



# Charter School Application: A Guide for Maryland Local Education Agencies

## Introduction to Charter School Application: A Guide for Maryland Local Education Agencies

Under Maryland Law, charter schools are authorized by the Local Education Agency<sup>1</sup> (LEA). The LEA designates a Charter Liaison and/or a Charter Liaison Office<sup>2</sup> (CLO). The CLO implements the charter application life cycle from receipt of an application through the decision of the local board of education.

The charter liaison oversees operating charter schools to ensure compliance with local, State, and federal policies, regulations, and laws. The charter liaison should be familiar with [Maryland's charter law](#) as well as the policies and regulations pertaining to the operation of schools in the LEA. **Charter schools operate under the authority of the LEA except as provided by the charter law; any waivers approved for the charter school; and any additional, allowable, terms legally agreed to by both the LEA school board and charter operator in the Charter Agreement.**

To ensure an effective review of applications the CLO to orients the charter applicant to the requirements of a successful application, establishes procedures for evaluating a submitted application, provides technical assistance, and makes an objective recommendation to the superintendent/CEO to approve or deny the submitted charter application.

This guide summarizes the authorizing context in Maryland and the steps taken for a CLO to receive and evaluate a charter application. Exemplar documents and helpful links can be found on the [Maryland Charter Liaisons page](#) of the Maryland State Department of Education (MSDE) website.

## Background

### AUTHORIZING CONTEXT

Charter schools are public schools. They operate under the assumption that innovation and flexibility in curriculum, educational philosophy, budgeting, and governance can lead to improvements in student performance, while increasing educational options for public school students. In exchange for this flexibility, MSDE and LEAs expect charter schools to contribute to the education community by meeting or exceeding state and local academic achievement standards; creating and maintaining healthy learning environments for students and staff; maintaining fidelity to charter school's approved mission and goals, as well as all local, State, and federal laws and regulations governing all public schools, unless waived.

---

<sup>1</sup> A local education agency or LEA is, “[a] public board of education or other public authority within a state that maintains administrative control of public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a state. School districts and county offices of education are both LEAs” (<https://edsource.org/glossary>).

<sup>2</sup> The term Charter Liaison Office is used to generically refer to the position of charter liaison, whose responsibilities include management of charter application review and approval, and oversight of operating charter schools. Each LEA determines who has this role. There may be a distinct office; or one individual whose responsibilities include charter schools and other areas. See [Appendix B](#) for contact information of each Charter Liaisons by the corresponding LEA.

The Maryland charter law provides LEAs with a tool for developing educational opportunities within the community. The [Annotated Code of Maryland, Education Article, Title 9, Maryland Public Charter School Program](#) directs LEAs to review a submitted charter application and make an official public decision approving or rejecting the submitted charter proposal within 120 days of receipt of a complete application. The date of receipt of an application may be determined by the LEA based on the office's publicly established deadlines or -- if the LEA does not have a published deadline<sup>3</sup> for its charter application process -- the submission date is determined by the applicant.

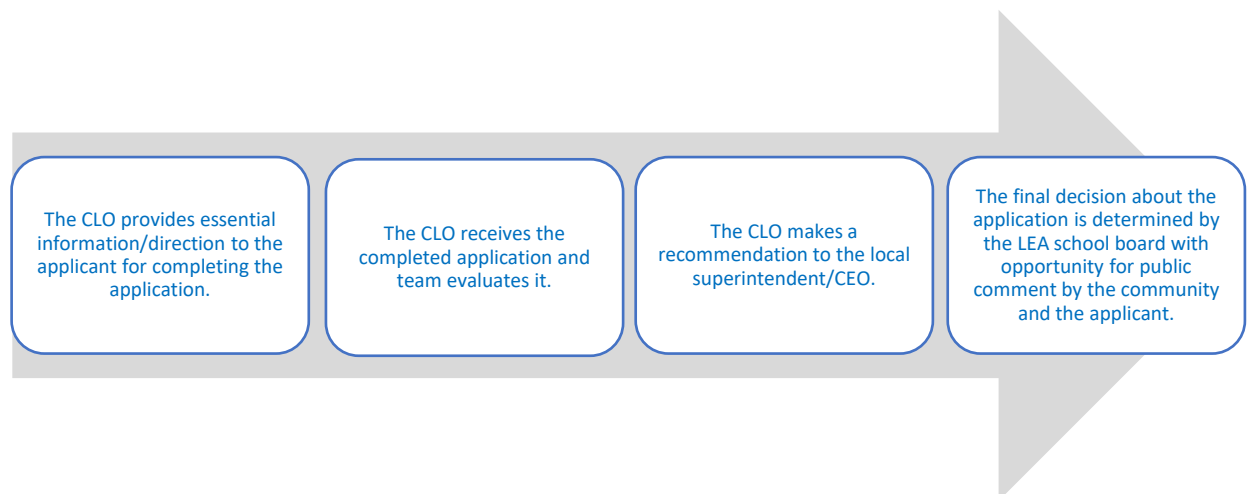
All aspects of the application process must be transparent, have clearly stated expectations, be conducted in good faith for the interests of all stakeholders, and be compliant with local, State, and federal policies, laws, and regulations. Application materials, requirements and deadlines must be publicly announced. Examples of public postings about the process include [Baltimore City Schools](#) and [Anne Arundel County Public Schools](#).

