



SOUTH CAROLINA

STATE DEPARTMENT OF EDUCATION

South Carolina Public Charter School Application Guide

(for schools planning to open fall 2013)

Deadline for Receipt of Applications:
12:00 p.m., Tuesday, May 1, 2012

South Carolina Charter School Advisory Committee

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I. PART I: General Information

A. 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, and implement a high quality charter school. If sponsored, this application, by law, becomes a contract between the charter school and the district that sponsors the charter school (the sponsor); always consider this responsibility in drafting the application.

This application must be completed for charter schools seeking to open in Fall 2013. Applications must comply fully with the South Carolina Charter Schools Act, S.C. Code Ann. § 59-40-10 *et seq.* (Supp. 2011), and the Procedures and Standards for Review of Charter School Applications, 24 S.C. Code Ann. Regs. 43-601 (2011) (page 23). Application sections must be presented as outlined in this application package and labeled accordingly.

B. Characteristics of a High Quality Charter School

A high quality charter school is a financially viable and choice-driven innovation that produces student achievement and stakeholder satisfaction through effective leadership. The chart below details these attributes and provides indicators that applicants must consider.

Term	Description	Details
Student Achievement	<i>Annual, Continuous Growth</i>	<ul style="list-style-type: none">• Uses state standardized testing, graduation rates, and annual yearly progress (AYP)• Recognizes responsibility for outcomes• Uses internal data sources• Uses external evaluations• Submits an annual report to the authorizer• Uses data-driven program modifications• Submits an annual sub-grantee report
Financial Viability	<i>Sustainable, Financially solvent</i>	<ul style="list-style-type: none">• Has identified potential grant opportunities• Has clean yearly audits• Has strong internal, fiscal controls• Is aware of available state/federal funding• Has forged public/private partnerships

Choice-Driven Option	<i>A Demonstrated Need</i>	<ul style="list-style-type: none"> • Uses external input in planning and continuous improvement efforts • Seeks parent/community feedback • Maintains a relationship with authorizer • Is grounded upon a clear and compelling mission statement
Innovation	<i>Research-based</i>	<ul style="list-style-type: none"> • Proposes a new or different idea previously not used in the proposed location • Provides evidence of successful implementation in other arenas • Expands current practice to reach more students
Stakeholder Satisfaction	<i>Internal and External Support</i>	<ul style="list-style-type: none"> • Has high staff retention rates • Has a stable or growing enrollment • Demonstrates satisfaction on the annual school report card • Has community support • Has high student attendance rates
Effective Leadership	<i>Capacity Developed Within</i>	<ul style="list-style-type: none"> • Complies with state law for staffing • Uses teacher empowerment applications • Has a functioning board as shown by policies and practices • Has minimal leadership turnover • Provides professional development on leadership to all staff

C. 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 South Carolina Charter School Advisory Committee and the local school district or the South Carolina Public Charter School District (SCPCSD). 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.

D. Technical Assistance for Applicants

Technical assistance sessions for charter school developers will be provided on August 21 & 22, 2012, and December 13, 2012. Notice of training dates, times, and locations will be posted on the SCDE Web site listed above. Technical assistance is available as needed regarding the charter school law and charter school application by contacting the SCDE Charter School program at 803-734-8368.

E. Deadline and Submission Procedures

To allow adequate time for a complete review, applicants must submit a completed application packet by **noon, Tuesday, May 1, 2012**, for charter schools that plan to open for the 2013–14 school year. Applications received after this deadline will not be considered for a 2013 opening.

Prior to submitting the application, the applicant must submit one copy (1) of the application to the superintendent of the sponsoring district in which the charter school is proposed (either the local school district or the SCPCSD). Evidence of this submission must be included with the application submitted to the Charter School Advisory Committee (CSAC). Acceptable evidence includes a return receipt from the postal service or written documentation from the potential sponsor confirming delivery.

Applicants may not amend applications after submission.

Only applications that are complete and follow these guidelines will be considered. Applications must present information in the order specified in these guidelines to be deemed complete; applications that do not will not be reviewed.

Applications will not be returned. Keep a complete copy for your records. The SCDE will retain one copy of each application for archival purposes. After the Advisory Committee review is complete, additional copies will be shredded and recycled.

Applicants must submit the following as an application package in one box:

- Evidence of submission to the proposed sponsor.
- One (1) original copy with original signatures of the Charter School Planning Committee Chair for the applicant. Clip the original application together in the upper left corner. Place the original in a separate envelope.
- Three (3) signed copies of the application. Clip each of the copies together in the upper left corner. Place the copies openly in the box. Do not use separate envelopes for each copy.
- One electronic copy of the application saved on a CD or flash drive as follows:
 - 1) Application Narrative (including the cover page, executive summary, and table of contents) in Microsoft Word format.
 - 2) Appendices labeled as outlined in Part II, Application Overview of this RFA and saved as *Appendix.pdf*.
 - 3) Budget in Microsoft Excel format.

Submit the complete application package to:

South Carolina Charter School Advisory Committee (CSAC)
c/o South Carolina Department of Education
Office of School Transformation
1429 Senate Street, Suite 513-E
Columbia, SC 29201

F. Review and Selection Process

After receiving a completed application, the CSAC will review the application, within 60 days, to determine compliance or noncompliance. If determined to be in compliance with charter law, the applicant will be notified by letter, and the application will be forwarded from the CSAC to the proposed sponsor, either the local school district or the SCPCSD, for their consideration within 30 days. If an application is denied by the proposed sponsor, the applicant may appeal to the Administrative Law Courts (ALC).

If the CSAC determines the application is noncompliant with charter law, it will send an official letter outlining the deficiencies to the applicant. An applicant may appeal the decision to the ALC.

II. PART II: Application Overview, Content, and Instructions

Charter schools seeking to open in fall 2013 must submit an application presented in the order outlined below and labeled accordingly. Applications should comply fully with the South Carolina Charter Schools Act, S.C. Code of Laws § 59-40-10 *et seq.* (Supp. 2011), and the Procedures and Standards for Review of Charter School Applications, S.C. Code of Regulations 43-601(2011) (page 23). Start-up schools are not required to complete the sections noted for Conversion schools. Conversion schools must complete all sections. Section 2.a.v.–Virtual Schools should be completed only if the application is proposing virtual education.

A. Application Overview

- Application Cover Page (included in this package)
- Executive Summary
- Table of Contents (in Microsoft Word)
- Application Narrative (in Microsoft Word)
 - Purpose and Support
 - Academic Plan
 - Operational Plan
- Appendices labeled as indicated, saved in one (1) .pdf file titled Appendix.pdf.
 - Planning & Support
 1. Charter Planning Committee
 2. Supporting Evidence
 - Academic Plan
 3. Student Enrollment
 4. Academic Standards
 5. School Calendar
 6. Virtual Management Agreement (if applicable)
 - Operational Plan
 7. Annual Budget
 8. Negotiated Services
 9. Articles of Incorporation
 10. Administrative Resumes
 11. Desegregation Order
 12. Transportation Contracted Services (if applicable)
 13. Facilities Compliance
 14. Dismissal Procedures (Sponsor Letter, if applicable)
 15. Code of Conduct, Rights, Responsibilities
 16. Insurance Documents
 - a. Worker's Compensation
 - b. Liability
 - c. Property
 - d. Indemnity
 - e. Automobile

- f. Other
 - Statement of Assurances

B. Application Narrative Format

Required Font/Size	Times New Roman/12 point
Margins	One inch on all sides on 8.5” x 11” paper
Page Numbers	Numbered bottom right corner (number pages consecutively)
Header	Name of proposed charter school at the top right of each page (may be placed at the .5 inch top margin)
Spacing	Double-space the narrative. Charts may be single-spaced.

C. Executive Summary

In two pages (maximum) describe the school’s mission, proposed student enrollment, grades, and ages served. Summarize the organization’s mission statement and how it relates to the proposed school’s curriculum and academic program, the student population and community, and the six characteristics of a “High-Quality Charter School” (pages 1–2).

D. Application Narrative Content

Present the narrative in the three sections—Purpose and Support, Academic Plan, and Operational Plan—outlined below. Identify each section using the subheading provided. Sections may not be combined. Incomplete applications will not be considered.

1. Purpose and Support

a. Charter School Mission Statement

The charter school mission statement should be the guiding force for the entire application. The mission statement should be stated clearly and concisely in one or two sentences that define the purpose and nature of the school.

