

SECTION L: Education Agency Relations

LA	<u>Education Agency Relations Goals</u>
LB	<u>Relations With Private Schools</u>
LBD	<u>Home Instruction</u>
LC	<u>Charter Schools</u>
LC-E	<u>Prince Edward County School Division Charter School Application Addendum</u>
LEB	<u>Advanced/Alternative Courses for Credit</u>
LI	<u>Relation With Educational Accreditation Agencies</u>

EDUCATION AGENCY RELATIONS GOALS

The Prince Edward County School Board will support the endeavors of other educational institutions whose goals are compatible with those of the division.

To the extent appropriate, the school division will utilize the resources of other educational institutions for the benefit of its students and the development of its staff.

The school division will cooperate with educational institutions and agencies in selected areas of research and experimentation which have the potential to increase the effectiveness of teacher preparation or staff development and/or which directly improve the local instructional program. To protect students and teachers from unnecessary intrusions that may disrupt instruction and regular school activities, requests for college students and professors to observe classes or otherwise utilize division students shall be submitted directly to the superintendent.

The school division will strive to improve the climate for education, particularly with reference to expanding the fiscal base, providing for efficient expenditure of funds, and bringing about state or federal legislation which improves education or contributes to division goals.

The school division will cooperate with professional educational organizations whose goals are compatible with those of the division.

Adopted: February 2, 2000

Revised: August 20, 2002; April 4, 2012

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-78.

Cross Refs.: JHDA Human Research
KFB Administration of Surveys and Questionnaires
LEA Student Teachers

© 4/12 VSBA

RELATIONS WITH PRIVATE SCHOOLS

The School Board and superintendent shall work cooperatively with private schools that serve the community and students in matters of common interest, unless expressly prohibited by state statutes or local school board policy. The superintendent is authorized to consult with officials of these schools to determine areas of mutual concern and interest and to make recommendations to the Board. The School Board will not enter into agreement with any nonpublic school within the division to provide student transportation to and from such schools.

Adopted: February 2, 2000

Revised: May 9, 2007

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-78; 22.1-176.1

HOME INSTRUCTION

The Prince Edward County School Board recognizes that when the requirements of Va. Code § 22.1-254.1 are complied with instruction of children by their parents is an acceptable alternative form of education under the policy of the Commonwealth of Virginia. Any parent of any child who will have reached the fifth birthday on or before September 30 of any school year and who has not passed the eighteenth birthday may elect to provide home instruction in lieu of school attendance if he

- (i) holds a high school diploma; or
- (ii) is a teacher of qualifications prescribed by the Board of Education; or
- (iii) provides a program of study or curriculum which may be delivered through a correspondence course or distance learning program or in any other manner;
- (iv) or provides evidence that he is able to provide an adequate education for the child.

DEFINITION

For purposes of this policy, "parent" means the biological parent or adoptive parent, guardian or other person having control or charge of a child.

NOTIFICATION BY PARENTS

Any parent who elects to provide home instruction in lieu of school attendance shall annually notify the division superintendent no later than August 15 of his intention to so instruct the child and provide a description of the curriculum to be followed for the coming year and evidence of having met one of the criteria for providing home instruction. Any parent who moves into a school division or begins home instruction after the school year has begun shall notify the division superintendent of his intention to provide home instruction as soon as practicable and shall comply with the requirements of this policy within thirty days of such notice. The division superintendent shall notify the Superintendent of Public Instruction of the number of students in the school division receiving home instruction.

EVIDENCE OF PROGRESS

A parent who elects to provide home instruction to a child who is over the age of six as of September 30 of the school year shall provide the division superintendent by August 1 following the school year in which the child has received home instruction with either (i) evidence that the child has attained a composite score in or above the fourth stanine any nationally normed standardized achievement test or (ii) an evaluation or assessment which the division superintendent determines to indicate that the child is achieving an adequate level of educational growth and progress, including but not limited to: (a) an evaluation letter from a person licensed to teach in any state, or a person with a master's degree or higher in an academic discipline, having knowledge of the child's academic progress, stating that the child is achieving an adequate level of educational growth and progress; or (b) a report card or transcript from a community college or college, college distance learning program, or home-education correspondence school.