The objectives of the application cycle are to:

- Process applications efficiently and transparently,
- Identify charter applications that have the greatest probability of creating a successful educational opportunity for students within the community, and
- Identify charter schools that add value to the public-school portfolio

The charter liaison (CLO) manages the work of the charter school application process. The CLO acts as a bridge between the charter applicant and the LEA in identifying information essential to structuring a high-quality charter school proposal. The charter liaison responds to all charter applications that are received. The CLO answers questions and identifies useful resources for public charter schools operating, or seeking to operate, in the district.

An overview of the responsibilities of the charter liaison, superintendent, and school board during the application cycle consists of the following sequence of events:



<sup>3</sup> National Association of Charter School Authorizers. (n.d.). The Essential Practices: Why They Matter. [https://www.qualitycharters.org/wp-content/uploads/2015/08/Essential-Practices\\_WhyTheyMatter.pdf](https://www.qualitycharters.org/wp-content/uploads/2015/08/Essential-Practices_WhyTheyMatter.pdf)

## Preparing the Charter Liaison Office for the Application Cycle

### STEP 1: DEVELOP AND REVIEW THE CLO MISSION STATEMENT AND LEA PRIORITIES

A clear mission statement affirms the LEA role in implementing the charter school law. It is a simple, action-oriented statement about the purpose, values, and goals that are carried out by the CLO. The mission statement represents the context in which the review of the charter application takes place. The mission statement includes a commitment to rigor and transparency. It reflects openness to charter school proposals, and a commitment to implementing the autonomy and accountability balance that is the hallmark of charter schools. The National Association of Charter School Authorizers (NACSA) recommends that charter liaisons should periodically review the CLO’s mission statement and the specific objectives of the CLO prior to engaging in the application life-cycle.<sup>4</sup>

#### Sample Charter Liaison Office Mission Statement

---

*The mission of the Charter Liaison Office (CLO) is to provide new opportunities within the public school system through approval and oversight of public charter schools. The goals are:*

- 1. to expand innovative educational opportunities to students,*
  - 2. to evaluate and monitor these educational opportunities for high quality student outcomes,*
  - 3. to ensure the investment of tax-payer money in the charter school will yield measurable benefits to the broader community and charter students, and*
  - 4. to ensure transparency and rigor in carrying out the responsibilities of this office.*
- 

The LEA may also seek charter school applications that address certain priorities, such as a type of program or location in the community.

### STEP 2: DEVELOP AND USE A DETAIL-ORIENTED APPLICATION<sup>5</sup>

Each LEA provides charter applicants with a thorough application document. The application requires the applicant to demonstrate the operational plan, vision, and mission for the proposed school as well as the applicant’s ability to successfully operate the charter school. The charter law requires that the application document include, “a plan to provide a rigorous program of instruction”, plans for any waivers from state or local requirements that will be sought; and a description of the implementation of the lottery if the school seeks to weight the lottery.

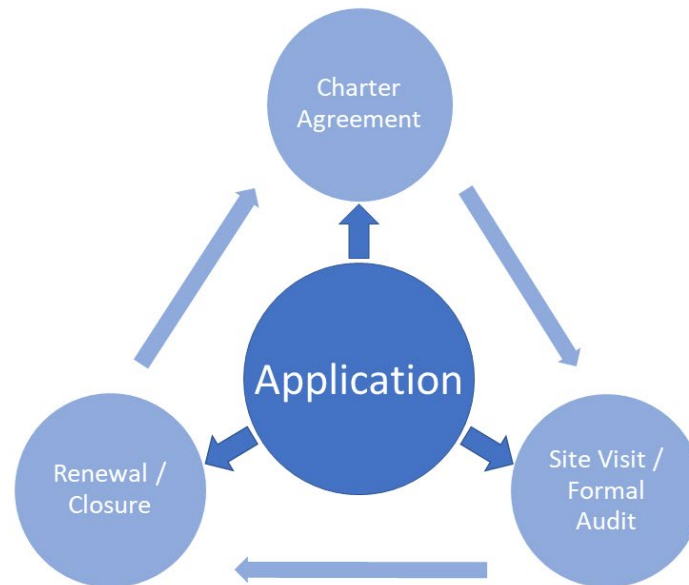
In Maryland, laws and regulations governing all public schools apply to public charter schools. The application must show the applicant’s understanding of and capacity to fulfill these obligations, as well as implement its planned program.

---

<sup>4</sup> National Association of Charter School Authorizers. (n.d.). The Essential Practices: Why They Matter. [https://www.qualitycharters.org/wp-content/uploads/2015/08/Essential-Practices\\_WhyTheyMatter.pdf](https://www.qualitycharters.org/wp-content/uploads/2015/08/Essential-Practices_WhyTheyMatter.pdf)

<sup>5</sup> The current discussion references an application that is used to determine whether or not a charter school may open in a particular Maryland county. Charter schools seeking to replicate an existing charter school within an LEA complete a different application that is also evaluated by the CLO.

