



2027 South Carolina Public Charter School Application Guidance

(For charter schools that plan to open for the 2028–29 school year)

Deadline for Receipt of Applications:

February 1, 2027, 5 PM ET

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Notice Regarding Act 123 (2026)

This application guidance has been updated as of November 1, 2026 to reflect amendments made to the South Carolina Charter Schools Act through Act 123 of 2026. Applicants are responsible for ensuring compliance with all current provisions of state law and should carefully review requirements related to governance, authorizer oversight, financial transparency, application content, accountability, and virtual instruction.

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General Information Introduction/Background

In 1996, the South Carolina Legislature passed the Charter Schools Act, thereby providing citizens with 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 approval for, and implement a high-quality charter school.

This application guidance and accompanying template (SCDE template) must be used to develop a complete application for charter schools that plan to open for the 2028–29 school year or later. Applicants who do not use this guidance and the SCDE template will not be eligible to apply for federal Planning and Implementation Grant funding under awards currently held by the South Carolina Department of Education (SCDE). However, authorizers may develop and require additional information as attachments to the SCDE template after review and approval by the SCDE. All charter school applications must comply fully with the South Carolina Charter Schools Act, S.C. Code Ann. § 59-40-10 *et seq.*, as amended by Act 123 (2026), and the Procedures and Standards for Review of Charter School Applications (2 S.C. Code Ann. Regs. 43-601 (2013)).

Application sections must be presented as outlined in this application guidance and labeled accordingly with appropriate questions/headings. It is important to remember that each of the sections relates to one another. For instance, educational program components should align with the proposed budget. Thus, a completed application should readily reflect that all of its sections, irrespective of their individual focus, link together to form a comprehensive and viable plan to open and sustain a high-quality charter school.

There are at least four parts to the typical charter application process: the written narrative, support documents to the narrative, a capacity interview, and a hearing as defined below. This document provides guidance on the preparation of the written narrative and support documents.

- **Narrative:** The narrative is the formal application to the authorizer and is a comprehensive description of the school's educational, operational, governance, and financial plans.
- **Support Documents:** Throughout the proposal, specific documents are requested in addition to narrative answers. A comprehensive list of the support documents is provided in these instructions.
- **Capacity Interview (optional):** Applicants may have the opportunity to meet with the authorizer, prior to a hearing, to discuss and present the details of their application and provide any clarifying information requested by the authorizer.
- **Public Hearing:** Authorizers are required to rule on applications in a public hearing, after reasonable notice, within ninety days after receiving the application. Applicants have the opportunity to present their plan and demonstrate the team's capacity to open and maintain a high-quality charter school as well as to answer specific questions about their narrative.
- **Contract (if approved):** If the charter is approved, the authorizer and charter school must enter into a charter contract that includes the roles, powers, responsibilities, accountability measures, reporting requirements, and performance expectations required by charter school law. (S.C. Code Ann. § 59-40-60(A)-(B)).

Definitions

The following definitions, found in the South Carolina Charter Schools Act, S.C. Code Ann. § 59-40-40 *et seq.*, are included to assist the applicant in understanding various terms used in the application process.

Alternative Education Campus (AEC) means any charter school with an explicit mission as outlined in its charter to serve an enrolled student population with:

1. severe limitations that preclude appropriate administration of the assessments administered pursuant to federal and state requirements.
2. Fifty percent or more of students having Individualized Education Programs (IEPs) in accordance with federal regulations or a demonstrated need for specific services or specialized instruction as defined in S.C. Code Ann. § 59-40-50, and the school shall provide the needed evidence-based specialized instruction, interventions, services, supports, and accommodations based on the needs of the students; or
3. Eighty-five percent or more of enrolled students meeting the definition of a "high-risk" student including students as outlined in (S.C. Code Ann. § 59-40-111(A)(3)).

Such schools must be classified as an Alternative Education Campus (AEC) by their authorizer. A high-poverty rating alone does not qualify a charter school for AEC status. (S.C. Code Ann. § 59-40-111).

Applicant means the person 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, the local school board of trustees in which the charter school is to be located, or the board of trustees or area commission of a public or independent institution of higher learning. The applicant also must be the person or nonprofit corporate entity that applies to the Secretary of State to organize the charter school as a nonprofit corporation. The nonprofit entity must maintain its nonprofit status to remain a charter school. (S.C. Code Ann. § 59-40-40(3)).

Authorizer means a local or statewide authorizer. This includes the South Carolina Public Charter School District Board of Trustees, the local school board of trustees in which the charter school is to be located, and, as provided by law, a public institution of higher learning or a nonprofit association directly affiliated with a public institution of higher learning as defined in S.C. Code Ann. § 59-103-5, or an independent institution of higher learning or a nonprofit association directly affiliated with an independent institution of higher learning as defined in S.C. Code Ann. § 59-113-50, from which the charter school applicant requested its charter and which granted approval for the charter school's existence.

Only those public or independent institutions of higher learning, as defined in this subsection, that register and apply with the State Board of Education may serve as charter school authorizers, and the South Carolina Department of Education shall maintain a directory of those institutions.

The authorizer of a charter school is the charter school's Local Educational Agency (LEA), and a charter school is a school within that LEA. The authorizer retains responsibility for special education and shall ensure that students enrolled in its charter schools are served in a manner consistent with LEA obligations under applicable federal, state, and local law.

A nonprofit association that is directly affiliated with an institution of higher learning as an authorizer shall serve at the pleasure of, and be subject to the oversight and control of, the governing body of the institution. The nonprofit entity must maintain its nonprofit status to remain an authorizer. (S.C. Code Ann. § 59-40-40(4)).

Certified teacher means a person currently certified by the state of South Carolina to teach in a public elementary or secondary school or who currently meets the qualifications outlined in S.C. Code Ann. § 59-25-115 and § 59-27-10.

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 charter application is approved by the authorizer, the board of directors of the corporation must be organized as the governing body and the charter committee shall be dissolved within six months of the school opening for students to attend. The election of the board of directors must be held by April 1 of the year in which the school opens for students. Failure to hold the election by this date may result in an immediate revocation of the charter. (S.C. Code Ann. § 59-40-40(7)).

Charter school means a public, nonreligious, non-home-based, nonprofit corporation forming a school that operates by authorization of a public school district, the South Carolina Public Charter School District, or a public or independent institution of higher learning, but is accountable to the board of trustees or, in the case of technical colleges, the area commission of the authorizer that grants its charter. Nothing in this chapter prohibits charter schools from offering virtual services pursuant to state law and subsequent regulations defining virtual schools. (S.C. Code Ann. § 59-40-40(1)).

A charter school

1. is, for purposes of state law and the state constitution, considered a public school and part of the South Carolina Public Charter School District, the local school district in which it is located, or is authorized by an approved public or independent institution of higher learning.
2. is subject to 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; however, an applicant may seek to form a single-gender charter school without regard to the gender makeup of that proposed charter school.

3. must be administered and governed by a governing body in a manner agreed to by the charter school applicant and the authorizer, the governing body to be selected as provided in S.C. Code Ann. § 59-40-50(B)(14).
4. may not charge tuition or other charges pursuant to S.C. Code Ann. § 59-19-90(8) except as may be allowed by the authorizer and is comparable to the charges of the local school district in which the charter school is located; and
5. is subject to the same fixed asset inventory requirements as are traditional public school

Charter school contract means a fixed-term, renewable contract between a charter school and an authorizer that outlines the roles, powers, responsibilities, and performance expectations for each party to the contract. (S.C. Code Ann. § 59-40-40(9)).

Conversion Charter School means an existing public school converted into a charter school in accordance with S.C. Code Ann. § 59-40-100. Conversion schools are those where parents are requesting the school no longer be under the leadership of the residential district. A conversion school can only apply to the local school district in which it is located.

Local educational agency (LEA) is the authorizer of a charter school, and a charter school is a school within that LEA. The authorizer retains responsibility for the provision of special education and related services and shall ensure that students enrolled in its charter schools are served in a manner consistent with LEA obligations under applicable federal, state, and local law.

Local school district means any school district in the state, except the SCPCSD, and does not include special school districts.

Management organization means a corporation, business, organization, or other entity, whether conducted for profit or nonprofit, with whom the governing body of a charter school contracts to operate, manage, or oversee the operation, management, or provision and implementation of educational services and programs to the charter school. This includes an entity that directly employs the administrator or educational personnel of the charter school. (S.C. Code Ann. § 59-40-40(11)).

Noncertified teacher means an individual considered appropriately qualified for the subject matter taught and who has completed at least one year of study at an accredited college or university and meets the qualifications outlined in S.C. Code Ann. § 59-25-115. An individual whose educator certificate has been suspended or revoked shall not be employed as a noncertified teacher during the term of suspension or revocation.

Replication Charter School means the approval of a new charter school application based on the mission, academic model, instructional program, and operational structure of an existing charter school. (S.C. Code Ann. § 59-40-40(12)).

Resident public school means the school, other than a charter school, within whose attendance boundaries the charter school student's custodial parent or legal guardian resides.

Virtual charter school means a charter school whereby students are taught primarily through online methods; provided, however, that at least twenty-five percent of instruction in core areas must be provided pursuant to South Carolina Regulation 43-601. Any student enrolled in a virtual charter school must be a resident of a South Carolina school district as provided by law. (S.C. Code Ann. § 59-40-40(13)).

Purpose of a Charter School

The purpose of a charter school 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 as defined in S.C. Code Ann. § 59-40-20. The intent of Section 59-40-20 is to

1. improve student learning.
2. increase learning opportunities for students.
3. encourage the use of a variety of productive teaching methods.
4. establish new forms of accountability for schools.
5. create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site.
6. assist South Carolina in reaching academic excellence and
7. create new, innovative, and more flexible ways of educating children within the public school system, with the goal of closing achievement gaps between low-performing student groups and high-performing student groups.

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 proposed authorizer (the local school district, the SCPCSD, or a public or independent institution of higher learning). 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. Note that only public or independent institutions of higher learning that have registered with the SCDE may serve as a charter school authorizer. A list of higher learning authorizers can be found [here](#).

Technical Assistance for Applicants

A technical assistance session for charter school developers will be provided by the SCDE. Information on this session and notice of additional training dates, times, and locations will be posted on the SCDE [website](#). Technical assistance is available as needed regarding charter school law and the charter school application by contacting the SCDE Charter Schools Program at 803-734-0526.

Deadline and Submission Procedures

Letter of Intent Submission

At least 90 days before submitting a charter school application, and within the same school year in which the applicant intends to apply, the applicant shall submit a letter of intent (LOI) to the authorizer or authorizers from which it is seeking authorization. A copy of the LOI must also be submitted to the South Carolina Department of Education (SCDE). *S.C. Code Ann. § 59-40-70(A)(1)*. To submit an LOI, please use the Formstack form and follow the directions provided:

https://scde.formstack.com/forms/letter_of_intent_2026

Application Submission

Applicants must submit a completed application package by 5:00 p.m. **February 1, 2027**, for charter schools that plan to open for the 2028–29 school year. Applications received *after* the deadline **will not** be considered for a 2028–29 opening. ***Late, incomplete, or incorrectly formatted submissions will not be accepted.***

Feel free to utilize the guide on the SCDE Website:

<https://ed.sc.gov/districts-schools/school-choice/charter-schools-program/charter-school-application-submission-guide/>

An applicant shall submit the following:

- One complete version of the application to the board of trustees or area commission from which it is seeking to be authorized via the online submission dashboard, regardless of the intended authorizer. Application submission dashboard and a user guide may be accessed at the [Charter Application Submission Guide webpage](#) and follow the directions as provided.
- In the case of the SCPCSD or a public or independent institution of higher learning authorizer, the applicant, upon submission of a charter school application, shall provide notice of the application to the local school board of trustees in which the charter school will be located for informational purposes only. The applicant shall also notify the local delegation of a county in which a proposed charter school is to be located and shall also provide a copy of the charter school application upon request by a member of the local delegation. Evidence of notification to both the local school board of trustees and local delegation must be submitted along with the application as **Appendix Item B**. Failure to provide evidence of such notification shall render the application incomplete.

The planning committee chair must be listed as the primary contact person on all submitted application materials. A committee chair must be an active member of the planning committee (**a consultant hired to write the application, or a representative of a management organization is not eligible**). Applicants should review all elements of their proposal for completeness before submitting. If an applicant believes a question or section does not apply to its team or proposal, the applicant should respond, “Not Applicable,” and state the reason the question/section is not applicable.

All charter school proposal materials submitted to the SCDE, and proposed authorizer become public records. For public transparency, the SCDE will post all letters of intent and hearing dates of which the SCDE has notice on the SCDE website.

Applications **must provide the information required** by applicable law and the SCDE application template and **must present the information in the order specified** in these guidelines. The authorizer may request clarifying information from the applicant during its review of the application. Any clarifying information submitted by the applicant may be considered as part of the authorizer's evaluation of the application. The SCDE shall provide guidance on compliance to both authorizers and applicants. (*S.C. Code Ann. § 59-40-70(A)(2)*).

Applicants must submit the following application package to their proposed authorizer and the SCDE:

- Application Cover Sheet
- Application Narrative (including the table of contents);
- Support Documents labeled as outlined in Part II; and
- Information in response to any authorizer-required, SCDE-approved attachments to the SCDE template.

Review and Selection Process

All charter school applications must be reviewed by the authorizer to determine whether the application satisfies the applicable requirements of the South Carolina Charter Schools Act, regulations, and South Carolina Department of Education (SCDE) application and compliance guidance. Applications submitted to the authorizer must demonstrate both adherence to applicable requirements and the capacity to open and operate a high-quality charter school.

The SCDE has developed an evaluation rubric aligned with the charter school application and compliance guidance. Authorizers must use the SCDE-aligned rubric, together with any published authorizer evaluation criteria, when evaluating charter school applications. The rubric is located on the Charter School Application Process webpage. The SCDE is responsible for developing the charter school application, compliance guidance, and evaluation rubric. (*S.C. Code Ann. § 59-40-150(B)*).

During its review, the authorizer may request clarifying information from the applicant. Any clarifying information submitted by the applicant may be considered as part of the authorizer's evaluation. The SCDE shall provide guidance on compliance to both authorizers and applicants. (S.C. Code Ann. § 59-40-70(A)(2)).

The applicant must present its application at a public hearing, and the authorizer must rule to approve or deny the charter school application in a public hearing, upon reasonable public notice, no more than 90 days after receiving the application. (S.C. Code Ann. § 59-40-70(B)(1)).

In accordance with S.C. Code Ann. § 59-40-70(B)(2)-(3), the authorizer must provide the applicant with written notice of the public meeting at least ten business days before the meeting. The notice must include the date, location, and time of the meeting. At least five business days before the public meeting, the authorizer must provide the applicant with a written evaluation report using the rubric aligned with the SCDE application and any published authorizer evaluation criteria. Any rebuttal materials the applicant intends to present at the public meeting must be provided to the authorizer at least two business days before the meeting.

