insurance, and more. The budget must be based on documented State Department of Education estimated revenues in accordance with the allocations in S.C. Code Ann. § 59-40-140(A)-(C). Please contact Desiree Williams, at DAWilliams@ed.sc.gov to submit a request for a SCDE Per Pupil Estimate Review.

The budget and financial plan for the proposed charter school must include a five-year detailed budget and ten-year budget plan for revenues and expenditures. The plan should demonstrate diligent financial practices, clear alignment to the other components in the application, and strong oversight.

Provide documentation regarding the pupil accounting system, including evidence that the school will adhere to the procedures and regulations that are applied to public schools operating in South Carolina. The pupil accounting system must comply with the principles included in the *South Carolina Pupil Accounting Manual* and the *South Carolina Student Accountability Manual*, published by the SCDE at <https://ed.sc.gov/finance/financial-services/manual-handbooks-and-guidelines/>.

Include a summary of any negotiated services to be provided by the proposed sponsor (local school district, the SCPCSD, or the institution of higher education/technical college), including but not limited to financial accounting, payroll services, food services, custodial services, maintenance, curriculum, library and media services, and warehousing.

In accordance with the South Carolina Charter Schools Act (S.C. Code Ann. § 59-40-50(B) (3)), a charter school must adhere to the same financial audits, audit procedures, and audit requirements as are applied to public schools. Also, in accordance with S.C. Code Ann. § 59-40-230(E) (10), a charter school must procure an outside annual certified financial audit on funds and submit it to the SCDE as required. As a charter school is a component unit of the sponsor, the audit report is required to be submitted to the sponsor to incorporate the school's audit report in the sponsor's audit report. Additionally, if a charter school receives more than \$750,000 in federal funding, the school is required to have a single audit.

Narrative Requirements:

Include the following in this section:

1. Describe the applicant team's individual and collective qualifications for implementing the Financial Plan successfully, including capacity in the following areas: financial management; fundraising and development; and accounting and internal controls.
2. Discuss how the proposed budget will support the mission, vision, and educational program of the school. Describe how the proposed 5-year and 10-year budget support the successful implementation of the school's educational program and increasing student achievement. Highlight any unique instructional strategies or curricular components and how they will be funded. Explain the school's data-driven decision-making process in regards to resource allocations.
3. A detailed description of budget assumptions, calculations, and revenue estimates. The narrative should include, at minimum, the basis for revenue projections, staffing levels, and costs. Provide specific evidence supporting assumptions and/or describe the source of estimated amounts wherever possible.
4. Describe any applicable state and federal money funding sources. Clearly address the degree to which the school budget will rely on variable income (e.g., grants, donations, fundraising). Indicate the amount and sources of funds, property, or other resources expected to be available through banks, lending institutions, corporations, foundations, grants, etc. Note which are secured and which are anticipated, and include evidence of commitment for any funds on which the school's core operation depends.
5. Provide a summary of any negotiated services to be provided by the proposed sponsor (local school district, the SCPCSD, or the institution of higher education/technical college), including but not limited to financial accounting, payroll services, food services, custodial services, maintenance, curriculum, library and media services, and warehousing.
6. Explain how the school will remain fiscally solvent, adhere to generally acceptable accounting practices, have no material breaches, address any financial concerns, and follow the South Carolina pupil accounting system, auditing, and reporting procedures.
7. Describe how the school will maintain its books and records according to generally accepted accounting principles and will create an appropriate system of internal control.
8. Discuss planned client subcontracts to outside providers (if applicable).
9. Discuss the process the school will follow to contract with a certified public accountant to conduct an annual, independent financial audit and to disseminate the results from the audit to the school district and required state agencies.
10. Indicate if the school plan to offer South Carolina Retirement System benefits to its employees? If so, describe the planning committee's understanding of the costs and restrictions associated with such benefits and how the school's budget will absorb applicable costs from year to year.
11. Discuss the school's contingency plans for cash flow challenges, a budget shortfall, lower than expected student enrollment or other financial challenges in the early years of operation.
12. Describe the process of how the annual operating budget will be developed and refined each year based on student achievement data and mission driven priorities. Explain who will be involved in the process and how the budget may be amended during the year.
13. Explain in detail the year one [planning year] cash flow contingency plan, in the event that revenue projections are not met (or not met on time).