## MAKING CONNECTIONS: THE APPLICATION PHASE AND THE SUCCESS OF A CHARTER SCHOOL



The application process is a critical component in the development of a successful charter school. It is where the relationship between the charter school founders, the LEA, the CLO, the Maryland State Board of Education (SBOE) and MSDE begins. The application documents what the LEA and community should expect from the charter operator. If approved by the LEA, the application becomes the basis of the charter agreement. The charter agreement documents the shared responsibility of the charter school and the LEA in delivering an effective educational program and addresses the accountability of the charter school.

Content areas to address in the application include:

- Educational Design and Curriculum
- Proposed School Goals and Performance Measures
- Staffing plan
- Waiver requests
- Lottery policies
- Family and Community Involvement
- Understanding of laws and regulations
- Program and operations plans that may require a waiver of local or state regulations.
- Governance and management
- Sources of additional funding (MSDE/USDE grants)
- Educational Services (subcontracts)
- Special Student Populations
- Student Recruitment
- School Climate
- Budget
- Health and Safety
- Facility
- Calendar
- Transportation

The application includes any priorities of the LEA.

*Samples from the Field: LEA Applications with Rubric*

- [Anne Arundel County Public Schools - application and rubric](#)
- [Baltimore City Schools - application and rubric](#)
- [Prince George's County Public Schools - application](#)

### **STEP 3: OPTIONAL USE OF A LETTER OF INTENT AND/OR PROSPECTUS**

The CLO may elect to use a letter of intent and/or a prospectus prior to receiving a complete application. A letter of intent solicits basic information about the application and helps the CLO with planning for the application review(s). A prospectus provides a brief summary of the main components of the charter school proposal and is an opportunity for the applicant to receive helpful feedback and technical assistance before submission of the complete charter application. Both the letter of intent and the prospectus are an opportunity for relationship building between the LEA and the applicant.

A letter of intent and/or prospectus should be used when the LEA determines it will improve the efficiency and quality of the application process. If an LEA chooses to incorporate a letter of intent and/or prospectus into the application process, these documents should be reviewed in a timely manner (within 30- 60 days) and should not unnecessarily delay the date for the application submissions. If a prospectus is required by an LEA, the CLO office provides feedback as quickly as possible to the applicant so as not to delay submission of a complete application.

A charter applicant is neither approved nor denied based on a prospectus or letter of intent. The final decision on any charter school application must be made by the County Board during a public meeting, after review of a complete application.

For examples of documents used within Maryland and by other authorizers, use the links below. These and other examples can be found on the [Maryland Charter Liaison page](#) of the MSDE website.

*Samples from the Field: Letter of Intent Forms and Prospectus*

- [Indiana Charter School Board – Letter of Intent](#)
- [Anne Arundel County Public Schools - Intention Form and Prospectus](#) (see [Appendix A](#))

### **STEP 4: SCORING THE APPLICATION**

The CLO will develop a scoring rubric for the written application. The rubric corresponds to the LEA's charter application document using objective criteria to assess the quality of the application's content. It captures variation in the quality of applications compared to the standards set by the LEA.

Well-constructed application rubrics facilitate the work of reviewers by clearly identifying the standards to use as the basis of the evaluation. Rubrics promote consistency in the review process when the reviewers are evaluating each application against the same set of standards. Rubrics assist in giving feedback to applicants and aid the CLO in writing the review team's recommendation to the local superintendent.

The Local Accountability Officer, or staff with a research background can assist in development of a rubric. Samples of applications and rubrics can be found using the links below. These include an example of a numerical score and a four-level scale.

Each content area of the application is important to the establishment of a successful charter school. There are content areas that are at the core of what makes a charter school likely to succeed. An applicant's inability to effectively address these components constitutes weaknesses that should be flagged by reviewers and may contribute to an unfavorable evaluation. These areas include:

- Proposed academic program and curriculum description, including implementation of the academic program and program description
- Plan for, and understanding of, the assessment of student academic performance
- Plan for, and understanding of, the management of school finances
- Plan for, and understanding of, how to support high-risk or other student populations with special needs
- Charter school board representation (i.e. knowledge, skills, abilities, and other job relevant characteristics of sought after, or existing, board members); understanding of the charter school board's responsibilities within the proposed charter school
- Compliance with LEA's code of conduct for public school operation, personnel and student behavior
- Plan for establishing a positive school culture
- Evidence of community outreach and partnership prior to submitting an application for a school within a particular community

Other content areas on the application are essential but may include areas that can be bridged with technical assistance to an applicant presenting a strong academic program and management capacity in the submitted application.

Reviewers are to be oriented to the importance of note taking prior to conducting an application review. Reviewers' notes should be detailed and state the rationale supporting the rating for each item. The notes will be used to develop the final recommendation to the superintendent and LEA school board.