If the authorizer does not rule on the application within 90 days after receiving it, the application is considered conditionally approved. The applicant must correct any identified deficiencies and submit the corrections to the authorizer within 30 days after conditional approval. (S.C. Code Ann. § 59-40-70(B)(1)).

If the authorizer approves the application, the applicant will be notified of the decision and a charter contract will be negotiated and executed. An approved charter school may open at the beginning of the following year upon completion of a planning year and satisfaction of the pre-opening conditions included in the charter contract. The SCDE will verify the accuracy of the school's financial data within 45 days after approval. (S.C. Code Ann. § 59-40-70(B)(1)).

Important Dates

The following are important dates for the charter school application process:

- **October 30, 2026:** Last date for the Letter of Intent (LOI) to be submitted to the proposed charter school authorizer and the SCDE; due by 5:00 p.m. ET.
- **February 1, 2027:** Final date for completed applications to be submitted through the online dashboard; due by 5:00 p.m. ET.
- **Within 90 days after receipt of the application:** The authorizer must rule to approve or deny the charter school application in a public hearing. The 90-day review period begins on the date the authorizer receives the application. If the authorizer does not rule within 90 days, the application is considered conditionally approved, subject to the applicant correcting any identified deficiencies and submitting the corrections to the authorizer within 30 days after conditional approval.

An applicant must submit an LOI at least 90 days before submitting its application, within the same school year in which it intends to apply, and must submit a copy of the LOI to the SCDE. (*S.C. Code Ann. § 59-40-70(A)(1)*).

Denial of an Application

A board of trustees or area commission shall deny an application only if the application does not meet the requirements specified in S.C. Code Ann. § 59-40-50 or § 59-40-60, or if, based on the totality of information provided by the applicant, the board of trustees or area commission determines that the applicant has failed to demonstrate a substantial likelihood that it has the capacity to establish a viable school.

Within ten days, the board of trustees or area commission shall provide a written explanation of the reasons for denial, citing specific standards related to provisions of S.C. Code Ann. § 59-40-50 or § 59-40-60 that the application violates. The written explanation immediately must be sent to the charter committee and filed with the State Board of Education. (*S.C. Code Ann. § 59-40-70(C)*).

Appeal of a Denial

If an application is denied by the proposed authorizer, the applicant may appeal the denial to the Administrative Law Court pursuant to S.C. Code Ann. §§ 59-40-70(D) and 59-40-90.

Charter Contract and Ongoing Authorizer Oversight

Upon approval of the charter application, the charter school and the authorizer must execute a charter contract. The approved charter application constitutes an agreement between the charter school and the authorizer. (S.C. Code Ann. § 59-40-60(A)-(B)).

The charter contract must:

- reflect all provisions outlined in the approved application, as well as the roles, powers, responsibilities, and performance expectations of each party;
- include specific outcome-based expectations concerning academics, operations, governance, and finance;
- include the proposed enrollment procedures and dates of the charter school's enrollment period;
- contain all agreements regarding the release of the charter school from school district policies; and
- include applicable pre-opening conditions that must be satisfied before the charter school may open. (S.C. Code Ann. §§ 59-40-55(B)(3), 59-40-60(B), and 59-40-70(B)(1)).

The SCDE provides a charter contract template to be used by charter schools and authorizers. The template serves as the foundation for development of the charter contract and is posted on the SCDE website at <https://ed.sc.gov/districts-schools/school-choice/charter-schools-program/charter-school-contract-template/>. All provisions of the approved charter application must be reflected in the executed charter contract.

A material revision to the terms of the charter contract may be made only with the approval of both the charter school and the authorizer. (S.C. Code Ann. § 59-40-60(C)).

Application Overview, Content, and Instructions

Charter schools proposing to open for the 2028–29 school year must submit an application using the SCDE application template. The application must be organized in the order provided in the template, with all sections and required attachments clearly labeled. Applications must comply with the South Carolina Charter Schools Act (S.C. Code Ann. § 59-40-10 *et seq.*), applicable regulations, and this application and compliance guidance. S.C. Code Ann. § 59-40-60(F) requires charter school applications to be based on the application template and compliance guidance developed by the SCDE.

This application and accompanying guidance must be used by applicants seeking approval for:

- Start-Up Charter Schools;
- Alternative Education Campus (AEC) Charter Schools; and
- Conversion Charter Schools.

Applicants must complete all sections applicable to the type of charter school proposed. Requirements identified specifically for conversion or AEC applicants apply only when applicable to that school type. For example, the charter school regulations contain additional application requirements for a proposed conversion school, and Act 123 establishes specific criteria and requirements for charter schools seeking AEC designation.

Replication applicants must use the separate replication application and accompanying guidance developed by the SCDE pursuant to S.C. Code Ann. § 59-40-60(H). The replication application focuses on data and information demonstrating the prior record of the existing school and how that record will be replicated at the proposed school.

A school is not eligible to apply for replication if it received an overall rating below “Average” on the South Carolina School Report Card at any time during the preceding three years. An existing charter school seeking to expand operations to a location more than one mile from its original campus must apply for replication. This requirement does not apply when a charter school relocates its entire operations from one facility to another. (S.C. Code Ann. § 59-40-60(H)).

The following sections provide an overview of the components of the charter school application. Applicants must use the SCDE application template and submit all required information and attachments in the order specified.

Application Overview

- ☐ Application Cover Page
- ☐ Executive Summary
- ☐ Application Narrative, including Table of Contents

I. Educational Plan and Capacity

1. Evidence of Need and Community Support

2. Curriculum and Instructional Model

- a) Instructional Model
- b) Educational Structure
- c) Professional Development
- d) Virtual Offerings, if applicable

3. Serving Students with Disabilities and Special Populations

4. Goals, Objectives, and Assessment Plan

II. Organizational Plan and Capacity

1. Governing Board

2. Education/Charter Management Contracts (EMO/CMO), if applicable

3. Administrative Structure/Building Leadership

4. Employees

5. Enrollment

6. Student Conduct, Rights and Responsibilities

7. Transportation

III. Business Plan and Capacity

1. Budget & Finance

2. Facilities

3. Insurance Coverage

- ☐ Appendices, including Table of Contents

See the list of required and applicable appendix items on the following page.

Appendix Items

The following appendix items must be submitted with the application, as applicable. Items marked with an asterisk () are required only when applicable to the proposed charter school or application.**

- A. Signature Certification Page
- B. Evidence of Notification to the Local School Board of Trustees and Local Legislative Delegation*
- C. Evidence of Support
- D. Conversion School Support*
- E. Private School Documentation*
- F. School Calendar and Daily Schedule
- G. Supporting Documents for Educational Plan
- H. List of Teaching Positions
- I. Virtual School List of Courses*
- I-1. Student Participation and Attendance Policy, Virtual Charter Schools Only
- J. Agreement Regarding Special Education Services*
- K. Charter Committee Resumes
- L. Bylaws
- M. Articles of Incorporation and Certificate of Incorporation
- N. Organizational Chart
- O. EMO/CMO Documentation*
- P. Sample Job Descriptions
- Q. School Start-Up Plan
- R. Letter of Agreement with Authorizer Regarding Application of Article 5, Chapter 25, Title 59*
- S. Documentation Regarding Desegregation Plan or Order*
- T. Draft Student Conduct, Rights, Responsibilities, and Discipline Policy
- U. Transportation Services Contract*
- V. Student Enrollment Projection Form
- W. SCDE Per-Pupil Estimate Review
- X. Start-Up Budget
- Y. Five-Year Detailed Budget, Excel spreadsheet
- Z. Ten-Year Budget Plan, Excel spreadsheet
- AA. Agreements for Negotiated or Contracted Services*
- AB. Documentation of Grants, Donations, Gifts, or Other Variable or Nonrecurring Revenue*
- BB. Floor Plan of Identified Facility*
- CC. Proposed Lease or Rental Agreement*
- DD. Documentation from the SCDE Office of School Facilities*
- EE. Documentation from SCDOT School Traffic Engineering*
- FF. Insurance Documentation

**** Items marked with an asterisk are required only when applicable to the proposed charter school or application.***

Executive Summary

The executive summary is not to exceed **two pages, single-spaced**. This section should provide a concise overview of what the applicant wishes to achieve, who the applicant wishes to serve, and why the applicant believes it has the capacity to open and operate a high-quality school.

Describe the following:

- Begin the executive summary with the proposed school's mission statement. Describe the school's fundamental purpose and explain how the mission aligns with the purposes of the South Carolina Charter Schools Act set forth in S.C. Code Ann. § 59-40-20;
- The proposed mission (fundamental purpose) of the proposed school and how it aligns with the purpose of state charter school law outlined in § 59-40-20;
- The proposed student population and community the school is designed to serve, including anticipated academic and non-academic needs and challenges that may affect successful implementation of the school model;
- The key features of the educational program and why the school model will be successful in improving academic achievement for the targeted student population;
- Describe the founding group or charter committee, including how the group was formed, how it arrived at the decision to establish a charter school in South Carolina, and the experience and capacity the group brings to the development and oversight of the proposed school; *and*
- If the applicant proposes to contract with a management organization (EMO/CMO), identify the organization and briefly explain the proposed role of the organization and the rationale for its selection.

Appendix Item(s):

No documents are needed here.

Application Narrative Content

Present the application narrative using the sections and subsections outlined below. Each section begins with an overview of relevant application requirements and concludes with a bullet list of requested items, any corresponding support documents, and any evaluation criteria.

Identify each section using the subheading provided. Sections may not be combined. Incomplete applications will not be considered. Include a table of contents as the first page of the application narrative.

Section I: Educational Plan and Capacity

Evidence of Need and Community Support

The application must include evidence that an adequate number of parents or legal guardians with students eligible to attend the proposed school pursuant to S.C. Code Ann. § 59-40-50 support the formation of the charter school and justify the projected per-pupil allocation included in the application budget. The evidence should demonstrate that the school's first-year projected enrollment is reasonable and sufficiently supported to provide a basis for the enrollment assumptions used in the application budget. Evidence may include, but is not limited to, documentation of participation and support at community meetings, survey results, documented expressions of interest, and other evidence demonstrating parent or community interest in the proposed school. (S.C. Code Ann. § 59-40-60(F)(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 those entities specifying the level of their commitment to the proposed school.

****** An applicant is not required to provide a list of prospective or tentatively enrolled students or prospective employees with the application. (S.C. Code Ann. § 59-40-60(G)).

Community outreach should be designed to ensure that all members of the community are aware of the proposed charter school and have an opportunity to enroll. Outreach activities should use multiple methods and strategies appropriate to the community the school proposes to serve. Applicants proposing to serve a specialized or at-risk student population should address outreach to those students and families while ensuring that information about the school and enrollment opportunities is broadly available throughout the community. (S.C. Code Ann. § 59-40-60(F)(9)).

Letters of support or commitment from parents, community organizations, agencies, businesses, educational institutions, or other community partners may be submitted as supporting evidence. When submitted, letters

should identify the nature and level of the individual's or organization's support, involvement, partnership, or commitment to the proposed school. Regulation 43-601 specifically recognizes letters from community groups and agencies specifying their level of commitment when the social situation of the proposed school's targeted population precludes establishing parental support.

For a proposed conversion charter school, the application must also include evidence that two-thirds of the faculty and instructional staff voted to support filing the application and that two-thirds of the voting parents or legal guardians voted to support filing the application. All parents or legal guardians of students enrolled in the school must be given an opportunity to vote. Parents or legal guardians are permitted one vote for each student enrolled in the school.

A conversion charter school must offer at least the same grades, or nongraded education appropriate for the same ages and education levels of students, as were offered by the school immediately before conversion and may provide additional grades and educational offerings.

Narrative Requirements

1. Provide evidence that an adequate number of parents or legal guardians with students eligible to attend the proposed school pursuant to S.C. Code Ann. § 59-40-50 support the formation of the charter school and justify the projected per-pupil allocation included in the application budget. Do not include names of individual students. Include a table showing documented interest by proposed grade level or, for a nongraded program, by the applicable age and/or educational-level groupings. (*S.C. Code Ann. § 59-40-60(F)(4)*; *S.C. Code Ann. Regs. 43-601(III)(C)(1)*; see also *S.C. Code Ann. Regs. 43-601(III)(E)(2)*).
2. Describe the student recruitment and marketing plan, including the methods and strategies that will be used to make information about the school and enrollment opportunities broadly available to interested students and families. Identify, as applicable, the types of marketing that will be used, community partners that will be engaged, and how the plan will reach families throughout the community. (*S.C. Code Ann. § 59-40-60(F)(9)*; *S.C. Code Ann. Regs. 43-601(III)(J)(1)-(2)*).
3. Describe how the charter school will conduct community outreach to ensure all members of the community are aware of the school and have an opportunity to enroll. Identify the methods and strategies that will be used to make information about the school and enrollment opportunities broadly available throughout the community. (*S.C. Code Ann. § 59-40-60(F)(9)*).
4. Describe the outreach the charter committee has conducted to date to make the proposed student population, families, and community aware of the proposed charter school. Identify the methods used and the outcomes of the outreach conducted. (*S.C. Code Ann. § 59-40-60(F)(4), (9)*; *S.C. Code Ann. Regs. 43-601(III)(C)*).
5. Describe the involvement of parents, community members, organizations, or other partners that support the proposed school and identify their role, if any, in the development of the school or application. Provide applicable evidence of support or commitment in Appendix Item C. (*S.C. Code Ann. § 59-40-60(F)(8)*; *S.C. Code Ann. Regs. 43-601(III)(C)(2), (H)(1), (7)*).

6. Describe how the applicant assessed parent and community demand for the proposed school and how the applicant will continue engaging parents and community members through the application, planning, and school-opening process. (*S.C. Code Ann. § 59-40-60(F)(4), (8)-(9); S.C. Code Ann. Regs. 43-601(III)(C), (H)(7)*).
7. Describe planned partnerships with parents, community organizations, businesses, educational institutions, or other organizations and explain the anticipated role of each partnership in supporting the proposed school and its students. (*S.C. Code Ann. § 59-40-60(F)(8); S.C. Code Ann. Regs. 43-601(III)(C)(2), (H)(1), (7)*).
8. *Private school applicants only:* Describe the community need for the proposed charter school and provide evidence demonstrating demand and support for the proposed school.

Appendix Item(s):

A. Signature Certification Page

Submit the Signature Certification Page. See additional details on pages 43 and 47.

B. Evidence of Notification, if applicable

If the applicant is applying to the South Carolina Public Charter School District or a public or independent institution of higher learning authorizer, provide evidence that, upon submission of the charter school application, the applicant provided notice of the application to the local school board of trustees in which the proposed charter school will be located for informational purposes only.

Provide evidence that the applicant notified the local delegation of each county in which the proposed charter school will be located upon submission of the charter school application. The applicant must also provide a copy of the charter school application upon request by a member of the local delegation. (*S.C. Code Ann. § 59-40-70(A)(2)-(3)*).