In the event that evidence of progress as required in this subsection is not provided by the parent, the home instruction program for that child may be placed on probation for one year.

Parents shall file with the division superintendent evidence of their ability to provide an adequate education for their child and a remediation plan for the probationary year which indicates their program is designed to address any educational deficiency. Upon acceptance of such evidence and plan by the division superintendent, the home instruction may continue for one probationary year. If the remediation plan and evidence are not accepted or the required evidence of progress is not provided by August 1 following the probationary year, home instruction shall cease and the parent shall make other arrangements for the education of the child which comply with Va. Code § 22.1-254.

IMMUNIZATIONS

Any parent, guardian or other person having control or charge of a child being home instructed, exempted or excused from school attendance shall comply with the immunization requirements provided in Va. Code § 32.1-46 in the same manner and to the same extent as if the child has been enrolled in and is attending school.

Upon request by the division superintendent, the parent shall submit to such division superintendent documentary proof of immunization in compliance with Va. Code § 32.1-46.

No proof of immunization shall be required of any child upon submission of (i) an affidavit to the division superintendent stating that the administration of immunizing agents conflicts with the parent's or guardian's religious tenets or practices or (ii) a written certification from a licensed physician, physician assistant, or nurse practitioner, or local health department that one or more of the required immunizations may be detrimental to the child's health, indicating the specific nature of the medical condition or circumstance that contraindicates immunization.

NOTIFICATION TO PARENTS

Students receiving home instruction and their parents will be notified of the availability of Advanced Placement (AP) and Preliminary Scholastic Aptitude Test (PSAT) examinations and the availability of financial assistance to low-income and needy students to take these examinations. Such notice will be given when the parent notifies the division that the student will receive home instruction.

Adopted: February 2, 2000

Revised: July 6, 2005; August 9, 2006;
March 4, 2009; July 6, 2011

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-254, 22.1-254.1, 22.1-271.4,
32.1-46; 54.1-2952.2.

Pollard v. Goochland County School Board, No. 3:00CV563 (E.D. Va. Sept. 27, 2001).

CHARTER SCHOOLS

Purpose

In order to (i) encourage the development of innovative programs; (ii) provide opportunities for innovative instruction and student assessment; (iii) provide parents and students more choices; (iv) provide innovative scheduling, structure and management; (v) encourage the use of performance-based educational programs; (vi) establish high standards for teachers and administrators; and (vii) develop models for replication in other public schools, the Prince Edward County School Board shall receive and consider applications for the establishment of charter schools.

Definition of Charter School

A charter school is a public, nonreligious, or non-home-based alternative school located within the Prince Edward County school division or operated jointly by multiple school divisions. A charter school may be created as a new school or by converting all or part of an existing public school. Conversions of private schools or home-based programs shall not be permitted. A charter school for at-risk pupils may be established as a residential school.

In establishing public charter schools within the division, the School Board will give priority to public charter school applications designed to increase the educational opportunities of at-risk students, particularly those at-risk students currently served by schools that have not achieved full accreditation.

All charter schools shall be subject to federal and state law, regulations and constitutional provisions prohibiting discrimination in admissions, employment or operation on the basis of disability, race, creed, color, gender, national origin, religion, ancestry or the need for special education services. Charter schools shall also be subject to any court-ordered desegregation plan in effect in the school division. Charter schools, like all public schools, shall also be subject to the requirements of the federal No Child Left Behind Act of 2001.

Application Process

Any person, group or organization may submit an application for the formation of a charter school to the Prince Edward County School Board. Prior to submitting a charter school application to the School Board, a public charter school applicant shall submit its proposed charter application to the Board of Education for review and comment and a determination as to whether the application meets the approval criteria developed by the Board of Education. The Board of Education will examine such applications for feasibility, curriculum, financial soundness, and other objective criteria it may establish, consistent with existing state law. The Board of Education's review and comment will be for the purpose of ensuring that the application conforms with such criteria. The school division may work with a charter school applicant before the application is submitted to the Board of Education for review and recommendation.