#### *Samples from the Field: Rubrics and Rating Scales*

- [Anne Arundel County Public Schools - application with rubric and point assignment / numerical rating scale](#)

### **STEP 5: APPLICATION REVIEW-TEAM CONSIDERATIONS AND ONBOARDING**

Multiple reviewers aid the objectivity, accuracy, and efficiency of a substantive application review. Review team members will possess expertise in the content areas of the application (i.e. curriculum development, facilities acquisition, transportation, community engagement, human resources, finance, non-profit management). When reviewers are available for multiple cycles this builds expertise over time and supports consistency in the review process

The members of the application review team may be from different departments within the LEA as well as outside the public education system. The CLO orients the review team to their roles and responsibilities in conducting an application review, and with the key elements of the charter application. Members of the review team should understand the distinctions between a public charter school and a traditional public school in the LEA before reviewing an application. This includes the balance of autonomy in operations and education program and accountability based on student achievement and the applicant's goals.

The review team provides independent feedback on the charter applications, based on the reviewers' expertise and experience, and the training they receive from the CLO on how to implement the adopted method for scoring an application. Reviewers should have a clear and consistent understanding of the criteria each question on the application is being evaluated against and how to consistently score the application against the criteria.

Instructions and materials for reviewers should, at a minimum, include:

- the CLO's mission statement
- the characteristics that make public charter schools different from traditional public schools (i.e. innovation, flexibility, autonomy, waivers)
- priorities that have been set by the superintendent and LEA school board for categories of charter schools in the district (e.g. STEAM, middle grades)
- the intent of the application review to determine the capacity of the applicant to successfully implement the proposal as well as to evaluate the quality of the proposal.
- areas where a public charter school must be in compliance with local, state and federal regulations/laws pertaining to public charter schools in Maryland.
- timelines and deadlines associated with the evaluation of the application
- the rubric or scale associated with the charter application
- the responsibilities of reviewers as they review the applications including the importance of note taking, awareness of conflicts of interest and confidentiality
- CLO's process for how the review team will deliberate and develop a recommendation for the LEA (i.e. what constitutes a majority or consensus, how dissenting opinions should be reported, etc.).

Document the orientation and training for reviewers to promote consistency from one application review to the next.

## **STEP 6: THE CAPACITY INTERVIEW**

The capacity interview enables the LEA to gain greater insight into the knowledge, experience, and ability of the charter school founders to successfully implement the proposal. It takes place after the written application has been reviewed by the review team. The capacity interview is an opportunity to identify and resolve the information that is still needed to understand the capacity of the applicant. What is learned during the interview can affect the ranking and the ultimate recommendation for the application.

The interview panel typically includes the charter liaison and a subset of the members of the application review team. Asking the charter school founding team to present an overview of the planned program starts the meeting with common context. Questions clarify and verify the capacity of the applicant to provide a high-quality educational experience and maintain a successful organization. Questions for the interview are formulated before the start of the interview and provided to the applicant in advance. Interview questions may include standard questions asked of every applicant, those based on the review of the written application, and questions generated in response to the content or comments in the interview.

The applicant group should also be informed of how responses to the questions will be evaluated and how the interview contributes to the decision to approve or reject the application.

### *Samples from the Field: Examples of LEA Capacity Interview Policies and Questions*

- [Anne Arundel County Public Schools](#) requires a panel interview after the initial application review decision. See sample questions.
- [Baltimore County Public Schools](#) reserves the right to conduct an interview and request a presentation to its Board of School Commissioners (see language in county application).

## **STEP 7: RECOMMENDATION TO THE LEA SCHOOL BOARD**

Based on reviewer feedback and the outcome of the application review, the charter liaison makes a recommendation to the superintendent/CEO, who will present a final recommendation to the local school board for the approval or denial of the charter application. A copy of the recommendation is sent to the charter applicant. The CLO sends a copy of the recommendation letter to the applicant in advance of the public LEA school board meeting where the final vote regarding the application will be taken. The applicant should be informed with enough time to participate in public comment at the upcoming school board meeting.

The recommendation includes:

- a clear rationale for making the recommendation to the LEA school board
- objective evidence and key content from the application and the review process supporting the recommendation
- the date of the public LEA school board meeting announcing the decision
- notice of the charter applicant's right to appeal the decision with the Board of Education

### *Samples from the Field: Letters from the Superintendent's Office*

- [DC Public Charter School Board - sample approval letter](#)
- [DC Public Charter School Board - sample denial letter](#)

## **EXECUTING THE APPLICATION CYCLE**

### **A SAMPLE APPLICATION SEQUENCE**

The elements of a systematic and transparent application cycle are implemented in a timeline determined by the LEA. The elements of the process must meet the statutory requirement to review the application within 120-days of receiving the application. The 120-day review period begins when a completed application is received by the CLO. This occurs by the LEA's publicly established deadlines or, if no deadline is published by the LEA, the date the applicant submits the application.

The sample application life-cycle outlined below provides a sequence of events that meets the statutory requirement of reaching a final decision within 120 days of submission. [Appendix C](#) provides a visual illustration of this sequence of events in which all steps occur within the 120-day time-frame.