Appendix Item(s):

- V. Student Enrollment Projection Form (template provided by the SCDE).
- W. SCDE Per Pupil Estimate Review
- X. Five-Year Detailed Budget (an Excel spreadsheet showing realistic assumptions and their basis, a cash-flow projection of operation, minimum enrollment needed for solvency, and adequate staffing that fits with the application narrative in educational plan and other related sections). **Do not save as a pdf.**
- Y. Ten-Year Budget Plan (an Excel spreadsheet). **Do not save as a pdf.**
- Z. Memorandums of Agreement for Negotiated Services (for any negotiated services to be provided by the sponsor or a third party, if applicable).
- AA. Documentation of any “soft funds,” such as grant money or donations that have been received or are likely to be received.

2. *Facilities*

Charter schools may rent, lease, own, or otherwise finance facility space. In some cases, a school district may have an unused facility; in other cases, a charter school may share space with another tenant. With any facility, building permits, inspections, and a certificate of occupancy are required from the SCDE's Office of School Facilities (OSF) as the building official for all public schools. All facilities must meet applicable building codes, and the OSF is available to review and discuss proposed facilities to evaluate code and other life safety requirements. In addition, contact your community's planning and zoning department for necessary land-use permits and requirements.

Charter schools are required to comply with all traffic management regulations. SC Department of Transportation (SCDOT) School Traffic Engineering will visit and evaluate your site and provide you with traffic requirements for your school traffic. The evaluation may require a traffic study and the charter school is responsible for all costs associated with necessary improvements such as road widening and addition of traffic lanes.

Narrative Requirements:

1. Describe the basic facilities requirements for accommodating your school plan, including number of classrooms, square footage per classroom, common areas, overall square footage, and amenities.
 - Identify any other significant facilities needs not already specified, including: playground, large common space for assemblies and other large group meetings, athletic facilities, and other special considerations (identify and explain).
2. Explain how the facility will meet the needs of students and provide an assurance that it will be accessible to students with physical disabilities.
3. For virtual schools, provide a plan for maintaining student records and school records, including financial records, at a designated central office of operations.
4. If a facility has been identified, include the address of the facility, a description of the facility, and the name and address of the owner of the facility.
 - If entering into a lease agreement, describe the material terms of the agreement. What specific buildout is required? What are those estimated costs?
 - A description of the planning committee's contingency plan should the lease or planned purchase fall through.
5. If a facility has not been identified, specify a plan for obtaining such a facility and include a description of the facility needs, a statement as to whether an existing facility will be remodeled or a new facility will be built, and a schedule for completing or obtaining a suitable facility and, if applicable, a description of and timeline for any plan to raise funds for completing or obtaining the facility.
 - A discussion of the planning committee's process for obtaining facilities.
6. A description how the school's facilities plan is aligned with the projected enrollment growth outlined in the charter application.

Appendix Item(s):

- BB. Floor Plan of Identified Facility, including size in square footage (if applicable)
- CC. Proposed Lease or Rental Agreement (if applicable)
- DD. Documentation from the SCDE's Office of School Facilities (if applicable)
- EE. Documentation from SCDOT School Traffic Engineering (if applicable)

3. *Insurance Coverage*

The application must include a description of the types and amounts of insurance coverage to be obtained by the charter school. The application must address, but is not limited to, the following types of insurance: workers' compensation, liability, property, indemnity, and automotive. **All requirements should be placed in the support documents.**

Narrative Requirements:

All requirements for this section will be in the support documents.

Appendix Item(s):

FF. Insurance Documentation

- Include a description of workers' compensation insurance and the amounts.
- Include a description of liability insurance and the amounts to be obtained by the charter school. The minimum policy must cover the limits of the South Carolina Tort Claims Act (S.C. Code Ann. § 15-78-120 (Supp. 2013)).
- Include a description of the insurance to cover loss to the school building and contents for fire and theft.
- Include a description of indemnity insurance against civil and criminal liability for the charter school to protect the sponsor, the members of the board of the sponsor, and the employees of a sponsor acting in their official capacity with respect to all activities related to the charter school.
- Include a description of automobile insurance and both property and liability insurance.
- Indicate whether the charter school will obtain any other type, or types, of insurance. For each type, include a description and estimated cost of coverage.
- Insurance Documents—for each type of insurance listed, a statement from a South Carolina–licensed insurance company or the state insurance reserve fund stating the charter school applicant's ability to secure the insurance and an estimate of the cost of the insurance, if available.