Summarize why the school proposes to exist as a charter school (purpose) and explain the need for the school in the district. Indicate how the school seeks to make a difference in public education and support the intent of the South Carolina Charter Schools Act.

b. Admissions Policies and Procedures

Describe the admission policies and procedures for the proposed charter school.

i. *Enrollment Procedures*

Detail the proposed student enrollment policies and procedures. Include

- 1) who will be eligible to attend the school,
- 2) how applications will be received and processed,

- 3) how a lottery will be conducted for the first and subsequent years of operation if applications exceed the capacity, and
- 4) whether priority enrollment will be granted to any specific groups of students.

ii. Students Outside the District

If the school plans to enroll out-of-district students, provide

- 1) estimated percentage of out-of-district enrollment,
- 2) approval provisions for the receiving school district if the out-of-district enrollment is expected to be greater than 20 percent,
- 3) notification to the sending school district of transferring students, and
- 4) approval provisions for the sending district if more than 20 percent of the school's enrollment is from a district other than the school's sponsor.

iii. Student Appeals Process

Describe the appeals process, including appeal to the sponsor's board of trustees, for a student who is denied admission for a reason other than the results of a lottery.

c. Support for Formation of the Charter School

i. Charter Planning Committee

Provide a brief profile of each member of the planning committee and summarize the process in which the committee formed and developed the proposed school. Include the leadership and credentials of the committee members. In Appendix item 1, provide the names, addresses, and experience/qualifications of committee members. The committee must include at least one certified teacher. The charter planning committee will be dissolved shortly after the opening of the school when the school's first governing board is elected.

ii. Evidence of Support

In Appendix item 2, provide substantial evidence that parents, teachers, pupils, or any combination, support the formation of the charter school. Also provide evidence from community groups and agencies that specify their level of commitment to the school. Substantial evidence that the proposed charter school will reach its first year's projected enrollment is critical to producing a fiscally sound budget.

iii. Conversion Schools

If applying to convert a public school into a charter school, include

- 1) evidence that two-thirds of the faculty and instructional staff and two-thirds of the votes cast by parents/legal guardians support filing the application,
- 2) documentation that parents/legal guardians had one vote for each of their children enrolled in the school (i.e., each student may be represented by only one vote),
- 3) evidence that all parents/legal guardians of students enrolled in the school were given the opportunity to vote, and
- 4) procedure used to ensure the integrity of the voting process.

2. Academic Plan

a. Educational Program

Following the outline below, clearly describe how the entire educational program fits together and is based on the school's mission.

Describe the charter school's educational program, goals, objectives, pupil achievement standards, and curriculum. The curriculum must meet or exceed any student academic standards adopted by the sponsoring school district for the charter school. Demonstrate that the educational program is designed to enable each student to achieve these standards.

i. Student Population

- 1) If the school will distinguish students by grade level, identify the targeted student population by grade level and any unique educational needs of the students. In Appendix item 3, include a completed Student Enrollment Projections table (page 22) or modify the table to fit the school's student identification method.
- 2) Conversion Schools: For converting an existing public school into a charter public school, indicate the school's grade levels served prior to conversion.

ii. Goals and Objectives

Clearly state the school's goals and objectives in measurable terms. Provide enough detail to indicate specific, measurable outcomes that will show incremental progress over time (beyond the first year). These indicators will assist the sponsor in assessing the school and holding it accountable through the renewal or revocation process. Describe strategies to accomplish the educational goals and objectives.

iii. Academic Standards

- 1) Summarize what students will achieve in each subject area for each grade level. In Appendix item 4, include a chart of relevant state or national standards.
- 2) Provide evidence of a correlation or identify a process to ensure that the school's instructional program meets or exceeds the student academic standards adopted by the State Board of Education (SBE).
- 3) Specify the school's provisions for determining whether all students are achieving or attaining the academic standards. Include the methods for gathering and monitoring student performance information.

iv. Educational and Curricular Program

- 1) Define the charter school's proposed curriculum (include content and methodology) and show its correlation to the state's academic standards.
- 2) In Appendix item 5, provide a school calendar and daily schedule for the academic year that reflects the number of instructional days per year and hours of instructional time per day.
- 3) Describe the strategies or approaches to be used to enable students to attain the curriculum standards and create a seamless academic program for all students.

- 4) Illustrate the innovation of the educational program and how it differs from current educational opportunities in the proposed charter school's geographic area.
 - 5) If the school plans to offer the South Carolina State High School Diploma, describe the method for meeting the state requirements for the high school diploma. Include course unit requirements, seat time for Carnegie Units, and passage of the required examinations.
 - 6) Explain how the school will comply with the Individuals with Disabilities Education Improvement Act of 2004, Section 504 of the Rehabilitation Act, and the Americans with Disabilities Act. Include the following:
 - describe the procedure for identifying students with special needs, developing individualized education programs, and providing related and transition services;
 - describe how the school will implement special education requirements for students with disabilities, including the full range of services and placements that will be made available;
 - describe how the school will implement transition services; and
 - describe how the school will address needs for assisted technology.
- v. *Virtual Schools* (complete **only** if the proposed charter school is virtual)
- 1) List the currently developed courses. At least one course per grade level should be "live," meaning it can be previewed by the SCDE's Office of eLearning once the charter school application is submitted. See the "Online Course Review Instrument" (page 45), a rubric used to assess the curriculum's alignment with the state standards.
 - 2) Describe how the proposed charter school will comply with the legislative requirement that 25 percent of instruction will be delivered in "real time."
 - 3) Provide assurances, with a timeline, that clearly describe the process for curriculum alignment with the state standards. See the "Online Course Review Instrument" (page 45) for further information on this process.
 - 4) Describe how much teacher interaction students will receive within the online instruction.
 - 5) Describe the portal and how it works.
 - 6) If contracting with an external company for online curriculum delivery, describe the company's history in the field of virtual education and provide references where possible. Include a copy of the proposed management agreement as Appendix item 6.
 - 7) Outline the educational program, describing
 - a) how each course will be taught by a teacher meeting the requirements of S.C. Code Ann. § 59-40-50;
 - b) how a parent or legal guardian will verify the number of hours of educational activities completed by the student each year;
 - c) how frequent, ongoing monitoring of an individual student's program will be used to verify each student is participating in the program;
 - d) how proctored assessments for core subjects that are graded or evaluated by the teacher will be included per semester;

- e) when and how the bi-weekly parent-teacher conferences will be held;
- f) how student attendance will be verified; and
- g) how the school will verify ongoing student progress and performance in each course as documented by assessments and examples of coursework.

b. Student Assessment

Describe the charter school's plan for evaluating pupil achievement and progress toward accomplishing the school's achievement standards.

i. *Student Achievement and Progress Evaluation*

Describe the plan for evaluating student achievement and student progress toward meeting the school's achievement standards at each grade level. Identify state-mandated assessments and other assessments that will be used.

ii. *Performance Goals Timeline*

Provide a timeline for meeting the school's performance goals. Include documentation that (1) the expected yearly progress will be met or exceed the expectation of adequate yearly progress established in the Elementary and Secondary Education Act as amended in 2001, and (2) the selected goals and objectives will be met in accordance with the timeframe established by the application.

iii. *Academic Assistance*

Detail the procedures to identify, diagnose/assess, and address the needs of students who do not perform at acceptable levels of proficiency in the statewide assessment program. Describe how the school will define "acceptable," which data sources will be examined to determine when students have not met an acceptable standard, and what strategies will be used to remediate those students not meeting "acceptable" standards.

- iv. Charter schools must provide evidence of increased student academic achievement for all groups of students described in Section 1111(b)(2)(C)(v) of the ESEA. Authorizers must use increases in student academic achievement for all students described in ESEA as the most important factor when determining to renew or revoke a school's charter. Authorizers 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.

3. Operational Plan

a. Budget and Accounting System

Provide a plan for the charter school that is fiscally sound and complies with state and federal requirements, including a proposed budget for the term of the charter and the manner in which an annual audit will be conducted. Guidance can be found in the SCDE's *Financial Accounting Handbook, Single Audit Guide, and Funding Manual* for South Carolina schools at <http://ed.sc.gov/agency/cfo/finance/Single-Audit/>.

i. *Annual Budget*

In Appendix item 7, provide a budget for the first five years of the charter term in a Microsoft Excel spreadsheet.

