16 NCAC 06G .0513 is proposed for adoption as follows:

16 NCAC 06G .0513  FAST TRACK REPLICATION OF HIGH QUALITY CHARTER SCHOOLS – ELIGIBILITY

(a) A non-profit corporation board that currently operates a charter school in North Carolina is eligible to apply to fast-track replicate its existing model only if the non-profit corporation board’s current school or schools demonstrate a consistent track record of academic, financial, and operational success. If the board operates more than one school, each school shall meet this standard. To meet this standard, the non-profit corporation board shall meet each of the following conditions at all times while its application is pending:

1. Each school operated by the non-profit corporation shall:
   (A) have academic outcomes at least comparable to those of the students enrolled in the LEAs in which they are located; or
   (B) meet or exceed growth for the three years preceding the application at issue, by measures contemplated by G.S. 115C-83.15;

2. Each school operated by the non-profit corporation shall have unqualified audits for the three years preceding the application.

3. Each school operated by the non-profit corporation shall have resolved any noncompliance issues cited by the Department of Public Instruction during the three years preceding the application.

4. A majority of the non-profit corporation board members and 50% or greater of the board officers shall be North Carolina residents.

(b) A non-profit corporation board that does not operate a charter school in North Carolina is eligible to apply to replicate through fast-track replication an existing model operated by an EMO or CMO. The non-profit corporation board is eligible to apply only if the schools operated by the EMO or CMO have a consistent track record of academic, financial, and operational success. The non-profit corporation board is eligible to replicate an existing model operated by the EMO or CMO only if the non-profit corporation board shows that each of the following conditions at all times while its application is pending:

1. The non-profit corporation board shall demonstrate that each school managed by the EMO or CMO:
   (A) has an academic proficiency comparable to the LEAs in which the current schools are located by measures contemplated by G.S. 115C-83.15; or
   (B) meets or exceeds growth for the three years preceding the application at issue.

2. The non-profit corporation board shall demonstrate that the schools operated in other states by the EMO or CMO meet similarly rigorous standards for academic performance.

3. The non-profit corporation board shall demonstrate that each school managed by the EMO or CMO have unqualified audits without fiscal compliance issues for three years immediately preceding the application.

4. The non-profit corporation board shall demonstrate that the schools operated in other states by the EMO or CMO meet similarly rigorous standards for financial performance.
(5) A majority of the non-profit corporation board members and 50% or greater of the board officers
shall be North Carolina residents.

History Note: Authority G.S. 115C-12; 115C-218.3;
Interim Rule status conferred Eff. June 27, 2018, pursuant to S.L. 2018-114, sec. 27.(b);