Appendix Items Information

The table on the following page presents the appendix items that correspond to specific sections of the application. Applicants are encouraged to use this table to ensure that their application includes all required appendix items. Items in the table noted with **, indicate they are required only if applicable.

The first support document is the Signature Certification Page. Print the Signature Certification Page (page 46) and obtain the appropriate signatures from the chair of the charter committee. Note: this form includes certification of the SCDE Statement of Assurances for Charter Schools. Retain the copy of the statement of assurances included in this document (pages 44–45) for your records and ensure that each signatory has a copy of the document. By signing the Signature Certification Page, the signatories assure that they will comply with all the assurances for public charter schools in South Carolina. **The sponsor representative and the charter school committee chair will sign the bottom of this form after the school is approved.**

Once completed, include a copy per the instructions on page 5. **Applications that do not include the signed Signature Certification Page will not be reviewed or considered for approval.**

Application Section	Appendix Item
<i>Section I</i>	<i>Educational Plan and Capacity</i>
Executive Summary	<i>No appendix items in this section</i>
1. Evidence of Need and Community Support	A. Signature Certification Page B. **Evidence of Notification C. Evidence of Support D. **Conversion School Support E. **Private School Support
2. Curriculum and Instructional Model	F. School Calendar and Daily Schedule G. Supporting Documents for Educational Plan H. List of Teaching Positions I. **Virtual School List of Courses
3. Serving Students with Disabilities	J. **Agreement with Sponsoring District
4. Goals, Objectives, and Assessment Plan	<i>No appendix items in this section</i>
<i>Section II</i>	<i>Organizational Plan and Capacity</i>
1. Governing Board	K. Charter Committee L. Bylaws M. Articles of Incorporation N. Organizational Chart
2. Education/Charter Management Contracts	O. **EMO/CMO Documentation
3. Administrative Structure/Building Leadership	P. Sample Job Descriptions Q. School Start-Up Plan
4. Employees	R. **Letter of Agreement from Sponsor Regarding Compliance with S.C. Code Ann. § 59-25-410 <i>et seq.</i> (2004)
5. Enrollment	S. **Letter(s) from Sponsor regarding Desegregation Plan or Order
6. Student Conduct, Rights, and Responsibilities	T. Draft Discipline Policy
7. Transportation	U. **Transportation Services Contract
<i>Section III</i>	<i>Business Plan and Capacity</i>
1. Budget and Finance	V. Student Enrollment Projection Form W. SCDE Per Pupil Estimate Review X. Five-Year Budget Y. Ten-Year Budget Z. **Memorandum of Agreement for Negotiated Services AA. Documentation of any “Soft Funds”
2. Facilities	BB. **Floor Plan of Identified Facility CC. **Proposed Lease or Rental Agreement DD. **Documentation from SCDE’s Office of School Facilities EE. **Documentation from SCDOT School Traffic Engineering
3. Insurance Coverage	FF. Applicable Insurance Documents

Application Cover Page

Access the form at <https://ed.sc.gov/districts-schools/school-choice/charter-schools-program/charter-school-application-information/>.

 <p>SOUTH CAROLINA DEPARTMENT OF EDUCATION</p>	<p>South Carolina Public Charter School Application</p> <p>Cover Page</p>
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Applicant Information

Name of Proposed Charter School: Click here to enter text.
Mailing Address (*if known*): Click here to enter text.
City: Click here to enter text.
State: Click here to enter text.
Zip Code: Click here to enter text.
Name of Applicant Group: Click here to enter text.
FEIN: Click here to enter text.

Contact Information

Enter the name and contact information for the person to be contacted regarding this application.

Title: (select one) Choose an item.
First Name: Click here to enter text.
Last Name: Click here to enter text.
Title/Position: Click here to enter text.
Mailing Address: Click here to enter text.
City: Click here to enter text.
State: Click here to enter text.
Zip Code: Click here to enter text.
Phone Number: Click here to enter text.
Cell Number: Click here to enter text.
E-mail: Click here to enter text.
Fax Number: Click here to enter text.

Additional Information About Proposed Charter School

Grade levels during opening year: Click here to enter text.
Grade levels at full student matriculation: Click here to enter text.
Sponsor Name: Click here to enter text.

