

VIRGINIA ACTS OF ASSEMBLY -- 2013 SESSION

CHAPTER 225

An Act to amend and reenact § 22.1-212.9 of the Code of Virginia, relating to charter schools; applications.

[H 2076]

Approved March 12, 2013

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-212.9 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-212.9. Review of public charter school applications.

A. Public charter school applications shall be received and reviewed by the Board of Education and local school boards or, in the case of a regional public charter school, by all of the relevant school boards, as provided in subsection C. *However, no charter school application that is initiated by one or more local school boards shall be subject to the provisions of subsection C.*

The Board of Education and each local school board shall establish procedures for receiving, reviewing, and, in the case of local school boards, ruling upon applications. The Board of Education and local school boards shall post their procedures on their websites and make a copy of the procedures available to all interested parties upon request. If any such board finds the public charter school application is incomplete, the board shall request the necessary information from the charter applicant.

B. To provide appropriate opportunity for input from parents, teachers, citizens, and other interested parties and to obtain information to assist local school boards in their decisions to grant or deny a public charter school application, local school boards shall establish a procedure for public notice and to receive comment on public charter school applications. A local school board shall give at least 14 days' notice of its intent to receive public comment on an application.

C. Prior to submission of an application to a local school board for review, the public charter school applicant shall submit its proposed charter application to the Board of Education for its review, comment, and a determination as to whether the application meets the approval criteria developed by the Board. The Board's review shall examine such applications for feasibility, curriculum, financial soundness, and other objective criteria as the Board may establish, consistent with existing state law. The Board's review and comment shall be for the purpose of ensuring that the application conforms with such criteria, and the Board shall make a determination as to whether the application meets the approval criteria developed by the Board. Nothing in this section shall prevent a local school division from working with a charter school applicant before the application is submitted to the Board of Education for review and recommendation.