C. Evidence of Support

Provide letters or other documentation demonstrating support from parents, legal guardians, community members, community organizations, agencies, businesses, educational institutions, or other partners, as applicable. Do not include a list identifying prospective students. Regulation 43-601 specifically recognizes support from community groups and agencies, including letters specifying the level of commitment, when the social situation of the proposed school's targeted population precludes establishing parental support.

One method that may be used to protect the identity of prospective students and families is to submit documentation of interest to an independent third party selected by the applicant and have the third party provide a notarized affidavit certifying the number of families with documented interest in enrolling a child in the proposed school.

D. Conversion School Support, if applicable

Provide evidence that two-thirds of the faculty and instructional staff and two-thirds of the voting parents or legal guardians voted to support filing the application to convert the existing public school to a charter school. Documentation must demonstrate that all parents or legal guardians of students enrolled in the school were

provided an opportunity to vote and that parents or legal guardians were permitted one vote for each student enrolled in the school. Regulation 43-601.

E. Private Schools, if applicable

If the applicant seeks to qualify for the exception to the 12-month closure requirement in S.C. Code Ann. § 59-40-210, provide evidence that enrollment of the private school for the most recently completed school term before the proposed conversion reflects the racial composition of the local school district in which the private school is located.

Curriculum and Instructional Model

The charter school's educational program must describe how it will meet or exceed academic performance standards and expectations, including academic standards adopted by the State Board of Education, and how the instructional design, learning environment, class size and structure, school calendar, scheduling flexibility, use of virtual instruction, curriculum, and teaching methods will enable each student to achieve these standards. (*S.C. Code Ann. § 59-40-60(F)(5)*).

There should be a research basis for selecting the proposed curriculum and instructional model. In addition to information obtained from curriculum publishers, applicants should consider independent research available through sources such as ERIC (<http://www.eric.ed.gov>) and the What Works Clearinghouse (<https://ies.ed.gov/ncee/wwc/>).. The research should support the use of the proposed curriculum and instructional model with the student population the school anticipates serving. Benchmark or interim assessments should be aligned with the curriculum and applicable academic standards.

The application should describe the curriculum and instructional approach for all core content areas and supplemental or elective areas, as applicable. If particular features of the school culture or educational design are integral to the proposed program, such as school size, character education, high expectations, extended learning time, specialized instructional approaches, or other distinctive model components, the applicant should explain how those features support the overall educational program. Regulation 43-601 requires the educational program, curriculum, and academic performance standards to be clearly described and requires the application to demonstrate that the educational program is designed to enable students to achieve applicable academic standards.

Charter schools must establish academic performance standards and expectations in the charter application and charter contract and remain accountable for meeting those standards and expectations. Student academic achievement and progress toward the academic performance standards and expectations established in the charter application and charter contract are central components of charter school accountability. Renewal, nonrenewal, and revocation are governed by the standards and procedures established in applicable state and federal law.

If the proposed charter school intends to offer the South Carolina State High School Diploma, the application must describe how the school will meet applicable state requirements for the diploma, including course-unit requirements, applicable Carnegie Unit requirements, and administration of required examinations.

Schools proposing an alternative method of awarding course credit must describe how the proposed approach will comply with applicable South Carolina requirements.

Narrative Requirements

a) Instructional Model

1. Provide an introduction and summary of the educational program, including an overview of the curriculum and instructional design, the guiding educational philosophy, and how the educational program aligns with the mission of the school. Explain how the educational program is designed to improve student learning. Identify any non-negotiable or distinctive elements of the school model, including specialized learning or teaching techniques, and briefly describe the evidence supporting the proposed program for the anticipated student population. (S.C. Code Ann. §§ 59-40-60(F)(2), (5); S.C. Code Ann. Regs. 43-601(III)(B), (E)(3)-(4)).
2. Describe the research and data supporting the proposed educational program, curriculum, and instructional model. Identify the research supporting the major curricular or instructional approaches and explain why each was selected for the anticipated student population. Describe how data will be used to inform implementation and instructional decision-making
3. Explain how the educational program will meet or exceed applicable academic performance standards and expectations. Describe the process that will be used to align curriculum and instruction with academic standards adopted by the State Board of Education and identify the evidence or documentation that will demonstrate alignment. (S.C. Code Ann. § 59-40-60(F)(5)); S.C. Code Ann. Regs. 43-601(III)(E)(6)).
4. Describe the methods, systems, resources, and professional learning that will be available to teachers for adapting curriculum and instruction to meet the needs of students. Describe the school's multi-tiered system of academic and student supports and the specific academic and other educational supports that will be used to meet identified student needs, including students performing above or below grade level, students with disabilities, students identified as gifted and talented, and multilingual learners. (S.C. Code Ann. §§ 59-40-60(F)(5)-(6), 59-33-510 to -530; S.C. Code Ann. Regs. 43-601(III)(E)(8)-(9), (F)(3)).
5. Describe the systems, structures, and interventions the school will implement to support students who are at risk of not meeting grade-level academic expectations or graduation requirements. Regulation 43-601 requires provisions addressing students who do not perform at acceptable levels of proficiency. (S.C. Code Ann. § 59-40-60(F)(6); S.C. Code Ann. §§ 59-33-510 to -520; S.C. Code Ann. Regs. 43-601(III)(F)(3)).
6. **High school grades, if applicable:** If the school intends to offer the South Carolina State High School Diploma, describe how the school will meet applicable state graduation requirements. Explain how students will earn course credit, how grade-point averages will be calculated, what information will be included on student transcripts, and what elective courses will be offered. Identify any graduation requirements proposed by the school that exceed applicable state requirements. (S.C. Code Ann. Regs. 43-601(III)(E)(7); see also S.C. Code Ann. § 59-18-310(B)(1)).

b) Educational Structure

7. Describe any unique features of the proposed educational structure, such as a nontraditional school year, extended school day, key partner organizations, multiple campuses, specialized school culture, or other structural features integral to implementation of the educational model. (S.C. Code Ann. § 59-40-60(F)(5); S.C. Code Ann. Regs. 43-601(III)(E)(3)-(5)).
8. Identify the grade levels or nongraded educational groupings the school proposes to serve at full build-out and at opening. For nongraded educational groupings, describe how the groups will be categorized, including applicable age and/or educational levels. If the school will not initially open with all proposed grade levels or educational groupings, describe the planned growth sequence. (S.C. Code Ann. Regs. 43-601(III)(E)(2); see also S.C. Code Ann. § 59-40-60(F)(5)).
9. Identify the proposed size of the school at full capacity, including the number of classes per grade level or educational grouping and the anticipated number of students per class. (S.C. Code Ann. § 59-40-60(F)(5); S.C. Code Ann. Regs. 43-601(III)(E)(2)).
10. Describe the basic learning environment, including whether instruction will be classroom-based, virtual, independent study, experiential, or otherwise structured, and describe the proposed class size and instructional structure. (S.C. Code Ann. § 59-40-60(F)(5)).
11. Describe the structure of the school day and school week for each division. Include the proposed instructional time for core subjects, including language arts, mathematics, science, and social studies, as applicable. Identify the length of the school day, including proposed start and dismissal times, and the instructional time devoted to academic instruction. Include the proposed school calendar and daily schedule for each applicable division as Appendix Item F. (S.C. Code Ann. § 59-40-60(F)(5); S.C. Code Ann. Regs. 43-601(III)(E)(5)).
12. Explain how the instructional design, learning environment, class size and structure, curriculum, teaching methods, school calendar, scheduling flexibility, and use of virtual instruction, if applicable, will support student learning and implementation of the school's mission. (S.C. Code Ann. § 59-40-60(F)(5); S.C. Code Ann. Regs. 43-601(III)(E)(3)-(6)).

c) Professional Development

13. Describe the professional development plan for teachers, school leaders, and other applicable staff. Identify the major professional development priorities, the staff who will participate, how the professional development will support implementation of the curriculum and instructional model, how it aligns with the school's mission and academic priorities, and how the school will evaluate whether the professional development is effectively supporting implementation of the educational program. (S.C. Code Ann. §§ 59-18-310(E), 59-18-1930; see also S.C. Code Ann. §§ 59-33-520(A)(1), 59-33-530).

Virtual Offerings

A virtual charter school is a charter school in which students are taught primarily through online methods. A charter school may provide no more than 75 percent of a student's core academic instruction in kindergarten through grade twelve through an online or computer instruction program. The remaining 25 percent may be met through regular instructional opportunities consistent with S.C. Code Ann. § 59-40-65(B)(5)(b).

A proposed charter school using a virtual learning model as its primary mode of delivering instruction must provide the information required by S.C. Code Ann. §§ 59-40-60(F)(20) and 59-40-65 and Regulation 43-601. The virtual instructional model must address student orientation; participation, attendance, engagement, and academic progress; teacher access and interaction; synchronous and asynchronous instruction; regular instructional opportunities; parent/guardian verification and parent-teacher conferences; proctored assessments; and procedures addressing student nonparticipation.

Regulation 43-601 also requires virtual charter applicants to provide information regarding developed courses, access to courses for curriculum review, curriculum development and alignment, teacher interaction, the online portal, and compliance with teacher requirements.

Virtual charter school applicants must address the following additional narrative requirements:

14. Identify all virtual courses that have been developed or are under development. For each course, identify its current stage of development and provide a timeline for completion and alignment with applicable South Carolina content and grade-specific standards. (S.C. Code Ann. § 59-40-65(B)(1); S.C. Code Ann. Regs. 43-601(IV)(B)(1), (4), (C)(1)).
15. Provide access to at least one developed course for each proposed grade-level span for review of curriculum alignment and instructional design. (S.C. Code Ann. Regs. 43-601(IV)(B)(2)).
16. Demonstrate how the instructional model will ensure that no more than 75 percent of each student's core academic instruction is provided through online or computer instruction and how the remaining instructional requirement will be met through regular instructional opportunities. (S.C. Code Ann. § 59-40-65(B)(5)(b), (D); S.C. Code Ann. Regs. 43-601(IV)(A), (E)).
17. Identify the learning management system or online instructional platform that will be used. Describe the functions that will support student access to instruction, teacher-student communication, assignment submission and completion, parent/guardian access, and monitoring of student attendance and academic progress. (S.C. Code Ann. Regs. 43-601(IV)(B)(6); see also S.C. Code Ann. § 59-40-65(B)(5)(c)-(d), (H)(3)).
18. Identify how the school will ensure that each virtual course is taught by a teacher who meets the requirements of S.C. Code Ann. § 59-40-50. Describe how students will have daily access to teachers during the instructional day for live teaching, tutoring, conferencing, and intervention, and how synchronous instructional opportunities

appropriate to grade level and course needs will be available each instructional day, as needed. (S.C. Code Ann. § 59-40-65(B)(3), (H)(1)-(2)) ; S.C. Code Ann. Regs. 43-601(IV)(B)(5), (7), (D)(1)).

19. Provide the student orientation plan, including procedures for notifying each student's parent or guardian of the orientation requirement and documenting each student's completion of the orientation before the student participates in any instructional activity. (S.C. Code Ann. § 59-40-60(F)(20)(a)).
20. Explain how the school will monitor and document student attendance, participation, engagement, and academic progress. Identify the measures that will be used, including participation in live instructional sessions, completion of assigned coursework, communication with teachers, assessments, measurable academic progress, and other documented engagement measures. (S.C. Code Ann. §§ 59-40-60(F)(20)(d), 59-40-65(B)(5)(a), (c)-(d), (H)(3); S.C. Code Ann. Regs. 43-601(IV)(D)(3), (6)-(7)).
21. Explain how the school will obtain parent/guardian verification of the number of hours of educational activities completed by each student each school year and conduct at least bi-weekly parent-teacher conferences in person or by telephone. (S.C. Code Ann. § 59-40-65(B)(4)-(5)(a)) ; S.C. Code Ann. Regs. 43-601(IV)(D)(2), (5)).
22. Describe how synchronous and asynchronous instruction will be incorporated into the instructional model. Identify the types of instructional activities that will be provided through each method, when students will be expected to participate in each method, and how each method will be used to meet course and grade-level instructional requirements. (S.C. Code Ann. § 59-40-65(A)(2)-(3), (B)(5)(b), and (H)(2), (4)).
23. Provide the proposed board policy addressing a student's failure to participate in instructional opportunities. The policy must identify required parent/guardian notice, the period allowed for the student to comply, intervention strategies, and any consequences for continued nonparticipation. If the policy permits disenrollment, identify the procedures for notifying the parent/guardian, initiating transfer to the student's district of residence, obtaining information regarding the student's receiving school, and coordinating the transfer of student records and other documentation necessary to support appropriate educational placement. (S.C. Code Ann. § 59-40-60(F)(20)(b)-(c)).
24. Explain how the school will administer required proctored assessments, including proctored assessments each semester in core subjects and all applicable state assessments required by the South Carolina Education Accountability Act. (S.C. Code Ann. § 59-40-65(B)(5)(a), (6)) ; S.C. Code Ann. Regs. 43-601(IV)(D)(4)).

Appendix Item(s):

F. School Calendar and Daily Schedule

Provide the proposed school calendar and daily schedule for each division of the proposed school, including elementary, middle, and high school, as applicable. The calendar must reflect at least 180 instructional days and at least 1,080 instructional hours over the statutory school term, consistent with S.C. Code Ann. § 59-1-425.

G. Supporting Documents for the Educational Program

If needed, the applicant may include supporting documentation that supplements the educational program described in the narrative.

H. List of Teaching Positions

Provide a list of proposed teaching positions identifying the grade level(s) and/or content areas each position will instruct and the required qualifications and/or certifications.

I. Virtual School Course List, if applicable

Provide a list of all currently developed virtual courses and courses under development, including the applicable grade or course level and current development status. Regulation 43-601 requires virtual applicants to submit a list of currently developed courses ready for curriculum alignment.

I-1. Student Participation and Attendance Policy, Virtual Charter Schools Only

Provide the proposed board policy addressing student participation and attendance in instructional opportunities. The policy must address student engagement expectations; monitoring of participation, attendance, and academic progress; written parent/guardian notification; the period provided for the student to comply; intervention strategies; consequences for continued nonparticipation; and, if disenrollment is permitted, procedures for notifying the parent/guardian, initiating transfer to the student's district of residence, obtaining information regarding the student's receiving school or district, and coordinating the transfer of student records and other documentation necessary to support appropriate educational placement. (S.C. Code Ann. § 59-40-60(F)(20)(b)-(c)).

Serving Students with Disabilities and Special Populations

As public schools, charter schools must open enrollment to eligible students, subject to applicable enrollment provisions and space limitations, and may not discriminate on the basis of disability or need for special education services. Charter schools must adhere to the same civil rights and disability rights requirements applicable to other public schools. (*S.C. Code Ann. §§ 59-40-40(2)(b) and 59-40-50(B)(1), (12)-(13)*).