1) Revenues

- a) Revenue account codes must be in accordance with the SCDE's *Financial Accounting Handbook* for South Carolina school districts.
- b) The budget must include documentation from the SCDE of estimated revenues in accordance with the allocations in S.C. Code Ann. § 59-40-140(A)-(D).
- c) If including grant revenue, such as federal public charter school start-up grants, provide evidence that the projected funds are likely to be received and explain the terms of the grant(s).

2) Expenditures

- a) Expenditure budget codes must be in accordance with the SCDE's *Financial Accounting Handbook* for South Carolina school districts.
- b) List anticipated expenditures and all costs associated with initial implementation and continued operation, including but not limited to instructional and support costs for
 - salaries and employee benefits,
 - purchased services (including insurance and transportation),
 - supplies and materials (including noncapital equipment),
 - capital outlay, and
 - other.

3) Budget and Accounting Management

Provide the name, address, and contact information for the person/company who will manage the budgeting/accounting function for the charter school. If the sponsor will serve as the fiscal agent for the charter school, provide that district's contact information.

ii. *Annual Audit*

Describe the annual audit of the financial and administrative operations of the school. Charter schools that receive federal charter school grant funds must have an annual independent audit conducted by a qualified auditing or accounting firm and must file the audit annually with the school's authorized public chartering agency.

Demonstrate how the school will adhere to the accounting, auditing, and reporting principles, procedures, and requirements that apply to all public schools operating in the state. These principles, procedures, and requirements are stated in the following documents published annually by the SCDE's Office of District Auditing and Field Services (<http://ed.sc.gov/agency/cfo/finance/Single-Audit/>):

- *Single Audit Guide*
- *Financial Accounting Handbook*
- *Funding Manual*

iii. *Pupil Accounting System*

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 <http://ed.sc.gov/agency/cfo/finance/Fiscal-Systems/ManualsandGuidelines.cfm>.

iv. *Negotiated Services Documentation*

Include a summary of any negotiated services to be provided by the proposed sponsor (district or the SCPCSD), including but not limited to financial accounting, payroll services, food services, custodial services, maintenance, curriculum, library and media services, and warehousing. Provide memorandums of agreement of any negotiated services to be provided by the sponsor as Appendix item 8.

Documentation should show evidence of agreement between the charter school and the proposed sponsor.

b. Governance and Operation

Describe the governance and operation of the charter school.

i. *Nonprofit Corporation Status*

Include as Appendix item 9 a copy of the nonprofit corporation's Articles of Incorporation and bylaws to document that the charter school is organized as a South Carolina nonprofit corporation.

ii. *Governing Board*

- 1) Describe 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.
- 2) Detail a plan for dissolving the charter planning committee and instituting the first elected governing board. Explain how nominations will be taken, when the vote will occur, how eligible voters will cast their ballots, when training will be provided for these governing board members, and how soon the board will hold its first meeting.
- 3) Describe the authority of the governing board to develop policies, make decisions, and execute each of the following responsibilities:
 - a) employing and contracting with teachers and nonteaching employees;
 - b) ensuring that all certified personnel, teachers, and noncertified teachers undergo background checks and other investigations before they are employed in the school;
 - c) contracting for other services including, but not limited to, transportation, accounting, and legal;
 - d) developing pay scales, performance criteria, and discharging policies for its employees, including the school's administrator;

- e) deciding all other matters related to the school's operation, including budgeting, curriculum, and operating procedures; and
 - f) ensuring that the school will adhere to the same health, safety, civil rights, and disability rights requirements applicable to all public schools operating in the same school district.
- 4) Provide evidence that the proposed charter school and its governing body will comply with the Freedom of Information Act as stated at http://www.scstatehouse.gov/query.php?search=DOC&searchtext=30%204%2010&category=CODEOFLAWS&conid=6823885&result_pos=0&keyval=498&numrows=10. Specifically address policies regarding student records, administrative records, and meetings.

iii. Administrative Structure

Describe the administrative structure of the charter school, including the roles and responsibilities of each administrative staff member. Include an organizational chart in this section.

iv. Parental, Community, and Educator Involvement

Describe the nature and extent of parental, community, and professional educator involvement in the governance and operation of the school.

c. Administrative and Teaching Staff

Provide evidence that the charter school will employ administrators and teachers in a manner consistent with the South Carolina Charter Schools Act and the Elementary and Secondary Education Act.

i. Administrative Staff

Identify the administrative positions, including the principal and guidance counselor, and specify the required qualifications and job descriptions. Summarize the qualifications of those who have already been selected.

Include as Appendix item 10 the resumes or vitae for administrative staff members.

ii. Teachers

List the anticipated teaching positions and include

- the grade or grades and content areas the teachers will instruct,
- the qualifications/certifications that will be required, and
- provisions for special education teachers to be certified in each of the areas of disability for students needing special education.

d. Racial Composition

Describe how the charter school intends to ensure that (1) enrollment in the school is similar to the racial composition of the school district or the targeted student population of the

school district that the charter proposes to serve, and (2) will differ no more than 20 percent from that population. Include an assurance that the school will comply with any desegregation plan or order in effect in the sponsoring district.

i. Racial Composition

Indicate the racial composition of the local school district and the racial composition of the student population the school intends to target.

ii. Policies and Procedures

Describe the policies and procedures for recruiting students. Explain how the recruiting procedures are expected to result in a pool of student applications similar to the racial composition of the school district or the targeted student population.

iii. Desegregation Plan or Order

In Appendix item 11, include the following documents to ensure compliance with a desegregation plan or order:

- 1) a letter from the sponsor indicating whether the school will be subject to a desegregation plan or order,
- 2) a copy of any desegregation plan or order to which the school will be subject,
- 3) an explanation of how the school's policies and procedures demonstrate an understanding of and comply with the desegregation plan or order, and
- 4) a letter from the sponsor indicating whether the school's proposed policies and procedures comply with any desegregation plan or order in effect in the district or whether clarification must be received from the Office for Civil Rights.

e. Transportation

Describe how the charter school intends to meet the transportation needs of its students.

i. Transportation Needs

Describe how the school will provide or facilitate transportation for a student who is unable to attend school because of lack of transportation.

ii. School Bus

If the school will provide transportation by school bus, include a plan that complies with the state requirements for drivers and training and the state and federal safety requirements for school buses (see <http://ed.sc.gov/agency/os/Transportation/District-Services/SouthCarolinaSchoolBusDrivers.cfm>).

iii. Contracted Services

If the school intends to contract with the district or a third party for transportation, describe those services and attach as Appendix item 12 a proposed contract that includes the name and address of the party providing the services.

iv. *Special Needs Students*

Explain how students with special needs will be transported in accordance with state and federal law, including the Individuals with Disabilities Education Improvement Act of 2004.

f. Facilities and Equipment

Describe the charter school's building, facilities, and equipment and explain how they will be obtained.

i. *Identified Facility*

If a facility has been identified at the time of application, include

- 1) the physical address of the facility;
- 2) a description of the facility (age, condition, etc.);
- 3) a floor plan (as Appendix item 13), including a notation of its size in square footage as it relates to projected enrollment;
- 4) the name and address of the owner of the facility;
- 5) a copy of the proposed lease or rental agreement if the facility will be leased or rented (include in Appendix item 13); and
- 6) documentation (in Appendix item 13) from the SCDE's Office of School Facilities stating that the facility meets the appropriate codes, or evidence that the charter school committee is working with an architect and/or the Office of School Facilities to correct any deficiencies (see the Charter Facility Notification to the Office of School Facilities form on page 40).

ii. *Facility Not Identified*

If the charter school has not identified a suitable facility, specify a plan for obtaining such a facility. Include

- 1) a description of facility needs,
- 2) an indication of current options for a facility, and
- 3) a schedule for completing or obtaining a suitable facility. If applicable, include a description of and timeline for any plan to raise funds for completing or obtaining a facility.

iii. *Equipment*

Describe the equipment that will be used to support the proposed curriculum and explain how the equipment will be obtained.

g. Employee Relations

Explain the relationship that will exist between the charter school and its employees, including evaluation procedures.

i. *Employment Process*

Detail the process to be used to advertise for, select, and employ instructional staff and other employees.

ii. *Teacher Evaluations*

Describe in detail the procedure that will be used to evaluate teachers.

iii. *Terms and Conditions of Employment*

Explain how the school will communicate its employment policies and any policy changes.

h. Grievance and Termination Procedures

Include a reasonable grievance and termination procedure for the charter school's employees.

i. *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 14.