**Prior to 120-day Statutory Requirement:**

Introductory Meeting with the Charter Applicant	Timeline
Builds the relationship and line of communication between the interested applicant and the LEA. Review of the technical assistance provided by the CLO. Could take place after receipt of Letter of Intent or Prospectus.	Scheduled as needed.

Letter of Intent (LOI)	Timeline
Provides notice to the authorizer that a potential new charter school application is forthcoming. See <a href="#">Step 3</a> for examples.	Accept up to two weeks before application deadline or on a rolling basis.

Prospectus	Timeline
The applicant shares a plan for the proposed school and gain insight into the resources necessary to develop a charter school, prior to submitting a full application for review. See <a href="#">Step 3</a> for examples.	Rolling. For the LEA with a deadline, accept up to 8 weeks before the deadline. Provide feedback 4 weeks before the deadline.

**Official Review Term --120-day Statutory Requirement and Countdown**

Week	Benchmark
Week 1	<p>Submission of the Application (begins 120-day statutory deadline for a final decision of the local board of education):</p> <p>The LEA may set a deadline for receipt of applications. The deadline should enable a planning period of 12 – 18 months from approval to the start of the new school.</p>
Week 1	<p>Technical Review</p> <p>The charter liaison and/or the review team ensure that the submitted application is complete and eligible for consideration. It is an opportunity to communicate to the applicant minor or routine concerns with the application that can readily be addressed through technical assistance. The CLO promptly communicates in writing the findings of the technical review to applicants</p>
Week 2	<p>Establish review team</p> <p>Review team members are most often internal and may be external to the LEA. Meet with the Review Team members to set deadlines, and review responsibilities, specific assignments, and the scoring method. The number of participants, number of applicants and type of school program proposed may impact the need for one or more sessions.</p>

Week	Benchmark
Weeks 3 to 6	<p><b>Application Review</b></p> <p>Subcommittee review-teams review components of the application and come together to conduct final scoring. Review team members are instructed to provide notes that clearly indicate the "why" of each rating or score for each section of the application and the application as a whole. A recommendation to approve or deny a charter application should be objective and supported with a strong rationale and documentation.</p>
Week 6	<p><b>Consensus Meeting</b></p> <p>A consensus meeting is held to develop a preliminary recommendation. This group may identify specific questions or concerns that should be included in the capacity interview. Review team members provide notes that clearly indicate the "why" of each rating or score. The recommendation should be objective and supported with a strong rationale and documentation. Reviewer notes may be included in the final report to the Superintendent/CEO.</p>
Week 7	<p><b>Capacity Interview</b></p> <p>The purpose of the interview is to ask clarifying questions about the capacity of the founding team to operate a successful charter school. The capacity interview may include the applicant, charter board members and other members of the leadership team, curriculum specialists, finance personnel, and other stakeholders. The CLO provides the questions or topics-to-be-covered to the applicant(s) prior to the interview. Charter applicants should understand how the interview contributes to the decision-making process. See <a href="#">Step 6</a> for examples.</p>
Weeks 1 to 8	<p><b>Public Meeting</b></p> <p>At any time during the review the CLO may present a summary of applications received and the process to the LEA school board at a public meeting before the meeting in which the final vote is scheduled. The applicant/s may provide short presentation providing the public with an opportunity to learn about the proposals, and an opportunity for questions from the LEA board.</p>
Week 10	<p><b>Final recommendation from CLO to the local Superintendent</b></p> <p>A final recommendation and the rationale is presented to the Superintendent/CEO in writing. This must occur with sufficient time allowed for the LEA's procedures for school board agenda items. The Superintendent makes a final recommendation to the LEA school board. The Superintendent's recommendation is presented and voted on at a public meeting of the LEA school board.</p>
Weeks 11-16	<p><b>Local Board Vote on Charter Application</b></p> <p>Allow time for delays and for the LEA's agenda setting process for the local board. The charter applicant is informed of recommendation of the Superintendent on a timeline that allows for signing up for public comment. The decision and rationale should also be in writing. If a decision is presented orally, it must include a clear explanation or rationale for its decision. See <a href="#">Step 7</a> for examples.</p>

## Post 120-day Statutory Requirement: Charter Agreement or Appeal?

### Charter is approved: Finalize Contract (Charter Agreement)

Required in Maryland. Designated staff from the CLO will work with the charter applicants to finalize the terms of the Charter Agreement. The LEA school board and the Charter Agreement establish the timeline for opening of the charter school. According to a Maryland State Board Opinion, "the application should be substantial enough that a charter agreement can be developed by 30 days from approval" - ([Opinion No. 5-17](#)) The Charter Agreement is a contract and outlines expectations for the charter school and recourse if either party should not perform the terms of the contract.

### Charter is denied: Applicant may appeal to Maryland State Board of Education

Required in Maryland. A charter applicant has a right to appeal the LEA school board's decision to the Maryland State Board of Education within 30 days of the date of the LEA school board's decision. See [COMAR 13A.01.05.05\(A\)](#). The State Board is required to render its decision within 120 days. The State Board may remand to the LEA school board for further consideration, uphold the decision of the LEA school board, or reverse the decision, directing the LEA school board to grant the charter.