Charter schools must provide students with disabilities a free appropriate public education (FAPE) and provide special education and related services consistent with applicable federal and state requirements. The authorizer is the charter school's Local Education Agency (LEA), retains responsibility for special education, and must ensure that students enrolled in its charter schools are served in a manner consistent with LEA obligations under applicable federal, state, and local law. (*S.C. Code Ann. § 59-40-40(4)*).

To ensure that FAPE and a continuum of special education and related services, including transition services and technical assistance, are available beginning in the school's initial year of operation, the application must include either a budget that reflects the employment of at least one appropriately certified special education teacher beginning in the initial year of operation or an agreement with the proposed authorizer addressing the provision of special education and related services. The applicant's proposed special education program should be consistent with the policies and procedures established by its proposed authorizer.

The application must demonstrate that the proposed educational program is designed to enable each student to achieve applicable academic standards. The application must demonstrate the applicant's understanding of, and plan for compliance with, the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act, the Americans with Disabilities Act (ADA), and applicable requirements of the Elementary and Secondary Education Act (ESEA). Regulation 43-601 specifically requires the application to explain compliance with IDEA, Section 504, and the ADA and provides for SCDE guidance to assist charter schools in complying with federal legislation, including ESEA and IDEA.

This section addresses more than the provision of services to students with disabilities. The applicant must also describe how the proposed charter school will meet the diverse needs of other student populations that may require specialized programs, services, accommodations, or additional supports, including multilingual learners, students identified as gifted and talented, students experiencing homelessness, military-connected students, and other student populations the school anticipates serving

Narrative Requirements

1. Identify the special student populations the school anticipates serving and the estimated number or proportion of students in each population. Describe the data, community demographics, enrollment projections, or other information used as the basis for these assumptions. (*S.C. Code Ann. § 59-40-60(F)(5); S.C. Code Ann. Regs. 43-601(III)(E)(2)*).

2. Describe how the curriculum, instructional model, daily schedule, staffing plan, services, supports, and other resources will address the anticipated needs of students with disabilities and other identified special student populations. Identify the specialized instruction, related services, adaptations, accommodations, modifications, or other supports that will be provided, as applicable. (*S.C. Code Ann. §§ 59-40-50(B)(1), 59-40-60(F)(5); S.C. Code Ann. Regs. 43-601(III)(E)(8)-(9).*)
3. Describe how the school, in coordination with its authorizer as the Local Education Agency (LEA), will ensure the provision of a free appropriate public education (FAPE) and provide special education and related services to eligible students with disabilities. Describe how the proposed staffing and service-delivery model will provide a continuum of services in the least restrictive environment consistent with each student's individual needs. (*S.C. Code Ann. §§ 59-40-40(4), 59-40-50(B)(1), 59-33-10 et seq.; S.C. Code Ann. Regs. 43-601(III)(E)(9); IDEA, 20 U.S.C. § 1400 et seq., including 20 U.S.C. §§ 1412(a)(1), 1412(a)(5).*)
4. Identify the respective roles and responsibilities of the proposed charter school and authorizer for providing and overseeing special education and related services. Identify the services and responsibilities that will be provided directly by the school, by the authorizer, or through another provider. If the school anticipates contracting with a local school district or another provider for special education or related services, identify the services to be provided and the responsibilities of each party. *The authorizer is the charter school's LEA and retains responsibility for special education. (S.C. Code Ann. §§ 59-40-40(4), 59-40-55(B), 59-33-50; S.C. Code Ann. Regs. 43-601(I)(C), (III)(E)(9)).*

Appendix Item(s):

J. Agreement with Authorizer Regarding Special Education Services, if applicable

Provide any agreement between the proposed charter school and its authorizer, local school district, or another provider regarding the provision of special education or related services, as applicable. The agreement should identify the services and responsibilities assigned to each party.

Goals, Objectives, and Assessment Plan

The charter school's measurable goals, objectives, and academic performance standards must be clearly described in the application and must meet or exceed applicable academic performance standards and expectations, including academic standards adopted by the State Board of Education. The goals and objectives must provide enough detail to identify specific outcomes, align with the school's mission, and include strategies for accomplishing the identified goals. (*S.C. Code Ann. § 59-40-60(F)(3), (5)-(6); S.C. Code Ann. Regs. 43-601*).

Because a proposed charter school does not yet have its own baseline student achievement, attendance, or other performance data, the applicant may use relevant available data to establish initial performance expectations or may identify how baseline data will be established following the school's opening. When appropriate, available data from the school district or community the proposed school expects to serve may provide context for the school's initial goals.

Goals should include academic outcomes that allow the school to evaluate student achievement and progress over time. Academic goals should incorporate appropriate measures aligned with applicable state and federal accountability requirements. Goals and objectives may also include measures for students served over multiple years to evaluate student growth and educational program outcomes. South Carolina's accountability system includes academic achievement, student growth or progress, graduation rate, English language proficiency, college and career readiness, and other applicable performance indicators.

The proposed charter school may also establish measurable mission-specific goals and indicators for which the school will be held accountable. These measures should directly relate to the school's mission and educational model and may address areas such as school climate, culture, attendance, student engagement, or other outcomes appropriate to the school's mission. Applicants should select measures that are meaningful, measurable, and reasonably achievable because approved goals and performance expectations will become part of the school's accountability framework.

The application must include a clear plan for evaluating pupil achievement and progress toward accomplishment of the school's academic performance standards. The assessment plan must include state-mandated assessments and other assessments, establish a timeline for measuring progress toward the identified standards and goals, and identify procedures for taking corrective action when pupil achievement falls below expected standards. (*S.C. Code Ann. § 59-40-60(F)(6); S.C. Code Ann. Regs. 43-601*).

The assessment plan should include diagnostic, formative, and summative measures, as appropriate, to evaluate student achievement and growth and to inform instructional decision-making. Assessment measures should align with the curriculum, applicable academic standards, and the school's goals and objectives. The plan should identify how assessment data will be used to evaluate individual student performance, student groups or cohorts, and schoolwide performance; inform instruction and intervention; support professional development; and guide refinement of curriculum and the educational program. South Carolina law recognizes

formative assessment as a means of identifying strengths and weaknesses in learning and instruction, understanding individual and group performance, and adapting instruction to student needs.

Narrative Requirements

1. Identify the school's measurable academic and mission-specific goals and objectives. For each goal, identify the specific outcome to be achieved, the measure or indicator that will be used to evaluate performance, the performance target, the timeline for achievement, and how the goal supports the school's mission and the applicable purposes of S.C. Code Ann. § 59-40-20. Goals should be specific, measurable, attainable, relevant to the school's mission, and time-based (SMART). (S.C. Code Ann. §§ 59-40-20 and 59-40-60(F)(3); S.C. Code Ann. Regs. 43-601(III)(E)(1), (3)-(4)).
2. Identify the baseline data that will be used to establish and evaluate the school's goals and objectives. If existing baseline data are used, identify the source of the data and explain why the data provide an appropriate comparison for the proposed school and anticipated student population. If baseline data will be established after opening, identify the data that will be collected and when the baseline will be established. (S.C. Code Ann. § 59-40-60(F)(3), (6); S.C. Code Ann. Regs. 43-601(III)(E)(1), (8) and (F)).
3. For each identified goal or objective, describe the strategies the school will implement to achieve the expected outcome. Explain how the strategies align with the curriculum, instructional model, student supports, or other components of the educational program described in the application. (S.C. Code Ann. § 59-40-60(F)(3), (5); S.C. Code Ann. Regs. 43-601(III)(E)(3)-(4)).
4. Describe the diagnostic, formative, summative, and state-mandated assessments that will be used to evaluate student achievement and progress. Identify the purpose of each assessment, the students or grade levels to whom it will apply, the planned frequency or administration schedule, and how results will be used to inform instruction and intervention. Explain how assessment data will be used to measure and evaluate the academic progress of individual students, student groups or cohorts, and the school as a whole during each school year and over the term of the charter. (S.C. Code Ann. § 59-40-60(F)(6); S.C. Code Ann. §§ 59-18-310 and 59-18-325; S.C. Code Ann. Regs. 43-601(III)(E)(8) and (F)). Section 59-40-60(F)(6)
5. Describe the process the school will use to monitor progress toward its goals and objectives. Identify who will review performance data, how frequently progress will be reviewed, how the school will determine whether progress is sufficient, and the corrective actions that will be taken when student achievement or school performance falls below established expectations. Explain how assessment and performance data will be used to modify instruction, interventions, curriculum, professional development, or other elements of the educational program, as appropriate. (S.C. Code Ann. § 59-40-60(F)(6); S.C. Code Ann. Regs. 43-601(III)(E)(8) and (F)(1)-(3)). Section 59-40-60(F)(6)

Appendix Item(s):

No documents are required for this section.

Section II: Organizational Plan and Capacity

Governing Board

In accordance with the South Carolina Charter Schools Act (S.C. Code Ann. § 59-40-50(B)(14)), a charter school board of directors must consist of seven or more members, with the exact number specified in or fixed in accordance with the bylaws. Board members may serve two-year terms and may serve additional terms. The charter school's bylaws must require staggered board terms, with an election for two or more board positions occurring every two years. Fifty percent of the members of the board, as specified in the bylaws, must have a background in K-12 education or business, and the bylaws must provide for the manner of selection of these members. At least fifty percent of the members of the board, as specified in the bylaws, must be elected by the employees and parents or guardians of students enrolled in the charter school. One parent or guardian of each student must be designated to cast one vote per open board seat for each student enrolled in the school. Each employee of the charter school has one vote per open board seat. An employee who also has at least one child enrolled in the school retains the employee vote and may also be designated to vote as a parent or guardian. All board members must be residents of South Carolina, and a person who has been convicted of a felony may not be elected to the board. If the board consists of an odd number of members, the additional member must have a background in K-12 education or business. Notice of a governing board election must be posted on the school's website at least thirty days before the election. The charter school and its governing body are subject to the South Carolina Freedom of Information Act (FOIA), and the governing board must notify its authorizer of any regular board meeting at least forty-eight hours before the meeting. Charter school board members and employees are also subject to applicable state ethics and government accountability requirements. (S.C. Code Ann. § 59-40-50(B)(14)-(16)).

For FOIA information, see <http://www.scstatehouse.gov/code/t30c004.php>. Required governing documents, such as articles of incorporation and bylaws define the authority that rests in the charter school governing board.

Narrative Requirements:

1. Identify the key members of the founding group or charter committee. Key members are individuals who will play a substantial and ongoing role in the school's development, governance, or operation and will share responsibility for the school's outcomes. Provide a brief biography of each key member describing relevant education, professional experience, leadership experience, credentials, and the experience or expertise the individual brings to development of the proposed school. (S.C. Code Ann. § 59-40-60(F)(8); S.C. Code Ann. Regs. 43-601(III)(H)(1)).
2. Describe how and why the founding group or charter committee decided to establish the proposed charter school in South Carolina. Explain how the group's rationale for establishing the school relates to the proposed mission and applicable purposes of the South Carolina Charter Schools Act. (S.C. Code Ann. §§ 59-40-20, 59-40-60(F)(2), (8)).

3. Describe the governance structure of the proposed school. Identify the primary roles, powers, and responsibilities of the governing board and describe how the board will interact with, oversee, and evaluate the school leader. Describe the nature and extent of involvement by parents, professional educators, community members, and other key stakeholders. Identify the proposed size and composition of the governing board and explain how the governance structure and board composition will support effective educational and operational oversight of the school. The proposed board composition must comply with S.C. Code Ann. § 59-40-50(B)(14). (*S.C. Code Ann. §§ 59-40-50(B)(14), 59-40-60(F)(8); S.C. Code Ann. Regs. 43-601(III)(H)(1), (4), (6)-(7).*)
4. Describe how governance will transition from the charter committee to the governing board. Identify the major steps and timeline for conducting the initial governing board election, organizing the board of directors, transferring governance responsibilities, and dissolving the charter committee. The election of the board of directors must be held by April 1 of the year in which the school opens, and the charter committee must be dissolved within six months after the school opens for students. (*S.C. Code Ann. §§ 59-40-40(7), 59-40-50(B)(14); S.C. Code Ann. Regs. 43-601(I)(D), (III)(H)(3)-(5).*)
5. Describe the process for appointing or electing members of the governing board. Explain when and how elections will be conducted, how eligible parents or guardians and employees will participate, how the school will ensure compliance with the voting requirements established by law and the school's bylaws, how vacancies will be filled, and how the board will recruit and add members over time. Identify the priorities that will guide recruitment of future board members. (*S.C. Code Ann. § 59-40-50(B)(14); S.C. Code Ann. Regs. 43-601(III)(H)(4).*)
6. Describe the plan for building and maintaining the capacity of the governing board. Identify the orientation provided to new board members, ongoing governance training and professional development, the anticipated training schedule, topics to be addressed, participation expectations, and how the school will monitor completion of required training. (*S.C. Code Ann. § 59-40-155(A), (C)-(D).*)
7. Describe the relationship of the governing board to the school leader, administrators, staff, parents, and students. Identify the respective governance and administrative responsibilities of the governing board and school leadership and explain how the structure will maintain appropriate board oversight while supporting effective day-to-day administration of the school. (*S.C. Code Ann. § 59-40-60(F)(8), (12); S.C. Code Ann. Regs. 43-601(III)(H)(1), (6)-(7).*)
8. Describe any advisory bodies or councils that are currently in place or that the school plans to establish. For each advisory body or council, identify:
 - a. its current or proposed composition and the process or strategy for establishing that composition;
 - b. its purpose, role, and responsibilities; and
 - c. the anticipated involvement of parents, students, teachers, professional educators, and community members, as applicable.
 (*S.C. Code Ann. § 59-40-60(F)(8); S.C. Code Ann. Regs. 43-601(III)(H)(7).*)

9. Describe how the governing board will ensure compliance with the South Carolina Ethics, Government Accountability, and Campaign Reform Act and the conflict-of-interest provisions applicable to charter schools. Include the procedures that will be used to identify, disclose, document, and address actual or potential conflicts of interest involving board members, employees, contractors, management organizations, and immediate family members. (*S.C. Code Ann. §§ 59-40-50(B)(16), 59-40-75(D)-(F)*).
10. Describe the procedures that will be used to conduct governing board elections. Address election timing; notice requirements; voter eligibility; the nomination process; ballot distribution and collection; voting procedures; vote tabulation; documentation of election results; staggered board terms; and compliance with the requirement to post election notice on the school's website at least thirty days in advance. (*S.C. Code Ann. § 59-40-50(B)(14)*).
11. Describe the board member orientation and governance training plan. Explain how the school will ensure that new and continuing board members complete applicable orientation and training requirements and identify the procedures that will be used to track, document, and maintain evidence of board member training and ongoing compliance. (*S.C. Code Ann. § 59-40-155(A), (C)-(D)*).
12. Describe how the school will ensure compliance with statutory board member eligibility requirements, restrictions, and prohibitions. Include the process that will be used to verify eligibility before an individual assumes office and to address circumstances that may affect a board member's continued eligibility to serve. (*S.C. Code Ann. §§ 59-40-50(B)(14), 59-40-75(A)-(F)*).
13. Describe how the governing board will comply with the South Carolina Freedom of Information Act and applicable charter school transparency requirements. Address public notice and agendas for board meetings, open meetings, meeting minutes, executive sessions, access to public records, notice to the authorizer of regular board meetings, and required posting and maintenance of bylaws and board policies. (*S.C. Code Ann. § 59-40-50(B)(15), (18)-(19); S.C. Code Ann. Regs. 43-601(III)(H)(8); S.C. Code Ann. §§ 30-4-10 et seq.*).