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.

ii. *Employment and Dismissal Procedures for Administrative, Paraprofessional, and Non-teaching Staff*

Provide grievance and termination procedures for administrators, paraprofessionals, and other staff.

i. Student Conduct, Rights and Responsibilities, and Discipline Procedures

Include a policy governing student conduct, student rights and responsibilities, and student discipline standards and procedures.

i. *Student Conduct*

Describe the school's policy governing student conduct. Set clear expectations for student conduct and include any disciplinary actions to be taken by the administration for breaches of the policy.

ii. *Students with Disabilities*

Include the school's policy on suspension and expulsion of students with disabilities.

iii. *Student Rights*

Describe the school's appeals process for students recommended for expulsion; this process must include a right to appeal to the charter's governing board.

iv. *Parental Notification*

Provide details on the parental grievance process the school will use to resolve issues. Include as Appendix item 15, the student conduct, rights, and responsibilities policies that will be given to parents and students at the beginning of the school year.

j. Indemnification

Include a statement assuming the liability for the activities of the charter school and an agreement to 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 that 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.

k. Insurance

Describe the types and amounts of insurance coverage to be obtained.

i. *Workers' Compensation Insurance*

Include a description of workers' compensation insurance and the amounts. In Appendix item 16, include 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.

ii. *Liability Insurance*

Include a description of liability insurance and the amounts to be obtained by the charter school. In Appendix item 16, include 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. The minimum policy must cover the limits of the South Carolina Tort Claims Act (S.C. Code Ann. § 15-78-120 (Supp. 2011)).

iii. *Property Insurance*

Include a description of the insurance to cover loss to the school building and contents for fire and theft. In Appendix item 16, include 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.

iv. *Indemnity Insurance*

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. Also include in Appendix item 16 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.

v. Automobile Insurance


Include a description of automobile insurance and both property and liability insurance. In Appendix item 16, include 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.

vi. Other 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.

E. Reviewer’s Scoring Rubric

Charter school applications will be reviewed by the CSAC for compliance with established standards that reflect the requirements and intent of the SC Charter School Law. CSAC will use the Charter School Application Review Guide (available at <http://ed.sc.gov/agency/se/School-Transformation/Charter-Special-Focus/>) to determine compliance.

	SOUTH CAROLINA STATE DEPARTMENT OF EDUCATION	South Carolina Public Charter School Application	FOR SCDE USE ONLY
		For schools planning to open fall 2013	Date Received: _____
		Application Cover Page	Received By: _____

Application Cover Page

Applicant Information

Name of Proposed School _____

Mailing Address (if known) _____

City, State, Zip Code _____

Name of Applicant Group _____

Contact Information

Contact Person _____

Title/Position _____

Office Telephone _____ Fax _____

Other Phone (cellular) _____ E-mail _____

Mailing Address _____

City, State, Zip Code _____

Additional Information about Proposed Charter School

Grade Levels during Opening Year:
Grade Levels at Full Student Matriculation:
Sponsor (local school district board or SCPCSD) Name:

<p>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 approved this document and pledges to comply with the attached assurances.</p>	
Signature of Charter School Planning Committee Chair _____	Date _____

<p>FOR SCDE OFFICE USE ONLY</p>	
<p>Authorization: We hereby certify that this charter application has been duly authorized by the sponsor listed above. This authorization indicates that the terms of the application constitute a contractual agreement between the two organizations represented below.</p>	
<p>Charter School Planning Committee Chair Name: _____</p>	
Signature _____	Date _____
<p>Sponsor Representative name: _____</p>	
Signature _____	Date _____



Statement of Assurances

This form must be signed by a duly authorized representative of the applicant group and submitted with the Charter School Application.

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.
- B. Will not charge tuition or other charges of any kind except as may be allowed by the sponsor and is comparable to the changes of the local school district in which the charter school is located.
- 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), the local school district in which the charter school is located.
- D. Will meet, but may exceed, the same minimum student attendance requirements as are applied to public schools.
- E. Will adhere to the same financial audits, audit procedures, and audit requirements as are applied to public schools.
- 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 No Child Left Behind Act.
- I. Will employ one administrative staff member who is certified or experienced in the field of school administration.
- J. Will be secular in its curriculum, programs, governance, and all other operations.
- K. Will comply with the Freedom of Information Act.
- L. Will comply with the No Child Left Behind legislation.
- M. Will adhere to all provisions of reporting student truancy, discipline incidents, and persistently dangerous situations as required by No Child Left Behind.



- 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.
- O. Will report to its sponsor and the SCDE any changes to information provided under its application in a timely manner.
- 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.
- Q. Will adhere to all provisions of federal law relating to students with disabilities, including 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.
- 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. 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.
- 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.

Name of Charter School Planning Committee Chair

Date

Signature of Charter School Planning Committee Chair

Date



Student Enrollment Projections

Name of Charter School _____

GRADE	2013-14	2014-15	2015-16	2016-17	2017-18
Pre-Kindergarten					
Kindergarten					
First					
Second					
Third					
Fourth					
Fifth					
Sixth					
Seventh					
Eighth					
Ninth					
Tenth					
Eleventh					
Twelfth					
TOTALS					

Procedures and Standards for Review of Charter School Applications

Title of Regulation: Regulation No.: R 43-601

**PROCEDURES AND STANDARDS FOR
REVIEW CHARTER SCHOOL APPLICATIONS**

Effective Date: 12/23/11

Constitutional and Statutory Provisions:

Section(s):

Section 59-5-60. General powers of [State]
Board. Section 59-40-10, et seq. Charter Schools.
Code of Laws of South Carolina, 1976.

State Board Regulation:

Procedures and Standards for Review of Charter School

Applications. I. DEFINITIONS

(A) “Charter school” means a public, nonreligious, nonhome-based, nonprofit corporation forming a school that operates within a public school district or the South Carolina Public Charter School District, but is accountable to the school board of trustees of that district which grants its charter. Nothing in this definition prohibits charter schools from offering virtual services pursuant to state law and subsequent regulations defining virtual schools.

(B) “Applicant” means the person who 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 or the local school board of trustees of the district where the charter school is to be located. The applicant also must be the person who applies to the Secretary of State to organize the charter school as a nonprofit corporation.

(C) “Sponsor” means the South Carolina Public Charter School District Board of Trustees or the local school board of trustees of the district where the charter school is to be located, as provided by law, from which the charter school applicant requested its charter and which granted approval for the charter school’s existence.

(D) “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.

(E) “Local school district” means any school district in the state except the South Carolina Public Charter School District and does not include special school districts.

(F) “Scholastic year” means the year that begins on the first day of July of each year and ends on the thirtieth day of June following.

II. APPLICATIONS TO BE CONSIDERED BY THE CHARTER SCHOOL ADVISORY COMMITTEE

(A) Review of Applications

All charter school applications must be reviewed by the Charter School Advisory Committee to determine compliance with the standards established below. The applications submitted to the Advisory Committee must demonstrate compliance with each standard. If the Advisory Committee determines that the application meets the standards set forth in this regulation, it must forward the application to the school district from which the applicant is seeking sponsorship. The Advisory Committee must make a recommendation to the school district to either approve or deny the charter.

(B) Application Timeline

Applications must be submitted to the Advisory Committee on or before May 1 to ensure completion of the review process by December 1 of the year preceding the opening of the charter school. If a charter, to include a conditional charter, is not issued by December 1, the opening will be delayed one scholastic year. Charter applications must propose school openings that are consistent with South Carolina's definition of a scholastic year. The applicant must submit the application to their selected sponsor on or before the date that the application is submitted to the CSAC for review. Evidence of this act must accompany the application to the CSAC.

(C) Proposed Contract

The charter school application will be a proposed

contract. (D) Requests for Additional Information

If the Advisory Committee determines that an application does not meet one or more of the standards, it may request clarification or additional information from the applicant or the district. The Advisory Committee has the authority to incorporate this additional information into the application.