## Technical Assistance

The CLO provides technical assistance to charter school applicants. Charter schools are public schools and will operate as part of the local school system. "Local school systems have a vested interest in being active and supportive throughout the charter school application process as it will benefit students, faculty, and staff in the event a charter is granted" ([Opinion No. 11-01](#)).

The content of the applicant's proposal for the charter school must be determined by the applicant without undue influence from LEA personnel. The LEA must be able to provide an objective evaluation of the applicant's ability to provide a high-quality education for students. Exemplars of redacted high-quality applications for approved and operating charter schools can be shared with potential applicants to help the applicant determine the caliber of response that is required on the application as well as the full scope of the project.

The technical assistance provided by the CLO directs the applicant to:

- the milestones and materials integral to preparing a proposal
- information on LEA, State, and federal requirements that will aid the applicant's understanding of what it means to operate a charter school that serves the interests of the community
- other relevant resources that an LEA identifies as critical to completing the application

The CLO makes publicly available:

- an outline of the application process
- the deadlines associated with each step in the charter application process
- the requirements for the letter of intent, prospectus, and capacity interview
- the requirements for each part of the application and a list of required attachments
- the criteria by which the required documents will be evaluated by the CLO
- the method and timeframe for communicating feedback on documents required by an LEA

- the role of the LEA and CLO in monitoring charter school operations
- the contact information of the CLO for assistance with clarifying questions that may arise from the charter applicant during the application process
- an estimate of the per pupil calculation for the LEA, and how this is derived

All materials and guidance should be posted on the LEA website. Having resources ready that address common questions or needs by charter applicants is helpful to the CLO and to the applicant.

The charter liaison may connect the applicant to other credible sources within the LEA and MSDE. A range of technical assistance resources for applicants is also available from the Maryland Alliance of Public Charter Schools (<https://mdcharters.org/start-a-school>).

### Highlighting LEA and Education Policy Driven Content on the Application

Listed below is a sample of topics related to an LEA’s expectations for establishing a public charter school in the Maryland public school system that should be highlighted, along with the technical information listed above. A discussion of these topics prior to the application submission will assist the applicant with formulating and implementing the mission, vision, curriculum, and operational needs of a proposed charter school. It can also assist the CLO in efficiently processing applications.

### Sample Discussion Topics

Areas to Highlight	Guidance on Application Content for Applicant and Charter Liaison
Curriculum Academic Plan	The charter school’s proposed curriculum must align with <a href="#">Maryland’s College and Career Readiness Standards (MCCRS)</a> . Students in charter schools participate in the <a href="#">Maryland Comprehensive Assessment Program (MCAP)</a> . Charter schools may also include in their proposal performance measures related to mission, vision, curriculum, culture, etc. The applicant should map its curriculum plan to the state standards. The LEA may require that the crosswalk be presented in a specific format, or for a sample of grades and subjects.
Financial Audit	The LEA will require that the charter school have an independent financial audit each school year which is submitted to the CLO. The audit and accompanying management letter should be posted on the school’s website or otherwise be made available to the public. The public availability of the audit is an important part of community engagement and transparency.
Educationally Disadvantaged Students	The applicant should be made aware of the definition of educationally disadvantaged students and any LEA expectations regarding educationally disadvantaged students. The proposed policies and strategies to address, accommodate/support, and improve the educational experience of educationally disadvantaged students by the applicant are relevant to the academic success of these students and the overall health and culture of the proposed school.
Students with Disabilities	The applicant should be made aware of the requirements under IDEA/IDEIA. Terms like Individualized Education Program (IEP), Free and Appropriate Public Education (FAPE) and least restrictive environment (LRE) should, at a minimum, be discussed. The applicant should also receive information from the LEA about Child Find and IEP management, as well as any other policy directives/LEA guidance or county/state supports regarding students with disabilities.