Appendix Item(s):

K. Charter Committee Resumes

Provide resumes for the charter committee members demonstrating relevant education, professional experience, leadership experience, credentials, and other experience or expertise relevant to development, governance, or operation of the proposed school. (*S.C. Code Ann. § 59-40-60(F)(8); S.C. Code Ann. Regs. 43-601(III)(H)(1)*).

Applicants may also provide any board ethics and conflict-of-interest policies, procedures, disclosure forms, or other governance practices developed by the charter committee to demonstrate preparedness for compliance with *S.C. Code Ann. §§ 59-40-50(B)(16) and 59-40-75*.

L. Bylaws

Provide the proposed charter school's bylaws. The bylaws must be consistent with applicable South Carolina nonprofit corporation requirements and the South Carolina Charter Schools Act and should clearly address, at a minimum:

- The size, composition, qualifications, terms, staggered terms, and applicable eligibility requirements of the governing board.
- The governing board election process, including the timing of elections, nomination procedures, voter eligibility, ballot procedures, vote tabulation, documentation of election results, and required election notices.
- The requirement that one parent or guardian of each enrolled student be designated to cast one vote per open board seat for each student enrolled in the school and that each employee has one vote per open board seat. An employee who is also the parent or guardian of an enrolled student may participate in both capacities as permitted by law. (*S.C. Code Ann. § 59-40-50(B)(14)*).
- The process and timeline for conducting the initial governing board election, organizing the board of directors, transferring governance responsibilities from the charter committee, and dissolving the charter committee. (*S.C. Code Ann. § 59-40-40(7)*).
- The powers and duties of the governing board; officer positions and duties; term limits, if any; procedures for filling vacancies; quorum and voting requirements; and other decision-making procedures.
- The proposed frequency and general structure of governing board meetings and the role of standing committees or other board committees, if applicable.
- The relationship between the governing board and the school leader, including the authority delegated to the school leader and the board's oversight responsibilities.
- A statement that the charter school and its governing body will comply with the South Carolina Freedom of Information Act. (*S.C. Code Ann. § 59-40-50(B)(15)*; *S.C. Code Ann. Regs. 43-601(III)(H)(8)*).
- Procedures for complying with applicable state ethics requirements, conflict-of-interest provisions, board member eligibility restrictions, and governing board election requirements. (*S.C. Code Ann. §§ 59-40-50(B)(14)-(16) and 59-40-75*).
- Procedures for maintaining and posting the most recent version of the school's bylaws and board policies on the school's website as required by law. (*S.C. Code Ann. § 59-40-50(B)(19)*).

M. Articles of Incorporation and signed Certificate of Incorporation

Provide the charter school's articles of incorporation and evidence of incorporation as a South Carolina nonprofit corporation. (*S.C. Code Ann. § 59-40-60(F)(18)*; *S.C. Code Ann. Regs. 43-601(III)(H)(2)*).

N. Organizational Chart

Provide an organizational chart showing the proposed governance and administrative structure of the school, including the governing board, school administration, employees, and the relationship between the charter school and its authorizer. The organizational chart should be consistent with the governance, administrative, and staffing structures described throughout the application.

Education/Charter Management Contracts

Complete this section only if the proposed charter school intends to contract with an EMO/CMO.

For purposes of this section, a “management organization” means a corporation, business, organization, or other entity, whether for-profit or nonprofit, with which the charter school governing body contracts to operate, manage, or oversee the operation, management, or provision and implementation of educational services and programs for the charter school. This includes an entity that directly employs the administrator, educational personnel, or both. (S.C. Code Ann. § 59-40-40(11)).

If the proposed charter school intends to contract with a management organization, the application must include a copy of the proposed management organization contract. The proposed contract must include a term sheet that sets forth the length of the contract; the roles and responsibilities of the charter school governing board, charter school staff, and management organization staff; the scope of services and resources to be provided by the management organization; performance evaluation measures and timelines; the compensation structure, including clear identification of all fees to be paid to the management organization; methods of contract oversight and enforcement; and conditions for renewal and termination of the contract. The contract must provide assurances that the charter school governing board will at all times maintain independent fiduciary oversight, maintain authority over the school budget, and retain ultimate responsibility for the school’s performance. The contract may not allow profit-sharing with the authorizer or any affiliated entity. (S.C. Code Ann. § 59-40-60(F)(17)).

The charter committee is responsible for conducting appropriate due diligence before selecting an EMO/CMO. The application must demonstrate the proposed EMO/CMO’s capacity and experience to provide the services identified in the proposed management agreement. The application must also clearly identify the employment relationship that will exist between the proposed charter school or its management organization and the administration, faculty, and staff of the school. (S.C. Code Ann. § 59-40-60(F)(8), (12)). The selected EMO/CMO must provide evidence that it is authorized to conduct business in South Carolina.

Any executed or amended management organization contract must be provided to the authorizer and posted in a prominent location on the charter school’s website. (S.C. Code Ann. § 59-40-50(B)(17)).

If the proposed management relationship includes financial, accounting, or treasury services, including balanced budget credits or budget deficit protection credits, the application and supporting agreements must clearly disclose those arrangements. A management organization may recover balanced budget credits or budget deficit protection credits only within the fiscal year in which the credits are issued. Any credits remaining at the conclusion of the fiscal year are not recoverable by the management organization and may not be recorded as a liability in the charter school’s financial audit. (S.C. Code Ann. § 59-40-140(L)).

Narrative Requirements:

The following narrative requirements address both the statutory requirements applicable to management organization contracts and the applicant's obligation to demonstrate the capacity and experience of its proposed management organization and management team.

1. Explain how the relationship between the applicant board and the proposed EMO/CMO originated, including whether the EMO/CMO recruited the applicant board or the applicant board independently sought a management organization. Identify the due diligence conducted, any other management organizations considered, and the basis for selecting the proposed EMO/CMO. (S.C. Code Ann. § 59-40-60(F)(8), (17); see also S.C. Code Ann. § 59-40-70(C)).
2. Demonstrate how the governing board will independently oversee and evaluate the EMO/CMO. Identify any school employees the EMO/CMO will supervise and describe its supervisory responsibilities. Explain how the governing board will monitor the EMO/CMO's performance and hold the EMO/CMO accountable for fulfilling its responsibilities. (S.C. Code Ann. § 59-40-60(F)(17)).
3. Demonstrate that the governing board will operate independently from the EMO/CMO, including how the board will obtain independent legal representation, conduct arm's-length negotiations with the EMO/CMO, and make decisions independently of the EMO/CMO. (S.C. Code Ann. §§ 59-40-60(F)(17), 59-40-75(D)).
4. Identify any existing or potential conflicts of interest involving the governing board, proposed school employees, the EMO/CMO, or any affiliated business entities. Explain how each identified conflict will be disclosed and addressed. If none exist, state "None." (S.C. Code Ann. §§ 59-40-50(B)(16), 59-40-75(D)-(E)).
5. Identify all subsidiaries, affiliates, or related entities owned or controlled, in whole or in part, by the EMO/CMO. For each entity, identify its business activities and any goods or services it provides or proposes to provide to the school. If none, state "None." (S.C. Code Ann. §§ 59-40-60(F)(17), 59-40-75(D)).
6. Identify any existing or proposed loans, grants, investments, or other financial arrangements between the EMO/CMO and the school. For each arrangement, provide the terms, including how funds will be provided and, if applicable, repaid. Explain whether the governing board may decline the arrangement without affecting the management agreement. Include supporting documentation. If none, state "None." (S.C. Code Ann. §§ 59-40-50(B)(5), 59-40-60(F)(7), (17), 59-40-140(L)).
7. Provide a continuity plan for school operations if the management agreement is terminated or not renewed. Identify how essential educational, staffing, financial, operational, and administrative functions will continue during the transition. (S.C. Code Ann. § 59-40-60(F)(8), (17)).
8. Identify any proposed promissory notes, leases, lease-purchase agreements, or other facility or financing arrangements between the governing board and the EMO/CMO or an affiliated entity. Provide copies of separately documented agreements and explain how each arrangement preserves the governing board's ability to terminate the management agreement and continue school operations. If none are proposed, state "None." (S.C. Code Ann. §§ 59-40-50(B)(5), 59-40-60(F)(11), (17), 59-40-75(D), 59-40-140(J)).
9. Identify the respective financial responsibilities and authority of the governing board and the EMO/CMO, including responsibility for operating and capital expenditures, ownership and

disposition of property, equipment, and other assets purchased or acquired for use by the school, the EMO/CMO's spending authority, required financial reports and reporting schedule, and the governing board's financial oversight procedures. (S.C. Code Ann. §§ 59-40-50(B)(3)-(7), 59-40-60(F)(7), (17), 59-40-140(L)).

10. Provide a list of all schools currently or formerly operated by the EMO/CMO. For each school, provide:
1. school name;
 2. location;
 3. year opened;
 4. grade levels served;
 5. current enrollment or most recent enrollment, if no longer operating;
 6. current operating status;
 7. years managed by the EMO/CMO; and
 8. authorizer name and contact information.

Identify the schools most comparable to the proposed school based on grade levels and student population served and explain why they are comparable. (S.C. Code Ann. § 59-40-60(F)(8); see also S.C. Code Ann. § 59-40-70(C)).

11. For each comparable school identified above, provide evidence of the EMO/CMO's academic and operational performance, as follows:
- a. Academic Performance: Provide available state accountability data for the three most recent years, including, as applicable, overall school performance, grade-level and subgroup performance, and achievement gaps. Identify trends in academic performance and progress in closing achievement gaps. If three years of data are not available, provide all available data and explain why additional data are unavailable.
 - b. Operational Performance: Identify the non-academic operational services the EMO/CMO provided to each comparable school and provide evidence of its effectiveness in providing those services. (S.C. Code Ann. §§ 59-40-60(F)(8), (17), 59-40-140(H); see also S.C. Code Ann. § 59-40-70(C)).
12. Identify any management contract terminations, charter revocations, charter nonrenewals, application withdrawals, or approved schools that did not open involving the EMO/CMO during the past five years. For each, provide the school name, date, type of action, and reason for the action. If none, state "None." (S.C. Code Ann. § 59-40-60(F)(8); see also S.C. Code Ann. §§ 59-40-70(C), 59-40-110(F)).
13. Identify any pending or resolved litigation involving the EMO/CMO or a school it operates that may materially affect the EMO/CMO's ability to perform its responsibilities for the proposed school. For each matter, provide the parties, nature of the claim, current status or final disposition, and any material financial or operational impact. If none, state "None." (S.C. Code Ann. § 59-40-60(F)(8); see also S.C. Code Ann. § 59-40-70(C)).

Appendix Item(s):

O. EMO/CMO Documentation (Required if the applicant proposes to contract with an EMO/CMO)

1. Provide a copy of the proposed EMO/CMO management agreement/contract. The proposed agreement must include a term sheet that addresses, at a minimum:
 - a) the term (duration) of the management agreement;
 - b) the roles and responsibilities of the charter school governing board;
 - c) the roles and responsibilities of charter school staff;
 - d) the roles and responsibilities of EMO/CMO staff;
 - e) the scope of services and resources to be provided by the EMO/CMO, including the associated costs;
 - f) the performance evaluation measures and timelines that will be used to evaluate the EMO/CMO;
 - g) the compensation structure and payment schedule, including clear identification of all fees, bonuses, and other compensation to be paid to the EMO/CMO;
 - h) the methods of contract oversight and enforcement;
 - i) the conditions and procedures for renewal of the management agreement, including the length of any renewal term, applicable timeframes, notice requirements, decision-making procedures, and the conditions the school and EMO/CMO must satisfy for renewal;
 - j) the conditions and procedures for termination of the management agreement, including applicable timeframes, notice requirements, decision-making procedures, and the grounds upon which either party may terminate the agreement for cause or without cause;
 - k) any indemnification provisions applicable in the event of default or breach by either party;
 - l) assurance that the governing board will at all times maintain independent fiduciary oversight;
 - m) assurance that the governing board will maintain authority over the school budget;
 - n) assurance that the governing board will maintain ultimate responsibility for the school's performance; and
 - o) a provision prohibiting profit-sharing with the authorizer or any affiliated entity.

(S.C. Code Ann. § 59-40-60(F)(17))
2. Provide completed conflict-of-interest disclosure forms for the EMO/CMO and applicable individuals associated with the proposed management relationship.
3. Provide documentation demonstrating that the EMO/CMO is authorized to conduct business in South Carolina.
4. Provide the form or template employment agreement the EMO/CMO proposes to use for school employees it will employ, if applicable.
5. Provide the current EMO/CMO employee policy manual that will apply to school employees employed by the EMO/CMO, if applicable.

6. Provide the EMO/CMO's most recent independent financial audit and most recent annual report. If either document is unavailable, explain why and provide other available documentation of the EMO/CMO's financial condition.
7. Provide copies of any proposed loan agreements, promissory notes, leases, lease-purchase agreements, facility agreements, or other financial arrangements between the school and the EMO/CMO or an affiliated entity.

Administrative Structure/Building Leadership

The application must describe the administrative structure and building leadership of the proposed charter school, including the roles and responsibilities of administrative staff and the capacity and experience of the school leadership and management team. The charter school must hire or contract for administrative staff, including a school leader, to oversee the daily operation of the school. At least one member of the administrative staff must be certified or experienced in school administration, and an administrator must be physically present onsite during school operating hours. (S.C. Code Ann. §§ 59-40-50(B)(11), 59-40-60(F)(8), (12); S.C. Code Ann. Regs. 43-601(III)(H)(1), (6)).