III. CHARTER SCHOOL APPLICATION

STANDARDS (A) Mission Statement

The charter school application must include a mission statement that must be clear and must support the intent of the Charter Schools Act:

- (1) The purpose of the charter school must be clearly stated.
- (2) The purpose of the charter school must be consistent with the intent of the Charter Schools

Act: (a) S.C. Code Ann. Section 59-40-20 (Supp. 2007):

This chapter is enacted
to:

- (i) improve student learning;
 - (ii) increase learning opportunities for students;
 - (iii) encourage the use of a variety of productive teaching methods;
 - (iv) establish new forms of accountability for schools;
 - (v) create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site; and
 - (vi) assist South Carolina in reaching academic excellence.
- (b) S.C. Code Ann. Section 59-40-30 (Supp. 2007):

The purpose of the Charter Schools Act 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.

(B) Admissions Policies and Procedures

The application must include a description of the charter school's admission policies and procedures:

(1) 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.

(2) The admission policies and procedures must provide that, subject to space limitations, the charter school admits all children who are eligible to attend public school in the school district where the charter school is operating. For schools within the South Carolina Public Charter School District, the enrollment is open to all children who are eligible to attend public school in the state. If the number of applications exceeds the capacity of a program, class, grade level, or building, students must be accepted by lot, as specified in federal or state guidance. There is no appeal to the local school board of trustees.

(3) The policies and procedures must not limit or deny admission or show preference to any individual group; however, priority, which may not exceed twenty percent of the enrollment of the charter school, may be given to

- (a) a sibling of a pupil already enrolled or previously enrolled,
- (b) children of charter school employees, and
- (c) children of the charter school committee.

(4) Admission priority must be given to all students enrolled in a school undergoing a conversion.

(5) The 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 section is not applicable to schools authorized by the South Carolina Public Charter School

District.

(a) In-district students will be given priority.

(b) Out-of-district student enrollment must not exceed 20 percent of the total enrollment of the charter school without the approval of the receiving district 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.

(c) If the 20 percent of the 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.

(6) 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 sponsor. The decision will be binding on the student and the charter school.

(C) Support for Formation of a Charter School

The application must include evidence that an adequate number of parents, teachers, pupils, or any combination of them support the formation of the charter school:

(1) The charter committee must include at least one teacher.

(2) The application must include documentation of support of parents, teachers, pupils, or any combination of them that demonstrates that the school would likely meet enrollment expectations. A list of prospective or tentatively enrolled students or prospective employees is not required. The application must set forth the anticipated enrollment for the school at each grade level.

(3) Evidence of the interest level of parents, teachers, pupils, or any combination of them must be provided in the application and may include, but not be limited to, documentation of attendance and support at community meetings and survey results.

(4) 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.

(5) In the case of a proposal to convert a school, 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. 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.

(D) Educational Program, Goals, Objectives, Pupil Achievement Standards, and Curriculum

The charter school's educational program, goals, objectives, pupil achievement standards, and curriculum

must be clearly described in the application and must meet or exceed any student academic standards adopted by the school district in which the charter school is located. The application must demonstrate that the educational program is designed to enable each student to achieve these standards.

(1) The goals and objectives must be clearly stated and must provide enough detail to indicate specific outcomes.

(2) The student population must be identified by grade level, unique educational needs, and projected enrollment. A converted charter school must offer the same grades, or nongraded 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.

(3) The educational goals must reflect the school's mission statement.

(4) Strategies to accomplish the educational goals must be included.

(5) The school calendar must be at least 180 instructional days.

(6) Academic standards must identify what students will achieve at each grade level and must meet or exceed the South Carolina curriculum standards, as adopted by the State Board of Education. A correlation or other documentation must be included or process identified to ensure that the school will provide an instructional program that meets or exceeds the academic standards.

(7) If the charter school plans to offer the South Carolina State High School Diploma, the application must set forth the method for meeting the state requirements for the High School Diploma, including, but not limited to, course unit requirements, seat time for Carnegie Units, as applicable, and passage of the required examinations.

(8) Provisions must be included for determining if all students are achieving or attaining the standards, including the methods by which student performance information will be gathered and monitored.

(9) The application must include an explanation as to how the school will comply with the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act, and the Americans with Disabilities Act.

(E) Student Assessment

The application must include a description of the charter school's plan for evaluating pupil achievement and progress toward accomplishment of the school's achievement standards. The school's evaluation plan must include state-mandated assessments and other assessments as well as the timeline for meeting these standards and the procedures to be taken if pupil achievement falls below the standards.

(1) Methods for evaluating pupil achievement at each grade level must be specified. These methods must include but should not be limited to the state assessments.

(2) The timeline must identify the expected yearly progress toward meeting the school's long-term performance goals. The expected yearly progress must meet or exceed the expectation of adequate yearly progress as established in the No Child Left Behind Act.

(3) Provisions must be included to address the needs of students who do not perform at acceptable levels of proficiency in the statewide assessment program.

(F) Budget and Accounting System

The application must include a plan for the charter school that is economically sound and in compliance with state and federal requirements:

(1) A budget for the first five years of the charter must be included. The charter school must use the same budget codes as are required of school districts. The budget must be based on documented State Department of Education estimated revenues in accordance with the allocations in S.C. Code Ann. Section 59-40-140(A)-(C). If the budget includes funds acquired through grants, the application must present evidence that the funds, including federal public charter school start-up grants, are likely to be received, and the terms of the projected grants must be explained. Anticipated expenditures must include all costs associated with initial implementation and continued operation, including but not limited to instructional and support costs for:

- (a) salaries,
- (b) employee benefits,
- (c) purchased services (includes insurance and transportation), (d) supplies and materials (includes noncapital equipment), and (e) capital outlay.

(2) The application must include a description of the annual audit of the financial and administrative operations of the charter school, including evidence that the charter school will adhere to the accounting, auditing, and reporting procedures and requirements that are applied to public schools operating in South Carolina. Accounting, auditing, and reporting requirements must be in compliance with the principles set forth in the following publications, published annually by the Office of Finance:

- (a) Single Audit Guide,
- (b) Financial Accounting Handbook, and
- (c) Funding Manual.

(3) The application must include documentation regarding the pupil accounting system, including evidence that the charter school will adhere to the procedures and regulations that are applied to public schools operating in South Carolina. Pupil accounting and reporting requirements must be in compliance with the S.C. Pupil Accounting Manual and the S.C. Student Accountability Manual, published by the State Department of Education.

(4) The application must include documentation of any negotiated services provided by the school district, including but not limited to financial accounting, payroll services, food services, custodial services, maintenance, curriculum, library and media services, and warehousing.

(G) Governance and
Operation

The application must include a description of the governance and operation of the charter school:

(1) The charter school must be organized as a South Carolina non-profit corporation and the application must include a copy of the non-profit corporation's articles of incorporation and bylaws.

(2) The governing board must be elected annually by employees of the charter school and all parents or guardians of enrolled students.

(3) The governing board must assume the following responsibilities:

(a) employing and contracting with teachers and nonteaching employees;

(b) ensuring that teachers, whether certified or noncertified, undergo the background checks and other investigations required for certified teachers, as provided by law, before they may teach in the charter school;

(c) contracting for other services;

(d) developing pay scales, performance criteria, and discharging policies for its employees;

(e) deciding all other matters related to the operation of the charter school, including budgeting, curriculum, and operating procedures; and

(f) ensuring that the charter school will adhere to the same health, safety, civil rights, and disability rights requirements as are applied to all public schools operating in the same school district.

(4) The application must include a description of the administrative structure of the charter school, including the roles and responsibilities of each administrative staff member.

(5) Evidence of the nature and extent of parental, community, and professional educator involvement in the governance and operation of the school must be provided.

(6) Evidence must be provided that the charter school and its governing body will comply with the Freedom of Information Act. Such evidence may include the bylaws of the nonprofit corporation, which must be established prior to application.

(H) Administrative and Teaching Staff

The charter school must employ administrators and teachers in a manner consistent with the
Charter
Schools Act:

(1) At least one member of the administrative staff must hold current South Carolina certification in administration or have at least one year of experience in the field of school-based administration. The application must provide evidence that the qualifications of at least one administrator will meet this requirement.

(2) A newly created charter school may hire noncertified teachers not to exceed 25 percent of its faculty.

(3) A converted charter school may hire noncertified teachers not to exceed of 10 percent of its faculty.

(4) A teacher of a core academic area (English/language arts, mathematics, science, or social studies) must be certified in that area or must hold a baccalaureate or graduate degree in that subject. Teachers with elementary certification may teach in any academic area and in any grades allowable by the status of their certification.

(5) Part-time noncertified teachers must be considered pro rata in calculating staff percentages based on the hours which they are expected to teach.