Areas to Highlight	Guidance on Application Content for Applicant and Charter Liaison
English Language Learners (ELL)	Applicants should be aware of federal, state and county laws and regulations regarding students classified as ELL. The application should address the applicant’s plan for identifying and assessing these students and should outline the implementation for a viable program that will provide a quality education to these students.
Commitment to Community	The applicant will demonstrate its understanding of how the school will benefit the students and local community. The applicant should know the needs of the community and have community support for the school.
School Culture	It is the responsibility of the operator to build a responsive school culture that supports all students. Applicants should be aware of district initiatives such as Community Schools, and that the renewal review will include factors such as chronic absenteeism and the management of discipline issues.
The Charter School Governing Board	The role of the Board of Directors of the Charter School and its responsibilities should be clearly described in the application, including what training will be provided to the charter school board and what qualifications are sought in charter school board members. The CLO may point the charter applicant to useful resources regarding charter school board management and board policies for non-profit charter schools (e.g., Maryland Alliance of Public Charter Schools, Maryland Association of Nonprofit Organizations, etc.). Management policies that every charter school board should have in place include: inventory, fiscal controls and procurement, disposition of assets, conflict of interest.
Start-up Funds	It is the responsibility of the applicant to secure start-up funds. Examples of start-up costs may include facility costs, instructional materials, and equipment. Sources of start-up funds include private organizations, the state or federal government. The LEA may not reject the application solely because funding commitments are not secured, but approval of the charter may be granted with contingencies that include meeting reasonable benchmarks for preparedness to open.
Budget	A balanced budget is critical to the success of a charter school. Funding gaps increase the risk of closure. The charter school applicant should show that the school’s operations will be sustainable on the projected per pupil allocation when at capacity. The LEA should make available a reasonable estimate of the per pupil allocation, current salary scales, and other information that will be needed for a budget projection (i.e., the date of the first disbursement of funds and the quarterly schedule; when reconciliation occurs; how federal funding tied to eligibility requirements will be disbursed.) The CLO informs the applicant of the possibility to negotiate the provision of some services through a “buy back.” The application should contain a sample budget and/or budget worksheet that corresponds with the expectations, provisions, and quarterly disbursements of funds from the LEA. The application should require the applicant’s projection of needed private fundraising and whether the applicant has applied (or will apply) for a charter start up grant from MSDE, USDE, or other sources.
Procurement	The charter school applicant will show that they understand the responsibilities of handling the finances at the school, including systems to handle purchasing and financial reporting. As a non-profit holding the Charter Agreement, the Operator can use its own procurement policies and are not subject to the district’s purchasing and procurement systems. The function of requiring an audit and monthly financial reporting to the district is to provide oversight and accountability of the finances.

Areas to Highlight	Guidance on Application Content for Applicant and Charter Liaison
Food Service Requirements	Food services are typically managed by the district, due to the cumbersome nature of a single site charter school becoming an “LEA” for the provision of food services. The charter operator should be informed of how this works at the school level. However, there is no prohibition to a charter operating proposing an alternative method. This may require consultation with the LEA and state offices for nutrition services.
Facility Considerations	The charter school secures a facility for the proposed school to operate in prior to the opening of the school. It is not required that a facility be secured at the time of the application. However, the applicant should be aware of the LEA’s approval process and should demonstrate the capacity to identify an appropriate facility on a reasonable timeline, “The charter law explicitly provides for approval contingent on timelines established by the local board for securing a facility, and final approval of the facility by the local board <a href="#">Md. Education Code Ann. (§9-104 (a)(6))</a> . A local school system can set up a two-step process which would include conditional approval, and subsequent required actions to open (Opinions <a href="#">06.26</a> , <a href="#">18.31</a> ). In cases where a facility is not yet identified, setting up benchmarks for opening could include a timeline for identification and approval of an appropriate facility ( <a href="#">Opinion No. 06.26</a> )”.
Enrollment Lotteries	It is the responsibility of the charter school board to adopt policies and procedures for the enrollment lottery. These policies must follow State law and LEA school board policies. If a school seeks to employ a weight in its lottery, then the application will describe how a weighted lottery will be implemented under the law ( <a href="#">§ 9-102.2</a> and <a href="#">§ 9-102.3</a> ). The LEA evaluates the applicant’s understanding of the laws and policies regarding enrollment lotteries provides feedback regarding best practices. The policies and procedures should be transparent, fair, and free from bias. The CLO monitors charter school lottery practices to ensure transparency, fairness and adherence to the law (NACSA, 2020) ( <a href="#">§ 9-101</a> ). Charter schools publish detailed charter school lottery policies on the school’s website and in the school handbook.
Waivers	Waivers can help the charter school meet its educational goals. The CLO may provide a list of potential waivers based on the experience of operating charter schools and directions on how to apply for the waiver(s). “Although the law requires that charter schools, as public schools must comply with the provisions of the law and regulation governing other public schools, a charter school may seek a waiver from the county board [LEA school board] for policies that are policies of the county board [LEA school board], and from the Board for policies that are policies of the State Board ( <a href="#">§9-106 (b)</a> ). A waiver may not be granted from any of the provisions of the charter school law, including collective bargaining, or from regulation relating to audit requirements, the measurement of academic achievement, the health, safety, civil rights of a student or an employee of the charter school ( <a href="#">§9-106 (d)</a> ). If a waiver is denied the county board [LEA school board] or State Board, as appropriate, must provide the reason for the denial in writing” (memo).

## CONCLUSION

LEAs have the authority to evaluate and approve public charter schools. The LEA charter school liaison office has a pivotal role in facilitating the development of high functioning charter schools through the provision of technical assistance and management of a rigorous and transparent application review process. Successful charter applicants will partner with the LEA to provide new educational opportunities to students in the LEA.

*Contact:*

Office of School Innovations  
Maryland State Department of Education  
410-767-3678

[charter.msde@maryland.gov](mailto:charter.msde@maryland.gov)

## Appendix A – Summary of Charter Liaison Office Best Practices

The following are a sample of recommended best practices for the charter liaison in Maryland.