Statement of Assurances for Charter Schools

For informational purposes only. The applicant certifies to abide by these assurances by signing and submitting the Signature Certification Page. Keep a file copy of both documents.

As the authorized representative of the applicant group, I hereby certify under the penalties of perjury that the information submitted in this application for [(name of school)] is true to the best of my knowledge and belief; and further, I understand that, if awarded a charter, the school and its governing board

- A. Will comply with 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. S.C. Code Ann. § 59-40-40(2)(b)
- B. Will not charge tuition or other charges of any kind except as may be allowed by the sponsor and is comparable to the charges of the local school district in which the charter school is located. S.C. Code Ann. § 59-40-40(2)(d)
- C. Will adhere to the same health, safety, civil rights, and disability rights requirements as are applied to other public schools operating in the same school district or, in the case of the South Carolina Public Charter School District (SCPCSD) or a public or independent institution of higher learning, the local school district in which the charter school is located. S.C. Code Ann. § 59-40-50(B)(1)
- D. Will meet, but may exceed, the same minimum student attendance requirements as are applied to public schools. S.C. Code Ann. § 59-40-50(B)(2)
- E. Will adhere to the same financial audits, audit procedures, and audit requirements as are applied to public schools. S.C. Code Ann. § 59-40-50(B)(3)
- F. Will report to its sponsor and the South Carolina Department of Education (SCDE) documentation of the appropriate use of federal funds the charter school may receive.
- G. Will use the same pupil accounting system as required of public schools and districts.
- H. Will employ noncertified teachers in a ratio of up to 25 percent of its entire teaching staff (10 percent for conversion schools). All teachers in core academic areas will be highly qualified as defined in the Elementary and Secondary Education Act (ESEA). S.C. Code Ann. § 59-40-50(5)
- I. Will employ one administrative staff member who is certified or experienced in the field of school administration. S.C. Code Ann. § 59-40-50(6)
- J. Will be secular in its curriculum, programs, governance, and all other operations. S.C. Code Ann. § 59-40-40(1)
- K. Will comply with the Freedom of Information Act. S.C. Code Ann. § 59-40-50(10)

- L. Will comply with the ESEA legislation and applicable provisions of the SCDE's ESEA waiver.
- M. Will adhere to all provisions of reporting student truancy, discipline incidents, and persistently dangerous situations as required by ESEA.
- N. Will assume liability for the activities of the charter school and will indemnify and hold harmless the school district, its servants, agents, and employees from any and all liability, damage, expense, causes of action, suits, claims, or judgments arising from injury to persons or property or otherwise which arises out of the act, failure to act, or negligence of the charter school, its agents and employees, in connection with or arising out of the activity of the charter school. S.C. Code Ann. § 59-40-60(F)(15)
- O. Will report to its sponsor and the SCDE any changes to information provided under its application in a timely manner. S.C. Code Ann. § 59-40-140(H)
- P. Will report at least annually to its sponsor and the SCDE all information required by the sponsor and by the SCDE, including, at a minimum, the number of students enrolled in the charter school, the success of students in achieving the specific educational goals for which the charter school was established, and the identity and certification status of the teaching staff. S.C. Code Ann. § 59-40-140(H)
- Q. Will adhere to all provisions of federal law relating to students with disabilities, including the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act of 1990 that are applicable. S.C. Code Ann. § 59-40-50(B)(1)
- R. Will adhere to all provisions of federal law relating to students who are limited English proficient (LEP), including Title VI of the Civil Rights Act of 1964 and the Equal Educational Opportunities Act of 1974. S.C. Code Ann. § 59-40-50(B)(1)
- S. Will comply with S.C. Code Ann. § 59-63-235 (2004), which provides for the expulsion of any student who brings a firearm to school.
- T. Will comply with the Family Education Rights and Privacy Act (20 U.S.C. § 1232).
- U. Will comply with any school district desegregation plan or order in effect. S.C. Code Ann. § 59-40-60(F)(9)
- V. Will adhere to all requirements of the Office of School Facilities as detailed in the Charter School Facilities Approval Form.
- W. Understand that, as a charter, we gain autonomy to make decisions in exchange for accountability to our authorizer.