Narrative Requirements:

1. Describe the administrative structure of the school. Identify each administrative position and explain the primary roles, responsibilities, supervisory relationships, and decision-making authority associated with each position. (S.C. Code Ann. §§ 59-40-50(B)(11), 59-40-60(F)(8), (12); S.C. Code Ann. Regs. 43-601(III)(H)(6)).
2. Describe the qualifications, capacity, and experience that will be required or preferred for the school leader and other members of the administrative and management team. Provide job descriptions for each administrative position and clearly identify the employment classification of each position, the entity that will employ the individual, and who will be responsible for hiring, supervision, evaluation, and other employment decisions. Explain how the proposed leadership structure and qualifications support the school's mission, organizational sustainability, educational program, and student achievement goals. (S.C. Code Ann. §§ 59-40-50(B)(11), 59-40-60(F)(8), (12); S.C. Code Ann. Regs. 43-601(III)(H)(1), (6)).
3. Describe the process and timeline for recruiting, selecting, and hiring the school leader and other key administrative staff. Describe how leadership and operational responsibilities will transition from the charter committee to the school leader and administrative team during the planning year and prior to the school's opening. Identify the respective responsibilities of the charter committee or governing board and school administration during the transition. (S.C. Code Ann. §§ 59-40-40(7), 59-40-50(B)(11), 59-40-60(F)(8); S.C. Code Ann. Regs. 43-601(III)(H)(1), (5)-(6)).
4. Describe the nature and extent of parental, professional educator, and community involvement in the operation of the charter school. Identify how these stakeholders will provide input to school leadership and participate in the operation of the school, as applicable. (S.C. Code Ann. § 59-40-60(F)(8); S.C. Code Ann. Regs. 43-601(III)(H)(7)).
5. Describe the process the governing board will use to evaluate the school leader, including the performance expectations, measures or criteria, evaluation frequency, and individuals responsible for conducting the evaluation. If the school will contract with a management organization, describe how the governing board will evaluate the management organization and how that evaluation will be coordinated with evaluation and oversight of the school leader, as applicable. (S.C. Code Ann. § 59-40-60(F)(12), (17)).

Appendix Item(s):

P. Sample Job Descriptions

Provide sample job descriptions for the school leader, administrators, and other key employees identified in the proposed organizational and staffing structure.

Q. School Start-Up Plan

Provide a detailed school start-up plan identifying the major activities necessary to transition from application approval through the school's opening, including responsible parties and anticipated completion timelines.

Employees

The application must explain the employment relationship that will exist between the proposed charter school, or its management organization, and the administration, faculty, and staff of the charter school. The application must include a staffing chart aligned with the proposed budget and student enrollment projections and descriptions of employee evaluation procedures. (S.C. Code Ann. § 59-40-60(F)(12)).

The application must explain how the terms and conditions of employment will be addressed with affected employees. Proposed employment policies should be included or otherwise clearly described in the application, as applicable. If the charter school intends to contract with a management organization that will employ or supervise school personnel, the application must clearly identify the employment and supervisory relationships between the charter school, management organization, and affected employees. Regulation 43-601 requires the application to explain the relationship between the charter school and its employees, including evaluation procedures, and how the terms and conditions of employment will be addressed with affected employees.

Charter schools, other than converted charter schools whose employees remain employees of the applicable school district, are eligible covered employers in the South Carolina Retirement Systems and may elect to participate in the system. If an eligible charter school elects not to become a covered employer, its employees generally may not participate in the South Carolina Retirement Systems through the charter school, except as otherwise provided by law. (S.C. Code Ann. § 59-40-125).

For purposes of the ethics and government accountability requirements applicable to charter schools, charter school board members are considered public members, and employees of the charter school board, including individuals assigned to charter schools who are employed by management organizations, are considered public employees. (S.C. Code Ann. § 59-40-50(B)(16)).

Charter school law provides flexibility in hiring teachers. A newly created charter school may employ noncertified teachers in a ratio of up to twenty-five percent of its entire teaching staff, and a converted charter school may employ noncertified teachers in a ratio of up to ten percent of its entire teaching staff. Part-time noncertified teachers are counted pro rata based on the hours they are expected to teach. A teacher teaching in a core academic area must be certified in that area or possess a baccalaureate or graduate degree in the subject the teacher is hired to teach. (S.C. Code Ann. § 59-40-50(B)(9)).

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. § 59-25-115. An individual whose educator certificate has been suspended or revoked may not be employed as a noncertified teacher during the period of suspension or revocation. (S.C. Code Ann. § 59-40-40(5)-(6)).

Any teacher, regardless of certification status, who resigns, is suspended, or is terminated amid allegations of unprofessional conduct must be reported to the Department of Education by the authorizer. (S.C. Code Ann. § 59-40-50(B)(9)).

The application must describe the evaluation procedures that will apply to teachers and other employees, as applicable. The charter school may use ADEPT or another teacher evaluation method consistent with applicable state-approved evaluation requirements. The application should identify the evaluation system or method to be used and describe how it will be implemented. (S.C. Code Ann. § 59-40-60(F)(12); S.C. Code Ann. Regs. 43-601(III)(M)(2)).

The application must include a reasonable grievance and termination procedure for teachers employed by the charter school or its management organization, including notice and a hearing before the governing body of the charter school. The application must state whether the provisions of Article 5, Chapter 25, Title 59 will apply to the employment and dismissal of teachers at the charter school. (S.C. Code Ann. § 59-40-60(F)(13)).

Teacher Employment and Dismissal Procedures

- If the school, with the agreement of its authorizer, **will adopt** the procedures for the employment and dismissal of teachers provided in S.C. Code Ann. § 59-25-410 et seq., include documentation of the authorizer's agreement as Appendix Item R. Regulation 43-601 provides for this option.
- If the school **will not** adopt the procedures provided in S.C. Code Ann. § 59-25-410 et seq., describe the school's employment, grievance, and termination procedures. The procedures must provide applicable employees with notice and a right to a hearing before the governing board as required by the Charter Schools Act and Regulation 43-601.

Narrative Requirements:

1. Describe the criteria that will be used to hire teachers, administrators, and other school staff. Identify the qualifications, experience, credentials, or other criteria applicable to each major category of employee and explain how those criteria align with the school's educational program and staffing needs. (S.C. Code Ann. §§ 59-40-50(B)(9)-(11), 59-40-60(F)(8), (12); S.C. Code Ann. Regs. 43-601(III)(I), (M)(1)).
2. Describe the recruitment strategies that will be used to attract qualified teachers, administrators, and other school staff. Identify the primary recruitment methods and explain how the proposed strategies will support the school's ability to obtain the staff necessary to implement its educational program. (S.C. Code Ann. § 59-40-60(F)(8), (12); S.C. Code Ann. Regs. 43-601(III)(M)(1)).

3. Describe how the school will ensure compliance with administrator qualification requirements, including the requirement that at least one member of the administrative staff be certified or experienced in the field of school administration and that an administrator be physically present onsite during school operating hours. (*S.C. Code Ann. § 59-40-50(B)(11)*).
4. Describe the procedures the school will use to verify educator qualifications and certification status for teachers and administrators. Include procedures for ensuring that noncertified teachers meet applicable qualification requirements and that individuals whose educator certificates have been suspended or revoked are not employed as noncertified teachers during the period of suspension or revocation. Describe how the school will address allegations of educator misconduct and coordinate with the authorizer to satisfy applicable reporting requirements. (*S.C. Code Ann. §§ 59-40-40(5)-(6), 59-40-50(B)(9), (11); S.C. Code Ann. Regs. 43-601(III)(I)*).
5. Provide a staffing chart aligned with the proposed budget and student enrollment projections. The staffing chart must demonstrate that the proposed staffing structure is consistent with projected enrollment and the financial plan for the school and identify whether positions will be employed by the charter school, a management organization, or another entity, as applicable. (*S.C. Code Ann. § 59-40-60(F)(12)*).
6. Describe the proposed process for evaluating teachers, including the evaluation system or method that will be used, the personnel responsible for conducting evaluations, the frequency of evaluation, and how evaluation results will be used to support teacher effectiveness and professional growth. Identify whether the school will use ADEPT or another teacher evaluation method consistent with applicable state requirements. (*S.C. Code Ann. § 59-40-60(F)(12); S.C. Code Ann. Regs. 43-601(III)(M)(2)*).
7. Describe the process the school will use to communicate employment policies, terms and conditions of employment, and subsequent policy changes to affected employees. Identify the individuals or entities responsible for developing, approving, maintaining, and communicating employment policies. (*S.C. Code Ann. § 59-40-60(F)(12)-(13); S.C. Code Ann. Regs. 43-601(III)(M)(3), (N)*).
8. Describe the grievance and termination procedures that will apply to the charter school's employees. Identify the procedures for providing notice and an opportunity for a hearing before the governing board, as applicable, and state whether the provisions of Article 5, Chapter 25, Title 59 will apply to the employment and dismissal of teachers at the charter school. Address grievance or termination procedures applicable to teachers, paraprofessionals, and other staff. (*S.C. Code Ann. § 59-40-60(F)(13); S.C. Code Ann. Regs. 43-601(III)(N)*).

Appendix Item(s):

R. Letter of Agreement with Authorizer Regarding Application of Article 5, Chapter 25, Title 59, if applicable

If the school elects, with the agreement of its authorizer, to use the teacher employment and dismissal procedures provided in S.C. Code Ann. § 59-25-410 et seq., provide documentation of the authorizer's agreement. (*S.C. Code Ann. Regs. 43-601(III)(N)(1)*).

Enrollment

The charter school's admission policies and procedures must comply with all applicable 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. (*S.C. Code Ann. §§ 59-40-40(2)(b) and 59-40-50(B)(1)*).

Subject to space limitations, a charter school must admit all students eligible to attend public school, except as otherwise permitted by law for a single-gender charter school or an Alternative Education Campus (AEC) with an approved specialized mission. If the number of applications exceeds the capacity of a program, class, grade level, or building, students must be accepted by lot. There is no appeal to the authorizer from the results of the lottery. A qualifying AEC serving educationally disadvantaged students may use a weighted lottery, as permitted by applicable federal law, with a mission-aligned preference clearly described in the school's charter and charter contract and approved by its authorizer. (*S.C. Code Ann. § 59-40-50(B)(12)*).

A charter school may not limit or deny admission or show preference in admission decisions to an individual or group except as specifically permitted by law. A charter school must give preference to students enrolled in the charter school during the previous year. The school may also provide the following enrollment preferences without requiring an otherwise eligible student to participate in a lottery:

- a sibling of a student currently enrolled and attending the charter school or who attended the school for at least one complete academic year within the previous six years;
- a child of an employee of the charter school or member of the charter school committee, provided that the number of students eligible for this preference does not exceed twenty percent of the school's total enrollment;
- dependents of active-duty members of the military residing or stationed in South Carolina, not to exceed ten percent of the school's total enrollment except as otherwise provided for a charter school located on a federal military installation or base;
- for an AEC, an approved mission-aligned preference for educationally disadvantaged students as permitted by applicable federal law; and
- for a charter school located on a qualifying federal military installation or base, priority for otherwise eligible dependents of military personnel living in military housing on, or currently stationed at, the installation or base, not to exceed fifty percent of total enrollment.

(*S.C. Code Ann. § 59-40-50(B)(13)*).

A student who qualifies for multiple enrollment preferences may be enrolled based on only one preference, at the charter school's discretion. If a student is unable to receive an enrollment preference because the applicable number of preferences has been exceeded, the student must be permitted to participate in any enrollment lottery conducted by the school for that enrollment year. (*S.C. Code Ann. § 59-40-50(B)(13)(d)*).

For a public school converting to charter status, enrollment priority must be given to students enrolled in the school at the time of conversion. Thereafter, students residing within the former attendance area of the public school must receive enrollment priority, as applicable under the Charter Schools Act.

For charter schools subject to the out-of-district enrollment requirements of S.C. Code Ann. § 59-40-145, proposed enrollment policies must address enrollment of students residing outside the school district in which the charter school is located. Regulation 43-601 provides that in-district students receive priority; out-of-district enrollment may not exceed twenty percent of total enrollment without approval of the receiving district board of trustees; the sending district must be notified immediately; out-of-district students must be considered in the order their applications are received; and, when the twenty percent out-of-district enrollment is from a single district, the sending district must concur before additional students transfer from that district. These provisions do not apply to schools authorized by the South Carolina Public Charter School District or institutions of higher education as provided in Regulation 43-601.

The application must demonstrate timely, fair, nondiscriminatory, and realistic procedures for recruiting, registering, and admitting students. The applicant must describe the recruitment and outreach strategies that will be used to make information about the school and enrollment opportunities broadly available throughout the community and the targeted student population the school proposes to serve. Recruitment, registration, and admission procedures must comply with applicable state and federal nondiscrimination requirements and any applicable desegregation plan or order.

If the proposed charter school will be subject to a desegregation plan or order, the applicant must provide documentation addressing the applicable plan or order. Regulation 43-601 directs the applicant to obtain documentation indicating whether the school will be subject to a desegregation plan or order; obtain the applicable plan or order; determine and demonstrate that the proposed policies and procedures comply with it; and obtain documentation indicating whether the proposed policies and procedures comply or whether clarification from the U.S. Department of Education's Office for Civil Rights is required.

A charter school must notify its authorizer of its enrollment procedures and the dates of its enrollment period at least sixty days before the first day of the enrollment period. The authorizer is responsible for reviewing and monitoring implementation of the school's enrollment procedures to ensure compliance with the admission requirements of S.C. Code Ann. § 59-40-50(B)(12)-(13). (*S.C. Code Ann. § 59-40-55(B)(10), (18)*).

Narrative Requirements:

1. Describe the policies and procedures that will govern student enrollment and withdrawal. Address the application process and timeline, eligibility determination, capacity by program, class, grade level, nongraded educational grouping, or building, lottery procedures when applications exceed capacity, notification of enrollment decisions, and procedures applicable when admission is denied. (*S.C. Code Ann. §§ 59-40-50(B)(12)-(13), 59-40-60(F)(3); S.C. Code Ann. Regs. 43-601(III)(D)*).

2. Describe the recruitment strategies the school will use to provide timely and meaningful information about the school and enrollment opportunities to the community and anticipated student population. Identify the recruitment methods that will be used and explain how the recruitment plan will support fair and equitable access to enrollment. (S.C. Code Ann. § 59-40-60(F)(9); S.C. Code Ann. Regs. 43-601(III)(J)(1)-(2)).
3. Describe the proposed enrollment timeline, including the application period, applicable deadlines, the date and process for conducting a lottery if necessary, notification of enrollment decisions, the timeframe and procedure for parents or guardians to accept or decline an offered seat, and procedures for filling available seats after the initial enrollment period. Explain how the school will ensure that its authorizer receives the school's enrollment procedures and enrollment-period dates at least sixty days before the first day of the enrollment period. (S.C. Code Ann. §§ 59-40-50(B)(12)-(13), 59-40-55(B)(10)).
4. Describe each enrollment preference the school proposes to use and explain how each preference will be administered consistent with applicable state and federal law. Identify any applicable numerical limitations and describe how the school will monitor compliance with those limitations. (S.C. Code Ann. § 59-40-50(B)(13)).
5. Describe how the school will administer enrollment preferences when a student qualifies for more than one preference category and how the school will ensure compliance with applicable lottery requirements. (S.C. Code Ann. § 59-40-50(B)(13)(d)).
6. Describe how the school will administer enrollment of students residing outside the school district in which the charter school is located, if applicable. Identify the anticipated percentage of out-of-district enrollment, how in-district priority will be administered, procedures for notifying sending districts, procedures for obtaining required approval when out-of-district enrollment exceeds applicable limits, and procedures applicable when students from a single sending district exceed applicable limits. (S.C. Code Ann. § 59-40-145; S.C. Code Ann. Regs. 43-601(III)(D)(5)).
7. Describe the nondiscriminatory recruitment and outreach strategies the school will use to provide meaningful information about the school and enrollment opportunities throughout the community, including the targeted student population identified in the application. Explain how the school's recruitment, application, registration, and admission procedures will support fair and equitable access to enrollment and compliance with applicable state and federal nondiscrimination requirements. Describe how the school will evaluate whether its recruitment and outreach efforts are providing broad community awareness of the school and an opportunity to enroll. (S.C. Code Ann. §§ 59-40-40(2)(b), 59-40-50(B)(1), (12)-(13), 59-40-60(F)(9); S.C. Code Ann. Regs. 43-601(III)(J)(1)-(2)).
8. **Additional Requirement for Alternative Education Campus (AEC) Applicants:** Describe any proposed mission-aligned enrollment preference and weighted lottery procedures. Define the educationally disadvantaged student population that will be eligible for the preference, identify the documentation or other criteria that will be used to determine eligibility, and explain how the preference and weighted lottery will comply with the school's approved mission, charter and charter contract, and applicable state and federal law. (S.C. Code Ann. §§ 59-40-50(B)(12)-(13), 59-40-111).