The applicant must complete the entire application in the format provided in Exhibit LC

E. The School Board shall establish a “review team” consisting of appropriate school personnel, a local business representative and a resident charter school proponent to evaluate charter school applications. The School Board shall designate the chairman of the review team as the contact person for answering questions about the application process and receiving applications. The review team shall work cooperatively with applicants for charter schools. When an application is incomplete, the review team shall request the necessary information; an incomplete application is not grounds for denying a charter. However, if the applicant does not provide the necessary information within a reasonable timeframe (established by the review team) then the application may be denied.

The review team shall (1) recommend to the School Board appropriate criteria for reviewing charter school applications; (2) evaluate all charter school applications based on the review criteria adopted by the School Board; (3) recommend one of the following options to the School Board for each application: approve, reject, place on a waiting list or return with suggestions for improvement; (4) monitor charter school progress; and (5) make recommendations for revocation, renewal or non-renewal of charter contracts.

The Prince Edward County School Board shall establish a regulation for receiving, reviewing and ruling on applications for the establishment of charter schools. Such regulation must include a timeline for the application and review process and the means for reviewing and evaluating each application, including the criteria on which the decision to grant or deny a charter will be based. To provide appropriate opportunity for input from parents, teachers, citizens, and other interested parties and to obtain information to assist the school board in its decision to grant or deny a public charter school application, the regulation will provide for public notice and the receipt of comment on public charter school applications. The school board shall give at least 14 days' notice of its intent to receive public comment on an application. A copy of the regulation, including the review criteria, shall be posted on the division's website and a copy shall be made available to any interested party upon request.

School Board Decision

If the school board denies a public charter school application, or revokes or fails to renew a charter agreement, it shall provide to the applicant or grantee its reasons, in writing, for such decision, and it shall post such reasons on its website. A public charter school applicant whose application was denied, or a grantee whose charter was revoked or not renewed, shall be entitled

to petition the school board for reconsideration. The petition for reconsideration shall be filed no later than 60 days from the date the public charter school application is denied, revoked, or not renewed. Such reconsideration shall be decided within 60 days of the filing of the petition.

The school board shall establish a process for reviewing petitions of reconsideration, which shall include an opportunity for public comment. The petition of reconsideration may include an amended application based on the reasons given by the school board for such decision. Prior to seeking reconsideration, an applicant or grantee may seek technical assistance from the Superintendent of Public Instruction to address the reasons for denial, revocation, or non-renewal.

Upon reconsideration, the decision of the school board to grant or deny a public charter school application or to revoke or fail to renew a charter agreement shall be final and not subject to appeal.

Nothing in this section shall prohibit an applicant whose application has been denied or a grantee whose charter has been revoked or not renewed from submitting a new application.

Charter Contract

Upon approval of a charter application, the School Board and the management committee of the charter school shall enter into a contract which contains all agreements between the School Board and the charter school; the approved application shall serve as the basis for the contract. The charter contract shall also include other provisions negotiated by the School Board or its designee. A charter may be granted for up to five years. Any material revision of the charter contract shall be made in writing and must be approved by the School Board and the charter school.

Waivers of School Board Policy and State Regulation

A charter school may operate free from School Board policies and state regulations, except the Standards of Quality, the Standards of Accreditation and Standards of Learning, as agreed in the charter contract. The School Board shall designate in its regulation governing charter schools which School Board policies may not be waived. The School Board shall request from the Board of Education, on behalf of its charter schools, waivers from state regulation contained in each approved charter application. If the charter school is designed to increase the opportunities of at-risk students, then the School Board shall request that the Board of Education approve an Individual School Accreditation Plan.

Management and Operation

A charter school shall be administered and operated by a management committee in the manner agreed to in the charter contract. The management committee shall be composed of parents of students enrolled in the school, teachers and administrators working in the school and representatives of any community sponsors, or any combination thereof. A charter school shall be responsible for its own operations. However, a charter school may negotiate and contract with the School Board, or any other third party, for the provision of necessary services; services provided by the School Board must be provided at cost (See Section XXIV in the Application).