The charter liaison should be familiar with the language of Maryland’s charter law ([Md. EDUCATION Code Ann. §9-101](#)), the Blueprint for Maryland’s Future ([MD Educ Code §5-223](#)), as well as the policies and regulations pertaining to the operation of public schools in the LEA prior to reviewing a submitted charter school application. In addition, it is important to note:

- There is a 120-calendar day statutory requirement for the LEA to evaluate and make a decision regarding a submitted application.
- The content of the charter school application is expected to be substantial enough to populate a charter agreement within 30 days of the LEA public decision about the submitted application.
- A charter applicant can appeal the LEA’s public decision to the SBOE within 30 days. The SBOE is required to render a decision within 120 days.
- A letter-of-intent, prospectus, and technical review are not required by Maryland statute. These steps are optional in the application process and should only be adopted by an LEA if the LEA determines these steps will improve the efficiency and quality of the application process.
- The capacity interview is not required by Maryland statute, but is commonly considered a valuable tool for LEAs when evaluating applications and applicant capacity.

### ESTABLISHING THE APPLICATION PROCESS

- It is a best practice to establish a submission deadline for the receipt of an LEA application regardless of the number of applications an LEA has previously received or expects to receive.
- The requirements for the LEA application cycle are expected to be clearly published on a publicly available and searchable LEA website for charter schools. For each item and step required by a particular LEA (i.e. optional letter-of-intent, optional prospectus, technical review, etc.), the submission deadline, method of feedback, timeline for feedback; whether and when applicants have an opportunity to reply to LEA feedback at different stages of the application cycle, as well as the timeline and process involved in replying to LEA feedback should be clearly outlined and published on the LEA website for public consumption.
- Also publicize on the LEA website for charter schools:
  - any priorities the LEA has established for seeking charter school applications (e.g. interest in language immersion schools);
  - potential policy waivers available to the applicant;
  - and the contact information of the charter liaison(s).

### TECHNICAL ASSISTANCE

- It is a best practice to have an orientation meeting or introductory meeting with charter school applicants to provide a realistic preview of the application process and an overview of the technical assistance provided by the Charter Liaison Office (CLO). An in-person meeting is recommended to facilitate relationship-building and foster better communication between interested applicants and the LEA.



- CLOs can use a variety of methods to provide technical assistance (i.e., documents, meetings, calls, webinars, instructional videos, links on CLO website, etc.). Technical assistance materials can be constructed with the cooperation of CLOs in other Maryland LEAs and shared across LEAs where applicable.
- The charter liaison can choose to provide technical assistance directly to the applicant or to connect the applicant to other credible sources within the LEA and MSDE (i.e., the internal LEA team that helps set-up the school in the system, the Human Resources Department, etc.).

### **THE APPLICATION AND REVIEW TEAM**

- The questions on the application should be detail oriented. The content of the completed application should contain enough detail to (1) accurately evaluate the capacity of the applicant to operate and sustain a successful public school and (2) readily populate the charter agreement, should the application be approved.
- CLOs should utilize an application rubric with objective criteria to evaluate the quality of the application content. The scoring system should accurately reflect any variation in the quality of applicant responses relative to the established criteria on the rubric. It is a best practice to engage the assistance of LEA or MSDE personnel with research experience when developing a rubric.
- It is a recommended best practice to assemble a review team as soon as the charter liaison knows an application review cycle will begin. When possible, it is a best practice to have some overlap in reviewers from one application cycle to the next.
- Seek review team members (internal and external) who possess expertise in the content areas represented in a submitted application. It is also a best practice to include individuals with non-profit management experience on the review team.
- Prior to reviewing an application, reviewers should be familiar with: the mission statement of the office; the allowable distinctions between a public charter school and traditional public school; the rubric criteria and how to use the rubric; the importance of note-taking; and how those notes will be used in the final report.
- It is a best practice to document the orientation and training provided for reviewers to promote consistent adherence to policies and procedures related to the review.

### **FEEDBACK TO THE APPLICANT FROM THE LEA**

- At each stage of an LEA's adopted application process, the applicant should receive communication from the LEA regarding the status of any submitted documentation required by the LEA. The applicant should be made aware, in writing and within a reasonable timeframe, of any pertinent feedback or decisions related to the processing of the prospectus, the application (technical and substantial review), the final CLO report, the capacity interview, the superintendent's recommendation to the LEA, and the LEA's decision.
- The applicant should be provided with an opportunity to respond to feedback provided by the LEA. Maryland Charter Law and practice outlines the steps for an applicant to respond to the LEA decision with regard to a submitted application. For all other items required by a particular LEA (i.e., prospectus, technical review, capacity interview, etc.), the opportunity for the applicant to receive and respond to feedback should be provided and should not delay other steps in the application process or interfere with the statutory requirements for processing an application.

## Appendix B: List of Charter Liaisons

Maryland State Department of Education list of Maryland Charter Liaisons:

<https://marylandpublicschools.org/programs/Documents/Charter-Schools/CharterLiaisonContacts.pdf>

## Appendix C – Flowchart Illustrating a Sample Application Sequence