(6) 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. Section 59-25-115.

(7) A certified teacher must hold current certification by the State of South Carolina to teach in a public elementary, middle, or secondary school.

(I) Racial Composition

The application must describe how the charter school intends to ensure that the enrollment of the school is similar to the racial composition of the school district or to the targeted student population the charter school proposes to serve and must also provide assurance that the school complies with any school district desegregation plan or order in effect:

(1) The application must demonstrate timely, fair, and realistic policies and procedures for recruiting, registering, and admitting students that reflect the racial composition of the school district or the targeted school population.

(2) The proposed procedures and policies must reflect an understanding of the racial composition of the district and the targeted student population.

(3) To ensure compliance with a desegregation plan or order, the charter school applicant should take the following steps and provide documentation that these steps were taken in its application:

(a) request and receive a letter from the district indicating whether the school will be subject to any desegregation plan or order;

(b) secure a copy of the desegregation plan or order if the school is subject to such;

(c) determine and demonstrate that the charter school's policies and procedures are in compliance with the desegregation plan or order;

(d) request and receive a letter from the district that indicates whether the charter school's proposed policies and procedures are in compliance with any desegregation plan or order in effect in the district or whether clarification must be received from the Office for Civil Rights.

(J) Transportation

The application must include a description of how the charter school intends to meet the transportation needs of its pupils:

(1) 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.

(2) If the lack of transportation is preventing a child from attending school, the charter school must provide or facilitate transportation for that student.

(3) 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.

(4) A charter school is not required to provide or facilitate transportation for out-of-district

students. (K) Facilities and Equipment

The application must include a description of the building, facilities, and equipment and an explanation as to how they will be obtained:

(1) Facilities Identified in Application

(a) If a facility suitable for use by the charter school is identified at the time of application, the application must provide the following information with regard to the facility that the charter school intends to occupy:

(i) the address of the facility;

(ii) a description of the facility;

(iii) a floor plan of the facility, including a notation of its size in square

footage; (iv) the name and address of the owner of the facility; and

(v) a copy of the proposed lease or rental agreement if the facility will be leased or rented.

(b) If the facility that the charter school will occupy is being used as a public school at the time of application, the application must specify the name and location of that school and must include documentation setting forth the specific days and times during which the charter school is authorized to use that facility.

(c) The application must either demonstrate that the proposed facility is in compliance with requirements set forth in the South Carolina School Facility Planning and Construction Guide for

charter school occupancy or must provide a description of that facility and must demonstrate that it will meet the requirements:

(i) A certificate of occupancy or a letter from the Office of School Facilities stating that the facility meets the appropriate codes is adequate to show compliance with this standard with regard to school facilities.

(ii) If a certificate of occupancy is not issued or cannot be obtained at the time of application, the application must provide evidence that the charter school committee is working with an architect and/or the Office of School Facilities to correct any deficiencies in the facility.

(2) Facilities Not Identified in Application

If the charter school has not identified a suitable facility, the application must specify a plan for obtaining such a facility and must include

(a) a description of the facility needs,

(b) a statement as to whether an existing facility will be remodeled or a new facility will be built,

and

(c) 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.

(3) The application must include a description of the equipment that will be used to support the proposed curriculum and an explanation as to how the equipment will be obtained.

(L) Employee Relations

The application must explain the relationship that will exist between the charter school and its employees, including evaluation procedures:

(1) The application must include a description of the process that will be used to advertise for, select, and employ instructional staff and other employees.

(2) The procedure for the evaluation of teachers of the charter school must be outlined in the application.

(a) The charter school may choose to use the ADEPT (Assisting, Developing, and Evaluating Professional Teaching) program. If ADEPT is to be used, the school must meet all requirements of the program.

(b) If the charter school selects another method of evaluation, that method must be explained with adequate detail. Teachers with Initial Teaching Certificates in those schools can not advance to a Professional Teaching Certificate.

(3) The application must explain how the terms and conditions of employment will be addressed with affected employees.

(M) Grievance and Termination Procedures

The charter school must have a reasonable grievance and termination procedure for its employees:

(1) The charter school may, with agreement from the sponsor, adopt the procedures for the employment and dismissal of teachers outlined in S.C. Code Ann. Section 59-25-410 et seq. (1990).

(2) If the charter school does not adopt procedures for the employment and dismissal of teachers outlined in S.C. Code Ann. Section 59-25-410 et seq. (1990), the charter school must establish employment and termination procedures that provide for notice and a right to a hearing before the governing board.

(3) The charter school application must include grievance or termination procedures for paraprofessionals and other staff.

(4) Teachers and other staff members who are employed at a public school that converts and who desire to continue to teach or work at the converted school may do so but will remain employees of the local school district with the same compensation and benefits including any future increases.

(N) Student Conduct, Rights, and Responsibilities

The charter school application must include a policy governing student conduct, student rights and responsibilities, and student discipline standards and procedures:

(1) The charter school may adopt the district's policy on student conduct and discipline.

(2) If the charter school does not adopt the district's policy on student conduct and discipline, the charter school application must include a policy that sets forth clear expectations for student conduct.

(3) The policy must set forth disciplinary actions to be taken by the administration for breaches of the student conduct policy.

(4) 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.

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

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

(7) 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.

(O) Indemnification

The charter school must assume the liability for the activities of the charter school and must agree to 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 that 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.

(P) Insurance

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.

(1) The application must include a description of workers' compensation insurance and amounts and a statement from a South Carolina licensed insurance company or the state insurance reserve fund setting out the charter school applicant's ability to secure the insurance and an estimate of the cost of the insurance.

(2) The application must include a description of liability insurance and the amounts to be obtained by the charter school and a statement from a South Carolina licensed insurance company or the state insurance reserve fund setting out the charter school applicant's ability to secure the insurance and an estimate of the cost of the insurance. The minimum policy must cover the limits of the South Carolina Tort Claims Act (S.C. Code Ann. Section 15-78-120 (Supp. 2001)).

(3) The application must include a description of the insurance to cover loss to the school building and contents for fire and theft and a statement from a South Carolina licensed insurance company or the state insurance reserve fund setting out the charter school applicant's ability to secure the insurance and an estimate of the cost of the insurance.

(4) The application must 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. A statement from a South Carolina licensed insurance company or the state insurance reserve fund setting out the charter school applicant's ability to secure the insurance and an estimate of the cost of the insurance must also be included.

(5) The application must include a description of automobile insurance, both property and liability insurance, and a statement from a South Carolina licensed insurance company or the state insurance reserve fund setting out the charter school applicant's ability to secure the insurance and an estimate of the cost of the insurance.

IV. VIRTUAL CHARTER SCHOOLS

(A) Definition: 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) must be through regular instructional opportunities. Regular instructional opportunities may include, but are not limited to, the opportunities outlined in Section IV(E)(2).

(B) The following additional information must be submitted to the Advisory Committee with the charter application:

- (1) List of currently developed courses that are ready for curriculum alignment;

- (2) Access to one course per level that can be previewed by South Carolina Department of Education (SCDE) to assess depth of work necessary for curriculum alignment;
- (3) Description of how the proposed charter will comply with the 25 percent real time requirement;
- (4) A timeline of how curriculum development will be completed and then approved by the SCDE;
- (5) A description of how much teacher interaction students will receive within the online instruction;
- (6) A description of the portal used and how it works;
- (7) A description of how the applicant plans to comply with the teacher requirements in S.C. Code Ann. Section 59-40-50.

(C) Curriculum

(1) All courses in core areas for which there are state-adopted curriculum standards must be reviewed to determine whether the courses meet content and grade specific standards, and approved by the SCDE prior to offering the course.

(2) Review by the SCDE

After the approval or conditional approval of a charter by the sponsor, the virtual charter school may submit courses for approval by the SCDE.

(a) The submittal must be done no later than six months prior to the proposed start to the school year and in the format required by the SCDE.

(b) The virtual charter school must provide SCDE online access to all courses that are submitted for review.

(c) The virtual charter must provide the SCDE copies of or links to other materials that will be used to cover content standards.

(d) If the virtual charter is also using textbooks to teach the courses, the virtual charter must, if requested, provide a copy or excerpts of the text to the SCDE for the review process.