Signature Certification Page

Name of Proposed School: _____

Mailing Address (if known): _____

City, State, Zip Code: _____

Name of Applicant Group: _____

Sponsor Name (local school district board, SCPCSD, or institution of higher education/technical college) : _____	
Certification: I hereby certify that, to the best of my knowledge, the information and data contained in this application are true and correct. The applicant’s governing body has duly authorized this application and documentation, and the applicant will comply with the South Carolina Public Charter School Statement of Assurances if the charter school is approved.	
_____ Signature of Charter School Committee Chair	_____ Date
Authorization: We hereby certify that this charter application has been duly authorized by the sponsor listed above. This authorization indicates that the terms of this application constitute a contractual agreement between the two organizations represented below pursuant to Section 59-40-60 of the South Carolina Charter School Act (1996). According to state and federal guidelines, charter schools must provide evidence of improved student academic achievement for all groups of students described in Section 1111(b)(2)(C)(v) of the Elementary and Secondary Education Act (ESEA). Sponsors must use increases in student academic achievement for all groups of students described in Section 1111(b)(2)(C)(v) of the ESEA as the most important factor when determining to renew or revoke a school’s charter. Each sponsor and charter school must enter a contractual agreement stating that student performance of all students described in Section 1111(b)(2)(C)(v) of the ESEA is the most important factor when determining to renew or revoke a school’s charter. <i>The sponsor representative and the charter school committee chair will sign below <u>after the school is approved.</u></i>	
Charter School Committee Chair Name: _____	
_____ Signature	_____ Date
Sponsor Representative Name: _____	
_____ Signature	_____ Date

Sample Student Enrollment Projections Form

This is a sample form; please access the form at <http://ed.sc.gov/districts-schools/school-choice-innovation/charter-schools-program/charter-school-application-information/>. Upon downloading, the applicant may modify the “Grade” rows as applicable to meet the needs of the proposed school to reflect applicable grade-levels or non-graded education groupings.

Student Enrollment Projections for 10-Year Charter

Name of Charter School _____

GRADE	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
Pre-Kindergarten										
Kindergarten										
First										
Second										
Third										
Fourth										
Fifth										
Sixth										
Seventh										
Eighth										
Ninth										
Tenth										
Eleventh										
Twelfth										
TOTALS										

Charter School Facilities Approval Process

Effective January 1, 2019

All charter schools must construct and maintain facilities that meet all the requirements of the latest edition of the *South Carolina School Facilities Planning and Construction Guide (Guide)*. The Office of School Facilities (OSF) cannot waive requirements of building, fire, or other applicable codes and regulations. In addition, compliance with all local zoning and land use ordinances is required.

In accordance with state statute and regulation, all schools must contract with South Carolina–licensed design professionals to provide construction documents, code, zoning and land-use analysis, transportation analysis, and other professional services as needed. Additionally, accessory buildings considered Assembly Occupancies by the codes, such as auditoriums and gymnasiums, require the services of licensed design professionals.

The charter school is responsible for all roadway improvements required by the SCDOT, including, but not limited to, road widening, intersection realignment, creation of turn lanes, and signaling. Traffic studies at the expense of the school may be required to determine requirement, and traffic improvements may extend to intersections beyond the actual school site. The charter school is responsible for any additional property and cost required for roadway improvements to the property.

Responsibilities of the Charter School:

1. Contact the OSF for information to set up a school account to include school name, contact information, and proposed opening date.
2. Contact the OSF to schedule a site evaluation visit for your proposed school site.

Submittal Process by the Architect:

1. The architect must submit plans in accordance with the process in the *Guide*.
2. All local ordinances and regulations, including zoning ordinances, must be met in addition to state regulations, such as SCDHEC Food Services requirements. Approval of plans by permitting authority is required prior to final plan approval by the OSF. Consult the *Guide* for additional information on permitting.
3. Bidding cannot begin until the charter school has received final approval on the construction documents and a building permit is issued.

Construction Process:

1. All projects will require inspections by independent, third-party vendors in addition to the inspections performed by the OSF. Consult the *Guide* for this procedure.
2. **Occupancy of the charter school cannot occur until OSF has issued a Certificate of Occupancy. This includes teachers setting up classrooms and student orientation.**

Questions and submissions to the OSF concerning charter schools should be directed to:

Office of School Facilities
SC Department of Education
1429 Senate Street, Suite 801
Columbia, SC 29201

Tel: 803-734-4835
Email: schoolfacilities@ed.sc.gov