Appendix Item(s):

S. Documentation Regarding Desegregation Plan or Order, if applicable

Provide documentation from the applicable district or authorizer indicating whether the proposed charter school is subject to a desegregation plan or order. If the proposed charter school is subject to a desegregation plan or order, provide the applicable plan or order and documentation addressing whether the proposed enrollment policies and procedures comply with the plan or order or whether clarification from the U.S. Department of Education's Office for Civil Rights is required. (S.C. Code Ann. Regs. 43-601(III)(J)(3)).

Student Conduct, Rights and Responsibilities

The charter school application must include a description of student rights and responsibilities, including attendance, behavior and discipline standards, and a reasonable hearing procedure. The application must provide for notice and a hearing before the charter school board of directors before a student is expelled. (S.C. Code Ann. § 59-40-60(F)(14)).

The application must include a policy governing student conduct, student rights and responsibilities, and student discipline standards and procedures. The policy must identify disciplinary actions that may be taken by the administration for violations of the student conduct policy. (S.C. Code Ann. Regs. 43-601(III)(O)(1)).

The application must provide an appeal process for students recommended for expulsion that includes the right to appeal to the charter school board and must provide the notice and hearing required by S.C. Code Ann. § 59-40-60(F)(14). (S.C. Code Ann. § 59-40-60(F)(14); S.C. Code Ann. Regs. 43-601(III)(O)(2)).

The application must provide assurance that the charter school will comply with S.C. Code Ann. § 59-63-235 regarding a student who brings a firearm to school. (S.C. Code Ann. Regs. 43-601(III)(O)(3)).

The application must provide assurance that the charter school will comply with the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g, and must explain how the school's policies regarding student conduct, rights, and responsibilities will be communicated to parents and students at the beginning of the school year. (S.C. Code Ann. Regs. 43-601(III)(O)(4)-(5)).

Students with disabilities remain entitled to the protections and services required by the Individuals with Disabilities Education Act (IDEA) and applicable state law when disciplinary action is taken. The authorizer is the charter school's Local Education Agency (LEA) and retains responsibility for special education. The school's disciplinary policies and procedures must therefore be implemented consistently with applicable special education requirements and the obligation to provide a free appropriate public education (FAPE). South Carolina law requires appropriate educational services for eligible students with disabilities and recognizes the provision of FAPE in applicable placements.

Narrative Requirements:

1. Describe the process and timeline for developing, approving, and communicating the student handbook and related student conduct, attendance, discipline, rights, and responsibilities policies. Explain how these policies will be provided to parents and students at the beginning of the school year and how the school will protect the confidentiality of student education records consistent with FERPA. (S.C. Code Ann. § 59-40-60(F)(14); S.C. Code Ann. Regs. 43-601(III)(O)(4)-(5); 20 U.S.C. § 1232g).

2. Describe the student rights and responsibilities and the proposed attendance, behavior, and discipline standards. Identify the disciplinary actions that may be taken by the administration for violations of the student conduct policy and explain how students and parents or guardians will be informed of applicable expectations and consequences. (*S.C. Code Ann. § 59-40-60(F)(14)*; *S.C. Code Ann. Regs. 43-601(III)(O)(1), (5)*).
3. Describe the procedures that will apply when a student is recommended for expulsion. Include the notice provided to the student and parent or guardian, the opportunity for a hearing before the charter school board of directors before expulsion, the procedures that will govern the hearing and decision, and the appeal process applicable to a student recommended for expulsion. (*S.C. Code Ann. § 59-40-60(F)(14)*; *S.C. Code Ann. Regs. 43-601(III)(O)(2)*).
4. Describe how the school, in coordination with its authorizer as the LEA, will ensure compliance with IDEA and applicable state and federal special education requirements when disciplining, suspending, or expelling a student with a disability. Address how the school will ensure the continued provision of FAPE when required and how significant behavioral concerns involving students with disabilities will be identified and addressed. (*S.C. Code Ann. §§ 59-40-40(4), 59-33-10 et seq.*; *IDEA, 20 U.S.C. § 1400 et seq.*).
5. Describe how the school's student conduct and discipline procedures will protect student rights and provide appropriate due process. Explain how the school will monitor implementation of its discipline policies, including disciplinary actions involving students with disabilities, and identify the procedures that will govern disciplinary hearings and related decision-making. (*S.C. Code Ann. § 59-40-60(F)(14)*; *S.C. Code Ann. Regs. 43-601(III)(O)*; see also *IDEA, 20 U.S.C. § 1400 et seq.*).

Appendix Item(s):

T. Draft Student Conduct, Rights, Responsibilities, and Discipline Policy

Provide a draft policy governing student conduct, student rights and responsibilities, attendance, behavior and discipline standards, and disciplinary procedures. The policy must:

- identify disciplinary actions that may be taken by the administration for violations of the student conduct policy;
- provide procedures for notice and a hearing before the charter school board of directors before expulsion;
- address the appeal process applicable to students recommended for expulsion;
- include assurance of compliance with S.C. Code Ann. § 59-63-235 regarding students who bring a firearm to school;
- include assurance of compliance with FERPA; and
- describe how student conduct, rights, and responsibilities policies will be communicated to parents and students.

(*S.C. Code Ann. § 59-40-60(F)(14)*; *S.C. Code Ann. Regs. 43-601(III)(O)*).

Transportation

Charter schools are not required to provide transportation to students. The State is not responsible for student transportation to a charter school unless the charter school is designated by the local school district as the only school selected within the local school district's attendance area. A charter school may enter into a contract with a school district or private provider to provide transportation to charter school students. (S.C. Code Ann. § 59-40-50(D)).

The application must describe the transportation services the charter school proposes to provide, if any. (S.C. Code Ann. § 59-40-60(F)(10)).

If the charter school will provide transportation by school bus, the application must include a plan that complies with applicable state requirements for drivers and training and state safety requirements for school buses. If the charter school intends to contract with a school district or third party for transportation services, the application must describe the proposed services and include the proposed transportation contract. If lack of transportation would prevent students from attending the school, the applicant should describe how it proposes to address those transportation needs. A charter school is not required to provide or facilitate transportation for out-of-district students. (S.C. Code Ann. Regs. 43-601(III)(K)).

Narrative Requirements:

1. If the school intends to provide transportation by school bus, describe the proposed transportation plan, including how the school will comply with applicable state requirements for drivers, driver training, and school bus safety. If the school does not intend to provide transportation by school bus, state "Not Applicable." (S.C. Code Ann. § 59-40-60(F)(10); S.C. Code Ann. Regs. 43-601(III)(K)(1)).
2. If the school intends to contract with a school district or third-party provider for transportation services, describe the services to be provided, identify the proposed provider, and explain the respective responsibilities of the school and transportation provider. Include the proposed transportation services contract as Appendix Item U. If the school does not intend to contract for transportation services, state "Not Applicable." (S.C. Code Ann. §§ 59-40-50(D), 59-40-60(F)(10); S.C. Code Ann. Regs. 43-601(III)(K)(2)).
3. Describe how the school has considered transportation access in developing its enrollment and operational plans. If lack of transportation may prevent students from attending the school, describe the strategies the school proposes to use to address identified transportation needs. If the school will not provide or facilitate transportation, clearly state this and explain how students and families will be informed of the transportation arrangements and responsibilities applicable to enrollment. (S.C. Code Ann. § 59-40-60(F)(10); S.C. Code Ann. Regs. 43-601(III)(K)(1), (3)).

Appendix Item(s):

U. Transportation Services Contract, if applicable

If the school intends to contract with a school district or third-party provider for transportation services, provide a copy of the proposed transportation services contract. (*S.C. Code Ann. Regs. 43-601(III)(K)(2)*).

Section III: Business Plan and Capacity

Budget & Finance

The application must provide evidence that the financial plan for the proposed charter school is economically sound and must include a proposed budget to start the charter school, a proposed budget for the entire contractual term of the charter, and a description of the manner in which an annual audit of the financial and administrative operations of the charter school, including any services provided by the authorizer, will be conducted. (*S.C. Code Ann. § 59-40-60(F)(7)*).

The proposed budget must be based on reasonable and documented assumptions and must align with the educational program, staffing plan, student enrollment projections, facilities plan, transportation plan, special education program, contractual obligations, and other commitments described throughout the application. The staffing chart must align with the proposed budget and student enrollment projections. (*S.C. Code Ann. § 59-40-60(F)(7), (12)*).

The application must include a detailed five-year budget and a ten-year budget plan for revenues and expenditures. The five-year detailed budget should demonstrate realistic assumptions, projected cash flow, minimum enrollment necessary for financial viability, and staffing consistent with student enrollment projections and the educational program. The ten-year budget plan must demonstrate the anticipated financial sustainability of the school over the contractual term. Act 123 requires the application to include both a start-up budget and a budget covering the entire contractual term of the charter.

The budget must be based on documented South Carolina Department of Education estimated revenues in accordance with applicable funding provisions. Revenue projections should clearly identify the assumptions used and distinguish between recurring revenues and grants, donations, gifts, fundraising, or other variable or nonrecurring revenues. If grant funds are included in the budget, the application must provide evidence that the funds are likely to be received and explain the terms of the projected grants. Anticipated expenditures must include all costs associated with initial implementation and continued operation of the school, including, as applicable, salaries, employee benefits, purchased services, insurance, transportation, supplies and materials, and capital expenditures. (*S.C. Code Ann. § 59-40-60(F)(7); S.C. Code Ann. Regs. 43-601(III)(G)(1)*).

The application must describe the accounting, auditing, and reporting systems that will be used by the school and provide evidence that the school will comply with applicable requirements for public schools operating in South Carolina. Applicable accounting, auditing, and reporting requirements must be consistent with the principles identified in the SCDE Single Audit Guide, Financial Accounting Handbook, and Funding Manual. (*S.C. Code Ann. Regs. 43-601(III)(G)(2)*).

The application must also include documentation regarding the pupil accounting system and demonstrate that the school will adhere to applicable pupil accounting procedures and requirements. 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 <https://ed.sc.gov/finance/financial-services/manual-handbooks-and-guidelines/>. (S.C. Code Ann. Regs. 43-601(III)(G)(3)).

The application must identify any material negotiated or contracted services that will support school operations. Such services may include, as applicable, financial accounting, payroll, food services, custodial services, maintenance, curriculum, library and media services, warehousing, or other operational services. Proposed arrangements involving services provided by the authorizer must comply with applicable provisions of the Charter Schools Act governing authorizer services and financial relationships. (S.C. Code Ann. § 59-40-140(E); S.C. Code Ann. Regs. 43-601(III)(G)(4)).

Charter schools are subject to applicable public-school financial laws and regulations, financial audits, audit procedures, and audit requirements. A charter school must post its annual budget, including its operating budget and any debt incurred by the school, its audit, and other financial information required by law or regulation on its website. Before entering into an agreement to borrow money secured by school property, funds, or other assets, the school must provide notice to its authorizer. (S.C. Code Ann. § 59-40-50(B)(3)-(5)).

A charter school must maintain a transaction register containing a complete record of expenditures over one hundred dollars from any source and for any purpose. The register must be prominently posted on the school's website, available for public viewing and downloading, searchable, updated at least monthly, and include the transaction amount, name of the payee, and a detailed description of the expenditure, subject to the statutory exclusions for employee compensation and personally identifying employee information. (S.C. Code Ann. § 59-40-50(B)(6)).

The school must also post required monthly statements for credit cards maintained by the school and credit cards maintained by a management organization for the benefit of the school, including cards issued to officers or employees for official use. Credit card numbers must be redacted before posting, and each statement must be posted within thirty days after the first payment is made toward the balance shown on the statement. Personal credit cards may not be used by an employee or board member for purchases over two hundred fifty dollars directly related to the school or its operations. (S.C. Code Ann. § 59-40-50(B)(7)).

The charter school must collect, maintain, and make required financial information available to its authorizer, including annual financial reports and audited financial statements, the budget approved by the governing board and any amendments, and management letters issued as part of the annual financial audit. (S.C. Code Ann. § 59-40-50(B)(18)).

The school must provide for an annual independent audit consistent with applicable state and federal requirements. Regulation 43-601 requires each authorized charter school to obtain an annual independent audit

conducted by a qualified auditing or accounting firm and file the audit annually with its authorized public chartering agency. A charter school's financial audit is due to its authorizer no earlier than October 15, or the next business day, unless the Department of Education grants an extension or establishes a grace period for the authorizer. (S.C. Code Ann. § 59-40-50(B)(3)).

Note Regarding SCDE Per-Pupil Estimate

For purposes of preparing a budget for this application cycle, applicants must use the SCDE Finance Office per-pupil estimate provided with this guidance. This is an application-cycle budgeting instruction intended to provide a consistent basis for review of proposed charter school budgets.

The per-pupil estimate provided by the SCDE Finance Office reflects the funding estimate currently available for use in developing the proposed charter school budget. The estimate does not include Education Improvement Act (EIA) funding. Applicants should use the SCDE-provided estimate when developing applicable per-pupil revenue projections and should not independently increase the estimate to account for anticipated EIA or other funding not included in the estimate. The SCDE Finance Office has indicated that this is the only per-pupil estimate it is able to provide at this time.

The current SCDE per-pupil estimate is provided on the following page for applicant reference and should be used in conjunction with the assumptions and supporting documentation required in this section.

September 16, 2026

The per-pupil estimate is determined by dividing the total State Aid to Classroom (SAC) funding by the statewide weighted pupil units (WPU), offering a comprehensive metric for per-student allocation under the SAC framework. The SAC funding is based on data from the prior year.