The applicant and members of the management committee, administrators, and other personnel serving in a public charter school must disclose any ownership or financial interest they may have in renovating, lending, granting, or leasing public charter school facilities.

Personnel

Charter school personnel shall be employees of the School Board and shall be selected as agreed in the charter contract. Professional, licensed employees currently employed by the School Board may volunteer for assignment to a charter school and may be assigned by the School Board to a charter school for one contract year and reassigned annually upon the request of the employee and management committee. Professional, licensed employees assigned to a charter school shall receive the same employment benefits as such personnel assigned to noncharter schools. Professional, licensed personnel who request assignment to a noncharter school or who are not recommended for reassignment in the charter school, other than for reasons cited in § 22.1-307 of the Code of Virginia, shall be transferred to a noncharter school according to School Board policy.

The School Board may employ health, mental health, social services and other related personnel to serve in residential charter schools for at-risk students as determined in the charter agreement. However, the School Board is not required to fund the residential or other services provided by a residential charter school.

The School Board has the final authority to assign professional, licensed personnel to charter or other schools within the division.

Funding

Charter schools shall be funded as provided by law and negotiated in the charter contract.

Revocation and Renewal of the Charter Contract

The School Board may revoke a charter contract if:

- the charter school violates the conditions, standards or procedures established in the application;
- the charter school violates a material term of the charter contract (for example, failing to provide required reports to the School Board);
- the charter school fails to meet or make reasonable progress toward achievement of the content standards or student performance standards identified in the charter application;
- the charter school fails to meet generally accepted standards of fiscal management;
- the charter school violates any provision of law from which the public charter school was not specifically exempted; or
- the School Board determines that it is not in the public interest or for the welfare of the students within the division to continue the operation of the charter school (for example, the charter school is no longer financially sound or fails to achieve state testing standards or decrease absentee rates).

A charter contract may be renewed for up to five years. The management committee must apply to renew the charter by October of the school year the charter expires.

The application for renewal shall contain:

- a report on the progress of the charter school in achieving the goals, objectives, program and performance standards for students and other conditions and terms the School Board required in the charter;

- a financial statement, on forms prescribed by the Board of Education, disclosing the costs of administration, instruction and other spending categories which is written in a way to allow the School Board and the public to compare such costs to the costs of other schools and comparable organizations; and
- other information the School Board may require.

If a charter contract is revoked or not renewed, or a charter school is dissolved, the management committee shall be responsible for all financial obligations of the charter school.

Reports

The School Board shall report to the Board of Education the following:

- the grant or denial of charter applications;
- the number of charters granted or denied and the reasons for any such denials;
- whether a public charter school is designed to increase the educational opportunities of at-risk students or any students served by schools that have not achieved full accreditation; and
- an annual evaluation of each charter school;

The Board of Education will report the number of public charter schools established in Virginia, and the number of charters denied, in its annual report to the Governor and the General Assembly.

Adopted: February 2, 2000

Revised: August 20, 2002; August 4, 2004;
July 7, 2010; November 10, 2010

Legal Ref: 20 U.S.C. § 6311(b)(1)(B).

Code of Virginia, 1950, as amended, § 22.1-212.5 et seq.

PRINCE EDWARD COUNTY SCHOOL DIVISION CHARTER SCHOOL
APPLICATION ADDENDUM

Any person, group or organization may submit an application for the formation of a charter school. Applicants must follow state law and School Board policy regarding charter schools. A complete Prince Edward County Charter School Application (“Application”) consists of (i) the Applicant’s *Virginia Public Charter School Application* package submitted to the State Board of Education, (ii) the result of the State Board of Education’s review of the Applicant’s state application, and (iii) the Prince Edward County *Charter School Application Addendum* prepared in accordance with this policy.

Applications must be received by the Laura Williamson, Executive Director of Curriculum and Instruction on or before August 15th prior to the year in which the charter school desires to open. An original plus ten (10) copies of the application must be submitted. An application fee of \$500.00 shall be submitted with the application. Applicants must follow the application addendum format provided below.

