TITLE 16 – STATE BOARD OF EDUCATION

Notice is hereby given in accordance with G.S. 150B-21.12(c) that the State Board of Education intends to adopt the rule cited as 16 NCAC 06G .0508

Public Hearing:
Date: March 31, 2021
Time: 9:00 a.m.

Reason for Agency Action: Specify the $1000 charter school application fee.

CHAPTER 06 - ELEMENTARY AND SECONDARY EDUCATION

SUBCHAPTER 06G - EDUCATION AGENCY RELATIONS

SECTION .0500 - CHARTER SCHOOLS

16 NCAC 06G .0508 CHARTER SCHOOLS APPLICATION AND REVIEW PROCESS

(a) Deadline for Filing Charter School Applications.

(1) Prior to each application round, the State Board of Education shall approve the application process, timeline, and non-refundable fee.

(2)(a) Applications for charters, and the nonrefundable one thousand dollar ($1000) fee, must shall be received by the Office of Charter Schools no later than the last Friday in July, date and time specified for the charter application round that year.

(3)(b) Applications and fees received after the deadline specified by the Office of Charter Schools will not be considered, and any affected applicant groups will be notified in writing.

(b) Charter School Advisory Board Responsibilities

(1) The Charter School Advisory Board, with the assistance of the Office of Charter Schools, shall review each complete application and determine whether the application meets the requirements of G.S. 115C-218.1

(A) Meets all the requirements of the Charter School Act, G.S. 115C-218 et seq.;

(B) Would achieve one or more of the purposes set forth in G.S. 115C-218(a);

(C) Contains viable governance, business, and education plans; and

(D) Satisfies any other requirements adopted by the SBE.

(2) The Charter Schools Advisory Board will present its recommendation on each charter school application to the SBE by the May SBE meeting for discussion.

(c) SBE Review of Applications and Award of Charters

(1) The SBE may request information from applicants, their officers, agents or employees or other persons having information regarding the charter application reviewed by the Charter School Advisory Board when the SBE seeks clarification or greater detail regarding an application.

(2) When awarding charters, the SBE may give priority consideration to applications that demonstrate the capability to provide comprehensive learning experiences to students identified as at risk of academic failure.

(3)(c) When determining whether to award a charter, the SBE may shall consider any factors relevant to academic, financial, and governance of the school, including the extent to which the application:

(A)(1) Reflects the applicant's commitment to the purposes of the charter school law stated in G.S. 115C-218(a);

(B)(2) Promotes the use of different and innovative teaching methods through charter schools;

(C)(3) Reflects the applicant's planning, research, and understanding of educational issues, including budgeting, financial, and accounting;

(D)(4) Demonstrates the applicant's commitment to governance by participation of a large, diverse and locally-based board; describes a board whose size, diversity, and regional affiliations represent the community and are likely to promote community support for the school;

(E)(5) Contains articles of incorporation and by-laws;

(F)(6) Contains a budget that accurately reflects anticipated revenues and costs, including costs associated with maintenance of the school facilities and projected growth;

(G) Describes student admission requirements and lottery system that comply with G.S. 115C;
(H)(7) Describes contains a plan for acquisition and utilization of a facility, facility consistent with the proposed budget and timeline for opening school;

(I)(8) Describes describes a five year marketing plan that promotes a diverse student population, learning environment, and

(J)(9) Any any other factor that it determines will promote the purposes of the Charter School Act, G.S. 115C-218 et seq.

Authority G.S. 115C-12; 115C-218; 115C-218.1; 115C-218.5.