(D) Additional Program Requirements

The program must provide the following:

(1) Each course must be taught by a teacher meeting the requirements of S.C. Code Ann. Section 59-40-50;

(2) Ensure that a parent or legal guardian verifies the number of hours of educational activities completed by the student each year;

(3) Provide for frequent, ongoing monitoring of an individual student's program to verify each student is participating in the program;

(4) Include proctored assessments for core subjects per semester that are graded or evaluated by the teacher;

(5) Conduct at least bi-weekly parent-teacher conferences in person or by telephone;

(6) Provide for a method to verify student attendance;

(7) Provide for verification of ongoing student progress and performance in each course as documented by assessments and examples of coursework.

(E) Regular Instructional Opportunities

(1) The charter school must provide regular instructional opportunities in real time that are directly related to the school's curricular objectives. Core academic instruction includes instruction in English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography.

(2) Regular instructional opportunities include, but are not limited to, the following:

(a) meetings with teachers;

(b) educational field trips and outings;

(c) virtual field trips that are in real time attended by other charter school students;

(d) virtual conferencing sessions;

(e) offline work or projects assigned by the teacher of record.

V. CONDITIONAL CHARTERS

The local school board may grant a conditional charter, instead of a full charter, to an applicant whose application meets the standards as determined by the Advisory Committee only if one or more of the following conditions exists: a charter school has not yet secured its space and been issued a certificate of occupancy by the Office of School Facilities, secured its equipment, facilities, and/or personnel.

The conditional approval must be in writing and outline the specific conditions that must be met for approval and must include the specific date by which the conditions need to be met in order to secure approval. The local school board must make a determination as to whether the charter applicant has met the conditions of the conditional approval on or before the date specified in the conditional approval. Failure to make a ruling by the date outlined in the conditional charter shall be deemed approved.

VI. ADVERSE IMPACT ON STUDENTS

A local school board of trustees may deny an application if the charter school would adversely affect the other students in the district.

(A) The local school board of trustees must demonstrate adverse impact on students. The impact must be specific and must have a negative affect on students. If the local school board of trustees finds that the charter school would adversely affect other students of the district, the written explanation of the reasons for denial required by Section 59-40-70(C) must describe detrimental effects upon other students of the district.

(B) If the district is claiming an adverse impact based upon the redirection of funding to the charter school, the district must demonstrate that the funds being redirected to the charter school will have a direct negative impact on students.

(1) The district must show options it has considered in an effort to reduce the adverse financial impact of the charter school.

(2) The district has considered the net fiscal impact of the charter school, including the fiscal benefits that the charter school may bring to the district.

VII. FEDERAL CHARTER SCHOOL GRANT

SCHOOLS A) Annual Audits

Charter schools that receive federal charter school grant funds must have an annual independent audit conducted by a qualified auditing or accounting firm and must file the audit annually with the school's authorized public chartering agency.

B) Academic Achievement

1) Charter schools must be proposed with the intent of improving student academic achievement. The charter school must demonstrate that student academic achievement is improving.

2) Charter schools must provide evidence of increased student academic achievement for all groups of students described in Section 1111(b)(2)(C)(v) of the ESEA. Authorizers must use increases in student academic achievement for all students described in ESEA as the most important factor when determining to renew or revoke a school's charter. Authorizers 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.

VIII. GUIDELINES

The South Carolina Department of Education may issue guidelines to assist charter schools in complying with federal legislation, including, but not limited to, No Child Left Behind and the Individuals with Disabilities

Charter School Facilities Approval Process
Effective March 15, 2009

All charter schools must either plan facilities that:

1. Meet all the requirements of the *South Carolina School Facilities Planning and Construction Guide (Guide)* that are applicable to the particular type of school; or
2. Utilize the list of non-health and non-safety items provided by OSF. In addition, architects may submit a request to the Office of School Facilities (OSF) for a waiver from any other of the requirements of the *Guide* that are not code required. OSF will then review and approve the waivers as deemed appropriate.

OSF cannot waive requirements of the International Building Code or fire code.

As is the case under existing policy for all public schools, the charter school must contract with a South Carolina licensed architect to provide construction documents, code analysis, zoning and land use analysis, transportation analysis, and other professional services as needed. These services are not provided by the OSF.

NOTE: Any discussion regarding the building projects beyond preliminary inquiries should be between the OSF and the architect for the charter school facility.

Submittal Process by the Architect:

1. The architect shall declare to OSF which approach of the two listed above he/she plans to follow for the charter facility.
2. The architect shall submit either schematic or design development plan phase drawings to OSF after the requests for waivers (if needed) have been approved.
3. After necessary revisions based on comments by OSF from the design development phase review, the architect shall submit construction documents to OSF.
4. Bidding cannot begin on the construction documents until final approval of OSF. Corrected construction documents as per the process outlined in the *Guide* will need to be reviewed and approved.
5. The charter school must obtain a local building permit and comply with all local ordinances, regulations, zoning ordinances, inspections, and other applicable land-use restrictions. The architect is reminded that he/she is to determine all Chapter 17 Special

Inspections required and ensure they are done if the local building official cannot. Seeking the local permit may be done at the same time as the submittal of construction documents to OSF.

6. If the local building official refuses to be a participant in the inspection process, the services of a third-party inspector must be obtained for the necessary Building Code Chapter 1 inspections in addition to the Building Code Chapter 17 inspections.

7. Before construction begins, waiver request issues must be resolved, items from OSF construction document review must be resolved, corrected construction documents approved by OSF, and a copy of the local building permit must be submitted to OSF.

8. During the construction process the necessary inspections shall be conducted. When the local building official has conducted a final inspection and has issued a certificate of occupancy, a copy of that certificate must be delivered to OSF with an appropriate transmittal form. If the local building official has refused to conduct inspections (see item 6), OSF shall be contacted for above-ceiling and final inspections as described in **Sections 904 and 905** of the *Guide*.

9. Occupancy of the charter facility cannot occur until OSF has issued a letter to the charter school acknowledging that an acceptable inspection has been completed.

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

Pat Hinson

Office of School Facilities

SC Department of Education

1429 Senate Street, Suite 1114

Columbia, SC 29204

Tel: 803-734-4836

Fax: 803-734-4857

E-mail: phinson@ed.sc.gov

Form for Charter Facility Notification to the Office of School Facilities

Please check all that apply.

<input type="checkbox"/>	Initial Notification
<input type="checkbox"/>	Revised Notification
<input type="checkbox"/>	Building Permit
<input type="checkbox"/>	Building Official's Certificate of Occupancy
<input type="checkbox"/>	Other: _____

CHARTER SCHOOL PROJECT

NAME OF CHARTER SCHOOL PROJECT	
NAME OF CHARTER SCHOOL APPLICANT	
NAME OF SCHOOL DISTRICT	
NAME OF CONTACT PERSON	
MAILING ADDRESS	
CITY/SC/ZIP CODE	
TELEPHONE NUMBER	
FAX NUMBER	
EMAIL ADDRESS	
PROPOSED DATE OF OCCUPANCY	
PROPOSED NUMBER OF STUDENTS	

ARCHITECT

NAME OF S.C. LICENSED ARCHITECT	
ARCHITECT'S FIRM	
ARCHITECT'S MAILING ADDRESS	
CITY/SC/ZIP CODE	
TELEPHONE NUMBER	
FAX NUMBER	
EMAIL ADDRESS	

LOCAL JURISDICTION

STREET ADDRESS OF PROPOSED CHARTER SCHOOL	
CITY/SC/ZIP CODE	
BUILDING OFFICIAL (BO) HAVING JURISDICTION	
BO MAILING ADDRESS	
CITY/SC/ZIP CODE	
BO TELEPHONE NUMBER	
BO FAX NUMBER	
BO EMAIL ADDRESS	

CHARTER SCHOOL FACILITY *(Please check building type)*

<input type="checkbox"/> EXISTING SCHOOL CONVERSION	<input type="checkbox"/> NEW CONSTRUCTION	<input type="checkbox"/> RENOVATION	<input type="checkbox"/> MODULAR UNITS
<input type="checkbox"/> RELOCATABLE UNITS			

CHARTER SCHOOL FACILITY WAIVER REQUESTS

Code FGA

Issued 02/13/08

Revised:

Constitutional and Statutory Provisions:

S.C. Code Ann. Sections:

§ 59-5-60 (2004 & Supp. 2006)

General powers of [State] Board.

§ 59-40-10, *et seq.* (2004 & Supp. 2006)

Charter Schools.