I. Applicant Information

List the name, address, phone number and qualifications of the applicant(s) and designate an applicant contact person.

II. Facility

Describe the facility(ies) to be used for the charter school or the plan for the acquisition of a facility. If the facility is not property of the school division, then the following must be provided: (1) a certificate of occupancy; (2) a health inspection certificate; (3) an annual fire certificate of inspection; (4) proof of compliance with federal, state and local health and safety laws and regulations; and (5) a copy of the lease or contract under which the charter school will use the facility. If the facility is property of the school division, then describe plans, if any, for alteration or renovation.

III. Services

List the services and their estimated costs that the applicant wishes the School Board to provide; for example, food service, payroll or conducting criminal background checks. Also, list services and their estimated costs that will be provided by others.

IV. Timeline

Provide a detailed timeline, identifying each step required to establish the charter school, including, but not limited to, staff hiring, location and purchase of materials, implementing the evaluation plan, obtaining necessary services, opening an appropriate facility and consulting with experts, if necessary. **Please remember that, as with establishing Regional Vocational and Governor’s Schools, it will take at least 8-12 months to implement the proposal.**

V. Health and Safety

Describe the procedures the charter school will implement to ensure the health and safety of the students and employees, including how and if the management committee will conduct a state criminal record check on all employees; how the charter school will conduct fingerprinting and federal criminal record checks, if applicable; how the charter school will comply with the requirement to report child abuse; and how the charter school will comply with Occupational Safety & Health Act requirements.

VI. Indemnity

Assure that the School Board will be defended, held harmless and indemnified against any claim, action, loss, damage, injury, liability, cost or expense of any kind as a result of the operation of the charter school or actions by its agents, employees, invitees or contractors.—

VII. Renewal

Assure that if the charter school wants to renew its contract, it shall apply at least six months prior to the expiration of the contract.

VIII. Emergency Displacement Plan: Pupils and Employees

Describe the plan for the placement of students and employees if the charter school facility is destroyed (e.g. by flood or fire), unable to be occupied or dissolved for any reason.

IX. Management and Operation

Describe the management and operation of the charter school, including the nature and extent of parental, professional educator and community involvement. List the names and addresses of the proposed management committee. This section should include (1) a detailed description of the relationship between the management committee and the local school board, including the charter school spokesperson (i.e. who is accountable to the school board); (2) how the charter school will be accountable to the public, including a plan for compliance with the Virginia Freedom of Information Act, the Virginia Public Records Act, and reporting requirements; (3) how the management committee is selected and its relationship to the teachers and administrators; (4) a description of the rules and procedures followed to arrive at policy and operational decisions; and (5) summaries of the job descriptions of key personnel, including the school leader/principal.

X. Financial Plan: Evidence of Economical Soundness, Proposed Budget and Annual Audit

Provide a budget and any other information that illustrates the proposed charter school is economically sound for both the charter school and the school division. Include detailed sources of revenue and expenditures for the proposed term of the charter (at most five years) 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 school division, will be conducted. Anticipated gifts, grants or donations and a student fee schedule should be included.

XI. Legal Liability and Insurance Coverage

Describe the arrangement between the charter school and the School Board regarding their respective legal liability and applicable insurance coverage. Insurance coverage should include health, property and casualty (automobile liability, general liability, property, officer and employee liability) and workers' compensation.

XII. Waivers

Describe and justify any waiver from School Board policies and state regulations that the charter school requests. The Standards of Quality, and by reference the Standards of

Accreditation and Standards of Learning, may not be waived. **Please note that state law only allows waivers of policy and regulation; no waiver of state statutes or federal statutes or regulations is permitted.**

XIII. Discrimination

Assure that the charter school will follow state and federal law prohibiting discrimination on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, or the need for special education services and shall be subject to any court-ordered desegregation plan in effect in the school division.

XIV. Signatures

The Applicant hereby certifies that the information and assurances contained within the *Virginia Public Charter School Application* submitted on behalf of the proposed charter school to the Virginia Board of Education and the information contained in this *Public Charter School Application Addendum* is correct.

