

# WEST VIRGINIA CODE: §18-5G-4

## **§18-5G-4. West Virginia Board of Education; powers and duties for implementation, general supervision and support of public charter schools.**

(a) The state board along with the West Virginia Public Charter School Board established in §18-5G-15 of this code shall consult with nationally recognized charter school organizations and establish and maintain a catalogue of best practices for public charter schools applicable for all applicants, authorizers, governing board members, and administrators that are consistent with this article and nationally recognized principles and professional standards for quality public charter school authorizing and governance in all major areas of authorizing and governance responsibility in the following areas:

- (1) Organizational capacity and infrastructure;
- (2) Solicitation and evaluation of charter applications;
- (3) A framework to guide the development of charter contracts;
- (4) Performance contracting including a performance framework;
- (5) Providing transparency and avoiding all conflicts of interest;
- (6) Ongoing public charter school oversight and evaluation; and
- (7) Charter approval and renewal decision-making;

(b) The state board is responsible for exercising, in accordance with this article, the following powers and duties with respect to the oversight and authorization of public charter schools:

(1) Provide forms to promote the quality and ease of use for authorizers to solicit applications for public charter schools, for applicants to complete applications, and for establishing quality charter contracts that include a framework for performance standards. The forms shall be available for use and solicitations made not later than the beginning of February, 2020. The forms shall include an application deadline of August 31st of the year prior to the beginning of operations for the proposed school year. No public charter school may begin operation prior to the beginning of the proposed school year following the previous year August application;

(2) Provide training programs for public charter school applicants, administrators and governing board members, as applicable, that include, but are not limited to:

(i) Pre-application training programs and forms to assist in the development of high quality public charter school applications;

- (ii) The required components and the necessary information of the public charter school application and the charter contract as set forth in this article;
- (iii) The public charter school board's statutory role and responsibilities;
- (iv) Public charter school employment policies and practices; and
- (v) Authorizer responsibilities for public charter school contract oversight and performance evaluation;
- (3) Receive and expend appropriate gifts, grants and donations of any kind from any public or private entity to carry out the purposes of this act, subject to all lawful terms and conditions under which the gifts, grants or donations are given;
- (4) Apply for any federal funds that may be available for the implementation of public charter school programs;
- (5) Establish reporting requirements that enable the state board to monitor the performance and legal compliance of authorizers and public charter schools;
- (6) Establish a framework and procedures for interactions between public charter schools, public noncharter schools and county boards of education to facilitate cooperation for shared services, training and information and to ensure the prompt transfer of student records, including IEP's, so as to minimize the interruption of a student's education when transferring between noncharter public schools and public charter schools; and
- (7) Submit to the Governor and the Legislature an annual report within 60 days of the end of each school year summarizing:
  - (A) The student performance of all operating public charter schools; and
  - (B) The authorization status of all public charter schools within the last school year, identifying all public charter schools as:
    - (i) Application pending;
    - (ii) Application denied and reasons for denial;
    - (iii) Application approved, but not yet operating;
    - (iv) Operating and years of operation;
    - (v) Renewed and years of operation;
    - (vi) Terminated;
    - (vii) Closed;

(viii) Never opened; and

(ix) Any successful innovations applied in authorized public charter schools which may be replicated in other schools. The report shall provide information about how noncharter public schools may implement these innovations.

(c) The state board shall be the authorizer of a public charter school when a county board or boards approve the application for a public charter school and requests the state board to perform the authorizer duties and responsibilities or when an application to form a public charter school or to renew a charter contract is submitted from an applicant within a county in which the state board has intervened and limited the power of the county board to act pursuant to §18-2E-5 of this code.