State Board Rule:

The governing board of a charter school may submit a facility waiver request in the same manner as is permitted by a local school district.

Excerpt from SCDE 2010 Planning and Construction Guide Effective March 15, 2010

104.2 Charter schools are public schools and shall be subject to the OSF plan review and inspection of construction or renovation and approval of occupancy, in order to ensure compliance with all codes as set forth in this division. Charter schools are subject to building code and all health and safety standards as stated in this *Guide*. Requirements that are not related to health and safety that are listed in this *Guide* do not apply to charter school facilities. A listing of the non-health and non-safety requirements of this *Guide* is maintained by the OSF and is published on the OSF's website. Inspections by jurisdictions other than the OSF may be allowed if approved by the OSF.

**Non-Health and Non-Safety Requirements
in the
*South Carolina School Facilities Planning and Construction Guide***

Charter schools may seek waivers from any requirements not listed here that are not code required. These waivers will need to be submitted to the Office of School Facilities for review and approval.

Note that this list is a work in progress and is subject to change as the process develops.

DIVISION 1: GENERAL REQUIREMENTS

Procurement

108

DIVISION 2: SITE SELECTION

Site Approval

Subject to Approval before Acquisition

202.1

On-site Inspection before Acquisition

202.2.1

Written Approval before Acquisition

202.3

Land Disposal

207.1

DIVISION 3: DESIGN CRITERIA

Educational Spaces

Art

303.1.1

303.1.2

303.1.3

303.1.4

303.1.6

303.1.7

Classrooms

303.2.1.1

303.2.1.2

303.2.3.1.1

303.2.3.1.3

303.2.3.2

Kindergarten and Child Development

Classrooms

303.3.2

303.3.3

303.3.4

303.3.7

Media Centers

303.4.1

303.4.3

303.4.4

303.4.5

303.4.6

303.4.7

Music

303.5.1

303.5.2.1

303.5.2.2

303.5.2.3

303.5.3

303.5.4

Physical Education

303.6.1

303.6.2

303.6.3.1

303.6.3.2.1

303.6.3.2.2

303.6.3.2.3

303.6.3.2.5

Science Facilities

303.7.1.1

303.7.1.2.1

303.7.1.2.3

303.7.1.2.4

303.7.1.2.5

303.7.1.2.6

303.7.1.2.7

303.7.1.2.8

303.7.1.2.9

303.7.1.2.10
303.7.2.1
303.7.2.2.1
303.7.2.2.2
303.7.2.2.3
303.7.2.2.4
303.7.2.2.5
303.7.2.2.6
303.7.2.2.7
303.7.2.2.8
303.7.2.2.9
303.7.2.2.11
303.7.2.2.12
303.7.2.2.13
303.7.2.2.15
303.7.2.2.17
303.7.2.3
303.7.2.4

Support Spaces

Bookrooms

304.1

Cafeteria

304.2.2

Corridors

304.3

Guidance

304.5

Locker Spaces

304.7

Records Room/Vault

304.9

Stages and Platforms

304.10

Stairways

304.11.4

Toilet Facilities

304.13.8.2

304.13.8.3

304.13.8.4

Other Requirements

Finish Ceiling Heights

305.2

Doors

305.3.2

DIVISION 8: BIDDING AND AWARD

PHASE

Bidding Procedures

802

Alternate Methods of Construction

804

DIVISION 10: PLUMBING

Interior Plumbing

Water Piping

1006.2.2

1006.2.3

Soil, Waste, Vent and Roof Drain Systems

1006.4

Fixtures

General

1008.1.1

Fixtures

1008.2

Water Closets

1008.4

DIVISION 11: MECHANICAL

Systems

1103

Materials and Installation

1106.1

1106.3

DIVISION 12: ELECTRICAL

Power Service and Distribution

Wiring Methods

Modify section 1203.2.7 to read as

"Metal clad cable shall be permitted in locations as allowed by the currently adopted National Electric Code."

Receptacles

1203.7

Lighting

Illumination Levels

1204.1

Lighting Control

1204.2.4

Lighting System Security

1204.4.1

1204.4.2

Communication System

1211.1

Provisions for Educational Television

1212

SC Virtual School Curriculum Review Information

S.C. Code Ann. § 59-40-65 requires that the South Carolina Department of Education (SCDE) review and approve online courses that are used by charter schools. Each course must meet or exceed the South Carolina content and grade-specific standards.

The Office of eLearning uses the South Carolina Academic Standards. These standards can be found on the SCDE's Web site at <http://ed.sc.gov/agency/Standards-and-Learning/Academic-Standards/index.html>. The office also supplies the schools with an electronic file that is used in the review process.

The standards document is given to the school and to the reviewers. The school conducts a self evaluation and documents the alignment of their lessons to the standards. After the completion of the self evaluation, we then forward this information to our reviewers.

The South Carolina Virtual School (SCVS) Program Online Review Instrument is included in the review process (see attached file). The main purpose of the course review instrument is to provide consistency and reliability to the online classroom course structure. The instrument provides ratings and suggestions from the student perspective. The North American Council for Online Learning has similar documents that they use for reviewing online course material. The organization uses review instruments to ensure that the online learning environment is one where the child is actively engaged and excited about the format of the curriculum.

The course review instrument is only used for informational purposes and not for approval of courses.

Please view the following link for more information on NACOL:

<http://www.inacol.org/research/nationalstandards/NACOL%20Standards%20Quality%20Online%20Courses%202007.pdf>

After the standards document and the SCVS Program Online Review Instrument is completed for a course, the Curriculum Coordinator for the Office of eLearning examines the reviewer's comments and suggestions, which is shared with the schools via Google Docs.

Online Course Review Instrument

The purpose of the course review instrument is to provide consistency and reliability to the online classroom course structure. The instrument provides ratings and suggestions from the student perspective. The course review instrument is only for informational purposes, and it is recommended that schools use this information to strive to improve their curriculum.

Rating Scale:

Absent: component is missing (0)

Unsatisfactory: needs significant improvement (1)

Somewhat satisfactory: needs targeted improvements (2)

Satisfactory: discretionary improvement needed (3)

Very satisfactory: no improvement needed (4)

<p>Content: S.C. Code Ann. § 59-18-300—The standards must be reflective of the highest level of academic skills with the rigor necessary to improve the curriculum and instruction in South Carolina’s schools so that students are encouraged to learn at unprecedented levels and must be reflective of the highest level of academic skills at each grade level.</p> <p>Course content is aligned to SC academic standards.</p>	
Course, unit, and lesson goals/objectives are clearly expressed.	
Course syllabus is provided.	
Course content is aligned to desired learning outcomes (goals/objectives)	
Course content is rigorous.	
Course content is flexible allowing teacher/student choice.	
Course content is divided into manageable units or modules.	
Course content is delivered in a variety of media aligned with desired learning outcomes.	
Course content is free of factual errors.	
Course content is free of typographical, grammatical, and spelling errors.	
Resources are provided for remediation and extended learning.	
<p>Activities and Assignments</p> <p>Course includes a variety of activities and assignments to address multiple learning styles.</p>	
Course activities and assignments are aligned to desired learning outcomes (goals/objectives).	
Course activities and assignments allow teacher/student choice.	
Performance expectations for activities and assignments are communicated clearly.	

The number of activities and assignments are appropriate so the workload is reasonable.	
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Assessments	
Frequent assessments provide targeted feedback.	
Course includes a variety of assessments to address multiple learning styles.	
Course assessments are aligned to desired learning outcomes.	
Course assessments are customizable allowing teacher/student choice.	
Web Design	
Course navigation is intuitive and user-friendly.	
Long scrolling is minimized or aided by anchor links.	
All pages are formatted to prevent horizontal scrolling.	
Fonts and bullet lists are consistent throughout the course.	
Fonts are readable and follow web conventions (no underlining, font size indicates heading level, etc.).	
Links are descriptive and labels are consistent with the destination headings and content.	
Links are functional.	
Interactive multimedia are designed to maximize user control.	
Appropriate and convenient technical support is available.	
Print Materials	
Printed course materials are free of all errors.	
Links to printable course materials are descriptive and consistent with destination files.	
Links to printable course materials are functional.	
Technology Integration	
Technology is used as a means of content delivery.	
Technology is used for collaboration within or outside of the online classroom.	
Technology is used for information queries.	
Technology is used for problem-solving.	
Technology is used for product development.	
Comments	