Name of Authorized Official:

Title:

Signature of Authorized Official:

Date:

Revised: April 14, 2010; July 6, 2011

ADVANCED/ALTERNATIVE COURSES FOR CREDIT

Advanced Education Courses

Students entering programs of advanced education, whether academic or career and technical, before they have completed requirements for graduation may petition the principal of the school to leave the school program early and yet qualify for graduation with a diploma if:

1. The student is within two credits of all required units for diploma qualification.
2. Assurance is given by the appropriate officials of the sponsoring institution that courses taken in the advanced program are comparable substitutes for those still lacking in the prescribed high school program. The measure of comparability will be based on course content, course/grading expectations, hours of instruction, and instructor qualifications. A minimum of 140 clock hours of instruction by an endorsed teacher in an accredited program will be minimal requirements for the awarding of a full unit of credit.
3. Assurance must be given that all requirements for a high school diploma are based on BLANK School Division graduation requirements and can fully be met by the completion date of the first year of advanced study.
4. The student must confirm that it is his/her responsibility to transmit all required data and final grades to the high school in order to have them apply toward his/her scholastic credentials and diploma qualification.
5. For college courses, prior written approval is obtained from the high school principal for dual registration, the college accepts the student for admission to the course and the course is given by the college for degree credits.

Alternative Educational Courses

Students, teachers, or others involved in special courses taught outside the standard secondary curriculum and who want these courses recorded on student transcripts and/or reflect credit applied toward diploma qualification will make requests through the school principal to the assistant superintendent for secondary education and instructional services.

In order for the courses or programs to apply toward diploma qualification the following conditions must be met:

1. A full program description must be submitted including:
 - a. The purpose, instructional content, and expected outcome for the course or program.
 - b. A sequence outline of events and activities.
 - c. An estimate of student time involved in the program -including study and preparation time.
 - d. A description of the evaluation criteria.
2. A description of the qualifications of the sponsoring organization and instructional personnel.
3. A description of the course evaluation procedures used including the results of previous evaluations of similar activities.

In order for the course/program to qualify for unit credit which would be applicable toward diploma qualification, the following additional criteria must be met:

1. Evidence will be submitted by the sponsoring organization that there is a minimum of 70 hours of supervised instruction for each one-half unit of credit.
2. Evidence will be submitted that teachers and supervisors, if applicable, have personal expertise, competence, and appropriate credentials to qualify them as teachers or supervisors.
3. Student performance records, including performance and attendance, will be forwarded to and reviewed by the principal upon completion of the course/program.
4. The student and parent will be informed that no more than one unit of credit can be earned for each course taken and no more than two credits can be applied toward diploma qualification.

Adopted: February 2, 2000

Revised: August 8, 2001

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-78
Regulations Establishing Standards for Accrediting Public Schools in Virginia,
8 VAC 20-131-70 et seq.

Cross Ref.: IKF Graduation Requirements

RELATIONS WITH EDUCATIONAL ACCREDITATION AGENCIES

All Prince Edward County Public Schools shall be accredited according to standards developed by the Board of Education. The school board will review the accreditation status of each school in the division annually in a public session of a board meeting.

The school board will recognize individual schools under the Virginia Index of Performance (VIP) program established by the Board of Education to recognize and reward fully accredited schools that make significant progress toward achieving advanced proficiency levels in reading, mathematics, science, and history and social science, and other indicators of school and student performance that are aligned with Virginia's goals for public education. The recognition may include public announcements, media releases, and other appropriate recognition.

The school board may ask the Board of Education for release from state regulations and for approval of an Individual School Accreditation Plan for the evaluation of the performance of one or more of its schools as authorized for certain other schools by the Standards of Accreditation pursuant to 8 VAC [20-131-280](#) C.

Adopted: February 2, 2000

Revised: August 20, 2002; July 7, 2010;
July 6, 2011

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-19, 22.1-253.13:3, 22.1-253.13:9.
8 VAC 20-131-5 et seq.