Total State Funding/ Total State Weighted Pupil Units (WPU):

$\$4,429,222,871.51 / 1,314,437.73 = \$3,369.67$ Estimated Per-Pupil

SCDE Finance

Narrative Requirements:

1. Describe how the proposed budget supports the mission, educational program, and student achievement goals of the school. Explain how the start-up budget, five-year detailed budget, and ten-year budget plan support implementation and ongoing operation of the educational program. Identify each major or distinctive instructional strategy, program, staffing commitment, or curricular component and identify the expenditures or budget categories that support it. Describe how financial and student-performance information will be used to inform future resource-allocation decisions. (*S.C. Code Ann. § 59-40-60(F)(5), (7), (12)*).
2. Describe the assumptions, calculations, enrollment projections, staffing assumptions, and revenue and expenditure estimates used to develop the school's budgets. Identify the source and basis for material revenue and expenditure assumptions and provide supporting evidence where available. Explain how enrollment assumptions used in the budget align with enrollment projections elsewhere in the application. (*S.C. Code Ann. § 59-40-60(F)(4), (7), (12)*; *S.C. Code Ann. Regs. 43-601(III)(G)(1)*).
3. Identify the state, federal, local, grant, donation, fundraising, and other funding sources anticipated by the school. For each material funding source, identify the anticipated amount, whether the revenue is recurring or nonrecurring, and whether it is secured or anticipated. For grants, donations, loans, or other resources on which the school's core operations depend, provide available evidence supporting the anticipated revenue. (*S.C. Code Ann. §§ 59-40-60(F)(7), 59-40-140(A)-(D), (F)-(G)*; *S.C. Code Ann. Regs. 43-601(III)(G)(1)*).
4. Identify any negotiated or contracted operational services anticipated for the school. For each material service, identify the service to be provided, the provider if known, the anticipated cost or basis for determining cost, the respective responsibilities of the parties, and whether the arrangement is proposed, negotiated, or executed. For services proposed to be obtained from the authorizer, explain how the arrangement complies with applicable statutory requirements and restrictions governing authorizer-provided services. (*S.C. Code Ann. §§ 59-40-55(C), 59-40-140(E)*; *S.C. Code Ann. Regs. 43-601(III)(G)(4)*).
5. Describe how the school will maintain fiscal sustainability and appropriate financial management systems. Explain how the school will maintain its books and records in accordance with generally accepted accounting principles (GAAP), establish and maintain an appropriate system of internal control, comply with applicable pupil accounting and financial reporting requirements, and identify and timely address audit findings, internal-control deficiencies, material financial noncompliance, or other significant financial concerns. (*S.C. Code Ann. §§ 59-40-50(B)(3), 59-40-60(F)(7), 59-40-110(F)(3)*; *S.C. Code Ann. Regs. 43-601(III)(G)(2)-(3)*).
6. Describe how the school will comply with statutory financial transparency and accountability requirements. Address the public posting of budgets, debt, audits, and other required financial information; maintenance and monthly updating of the transaction register for expenditures over one hundred dollars; required credit-card statement disclosures; financial records that must be made available to the authorizer; and the personnel, procedures, and internal controls responsible for ensuring ongoing compliance. (*S.C. Code Ann. § 59-40-50(B)(3)-(7), (18)*).
7. Identify any material financial, accounting, payroll, benefits administration, banking, treasury, procurement, or other business functions the school intends to obtain from third-party providers. For each service, identify the provider if known, anticipated cost or basis for determining cost, scope of services, responsibilities of the provider, and the process the governing board will use to

oversee the arrangement. If applicable, separately identify any financial, accounting, or treasury services to be provided by a management organization. (S.C. Code Ann. §§ 59-40-60(F)(7), 59-40-140(L); S.C. Code Ann. Regs. 43-601(III)(G)(4)).

8. Describe the process the school will use to select and contract with a qualified independent certified public accountant or accounting firm to conduct the school's annual financial audit. Explain how the governing board will oversee the audit process, respond to audit findings or management-letter comments, submit the completed audit as required, and make the audit publicly available as required by law. (S.C. Code Ann. §§ 59-40-50(B)(3)-(4), (18), 59-40-60(F)(7); S.C. Code Ann. Regs. 43-601(III)(G)(2), VII(A)).
9. State whether the school intends to elect participation in the South Carolina Retirement Systems. If the school intends to participate, identify the applicable employer costs included in the proposed budgets and explain where those costs are reflected in the staffing and financial plans. If the school does not intend to participate, clearly state that decision. (S.C. Code Ann. § 59-40-125).
10. Describe the school's financial contingency plans for cash-flow challenges, budget shortfalls, lower-than-projected enrollment, unanticipated expenditures, delayed or reduced revenues, or other material financial challenges, particularly during the early years of operation. Identify the financial indicators and thresholds the governing board will use to determine when corrective action is necessary, how frequently those indicators will be reviewed, and the corrective actions available to address identified financial concerns. (S.C. Code Ann. § 59-40-60(F)(7); see also S.C. Code Ann. § 59-40-110(F)(3)).
11. Describe whether the school anticipates borrowing funds or entering into financing arrangements secured by school property, funds, or other assets. If so, identify the anticipated purpose and type of financing and describe how the school will provide notice to its authorizer before entering into the agreement. If no such borrowing or secured financing is anticipated, state "None." (S.C. Code Ann. § 59-40-50(B)(5)).

Appendix Item(s):

V. Student Enrollment Projection Form

Provide the completed SCDE Student Enrollment Projection Form. Enrollment projections must be consistent with the enrollment, staffing, and revenue assumptions used throughout the application.

W. SCDE Per-Pupil Estimate Review

Provide the required documentation demonstrating review and use of the SCDE per-pupil estimate in developing the proposed budget.

X. Start-Up Budget

Provide a detailed start-up budget identifying the revenues and expenditures associated with preparing to open the charter school prior to and through the commencement of school operations.

(S.C. Code Ann. § 59-40-60(F)(7)).

Y. Five-Year Detailed Budget

Provide a five-year detailed budget in Excel format. The budget must include:

- realistic and clearly identified assumptions and their basis;
- projected revenues and expenditures;
- cash-flow projections;
- minimum enrollment necessary for financial viability; and
- a staffing structure aligned with the proposed educational program, enrollment projections, and other applicable components of the application.

Do not submit this appendix item as a PDF.

Z. Ten-Year Budget Plan

Provide a ten-year budget plan in Excel format demonstrating projected revenues and expenditures over the contractual term of the charter and the anticipated long-term financial sustainability of the school. (S.C. Code Ann. §§ 59-40-60(F)(7), 59-40-110(A)).

Do not submit this appendix item as a PDF.

AA. Agreements for Negotiated or Contracted Services, if applicable

Provide copies of proposed agreements, memoranda of agreement, contracts, or other documentation for material negotiated or contracted services identified in the application, as applicable. Regulation 43-601 requires documentation of applicable negotiated services.

AB. Documentation of Grants, Donations, Gifts, or Other Variable or Nonrecurring Revenue

Provide documentation supporting grants, donations, gifts, fundraising commitments, or other variable or nonrecurring revenues included in the proposed budgets. For each material source, identify the anticipated amount and whether the funding is secured or anticipated. For projected grant funds, provide available evidence that the funds are likely to be received and documentation explaining material terms or restrictions applicable to the funds. (S.C. Code Ann. § 59-40-140(F)-(G); S.C. Code Ann. Regs. 43-601(III)(G)(1)).

Facilities

Charter schools may acquire, lease, sublease, purchase, or otherwise obtain property for school purposes as permitted by law. The application must identify the proposed school location by address, if available, or at a minimum by ZIP code, and describe the school building, other facilities, and equipment and how they will be obtained. If complete facility information is not available at the time of application, the information must be updated as soon as facilities are secured. (S.C. Code Ann. § 59-40-60(F)(11)).

Charter schools may acquire by gift, devise, purchase, lease, sublease, installment purchase agreement, land contract, option, or other lawful means buildings or other property necessary or convenient for school purposes and may hold and own such property in the school's name. (S.C. Code Ann. § 59-40-140(J)).

The facilities plan should demonstrate that the proposed facility is sufficient to support the school's educational program, projected enrollment, staffing, and operational needs. If a facility has been identified when the application is submitted, the application must provide the facility address, a description of the facility, a floor plan showing its size in square footage, the name and address of the facility owner, a copy of the proposed lease or rental agreement if applicable, and a description of the equipment that will support the proposed curriculum and how that equipment will be obtained. (S.C. Code Ann. Regs. 43-601(III)(L)(1)).

If a suitable facility has not been identified, the application must provide a plan for obtaining one. The plan must describe the school's facility needs; state whether an existing facility will be remodeled or a new facility constructed; provide a schedule for completing or obtaining a suitable facility; describe any applicable fundraising plan and timeline; and describe the equipment needed to support the proposed curriculum and how that equipment will be obtained. (S.C. Code Ann. Regs. 43-601(III)(L)(2)).

Applicants should account for applicable building, occupancy, accessibility, safety, zoning, and traffic requirements when evaluating a proposed facility and should begin applicable facility review and approval processes early enough to support the proposed school-opening schedule. An approved charter school may be required to satisfy facility-related pre-opening conditions before opening for students. S.C. Code Ann. § 59-40-70(B)(1) requires an approved charter school to satisfy the pre-opening conditions contained in its charter contract before opening.

Narrative Requirements:

1. Describe the facility requirements necessary to implement the proposed educational and operational plan. Identify the anticipated number and approximate size of classrooms, common areas, administrative and student-support spaces, overall square footage needs, and other significant facility requirements. Identify any specialized spaces needed for the proposed program, such as playgrounds, assembly or large-group spaces, athletic facilities, laboratories, specialized instructional spaces, or other program-specific areas, and explain how each identified need relates to the educational or operational plan. (S.C. Code Ann. § 59-40-60(F)(11); S.C. Code Ann. Regs. 43-601(III)(L)).

2. Describe how the proposed facility and equipment will support the educational program and the needs of the students the school proposes to serve. Explain how the facility will provide appropriate access for students with disabilities and how accessibility requirements will be addressed in selecting, designing, renovating, or preparing the facility for occupancy. (S.C. Code Ann. §§ 59-40-40(2)(b), 59-40-50(B)(1), 59-40-60(F)(11); S.C. Code Ann. Regs. 43-601(III)(L)).
3. Identify the proposed school location by address, if available, or, at a minimum, provide the ZIP code of the proposed location. Describe the school building, other facilities, and equipment and explain how they will be obtained. If complete facility information is not available at the time of application, identify the information that remains outstanding and describe the process and timeline for securing and updating the facility information. (S.C. Code Ann. § 59-40-60(F)(11); S.C. Code Ann. Regs. 43-601(III)(L)).

3A. If a facility has been identified:

Provide the address and a description of the proposed facility, identify the name and address of the facility owner, and explain how the facility will be acquired or made available for use by the school. If the facility will be leased or rented, describe the material terms of the proposed agreement. Identify any renovations, buildout, equipment, or other work necessary to prepare the facility for school use, including estimated costs and how those costs are reflected in the proposed budget. Describe the school's contingency plan if the proposed lease, purchase, or other facility arrangement is not completed. (S.C. Code Ann. § 59-40-60(F)(11); S.C. Code Ann. Regs. 43-601(III)(L)(1)).

3B. If a facility has not been identified:

Describe the process and plan for obtaining a suitable facility. Identify the facility requirements that will guide the search; state whether the school anticipates remodeling an existing facility, constructing a new facility, or pursuing another facility arrangement; and provide a schedule with major milestones for identifying, securing, and preparing a suitable facility. If funds must be raised to obtain or prepare the facility, describe the proposed fundraising plan and timeline. Identify the equipment necessary to support the proposed curriculum and explain how the equipment will be obtained. (S.C. Code Ann. § 59-40-60(F)(11); S.C. Code Ann. Regs. 43-601(III)(L)(2)).

4. Describe how the facilities plan aligns with projected student enrollment and planned enrollment growth. Identify the facility capacity necessary at opening and at full enrollment and explain how the proposed facility or facilities plan will accommodate anticipated growth. If expansion, renovation, relocation, additional space, or another facility change may be necessary as enrollment grows, identify the anticipated trigger and describe the planned response. (S.C. Code Ann. § 59-40-60(F)(11); see also S.C. Code Ann. Regs. 43-601(III)(L)).

Appendix Item(s):

BB. Floor Plan of Identified Facility, if applicable

If a facility has been identified, provide a floor plan of the proposed facility that includes the size of the facility in square footage. (S.C. Code Ann. Regs. 43-601(III)(L)(1)(c)).

CC. Proposed Lease or Rental Agreement, if applicable

If the identified facility will be leased or rented, provide a copy of the proposed lease or rental agreement. (S.C. Code Ann. Regs. 43-601(III)(L)(1)(e)).

DD. Documentation from the SCDE Office of School Facilities, if applicable

Provide available documentation related to review or approval of the proposed facility by the SCDE Office of School Facilities, as applicable.

EE. Documentation from SCDOT School Traffic Engineering, if applicable

Provide available documentation related to traffic review of the proposed school site by SCDOT School Traffic Engineering, as applicable.

Insurance Coverage:

The application must include a description of the types and amounts of insurance coverage to be obtained by the charter school. (S.C. Code Ann. § 59-40-60(F)(16)). Regulation 43-601 provides that the insurance coverage addressed in the application must include, but is not limited to, workers' compensation, liability, property, indemnity, and automotive insurance.

The charter school must also assume liability for its activities and agree to indemnify and hold harmless the authorizer, its servants, agents, and employees from liability, damage, expense, causes of action, suits, claims, or judgments arising from the activities of the charter school as provided by law. (*S.C. Code Ann. § 59-40-60(F)(15); S.C. Code Ann. Regs. 43-601(III)(P)*).

All requirements for this section must be addressed through the supporting documentation identified below. No separate narrative response is required.

Narrative Requirements:

No separate narrative response is required for this section. Applicants must provide the information and documentation required in Appendix Item FF.

Appendix Item(s):**FF. Insurance Documentation**

Provide documentation identifying the types and amounts of insurance coverage the charter school proposes to obtain. At a minimum, address the following coverage, as applicable:

1. Workers' Compensation Insurance

Provide documentation identifying the proposed workers' compensation coverage and applicable coverage amounts.

2. Liability Insurance

Provide documentation identifying the proposed liability coverage and applicable coverage amounts. Identify how the proposed coverage addresses the charter school's potential liability under applicable South Carolina law, including the South Carolina Tort Claims Act.

3. Property Insurance

Provide documentation identifying the proposed coverage for the school building, if applicable, school contents, equipment, and other property, including coverage for applicable risks such as fire and theft.

4. Indemnity Coverage and Indemnification Obligations

Identify any proposed indemnity insurance or other insurance coverage intended to address the school's indemnification and liability obligations. The school must separately comply with the indemnification requirements of S.C. Code Ann. § 59-40-60(F)(15). Regulation 43-601 requires the charter school to assume liability for its activities and indemnify and hold harmless the applicable public entity and its agents and employees as provided by law.

5. Automobile Insurance

If the school will own, lease, operate, or otherwise insure vehicles, provide documentation identifying the proposed automotive coverage and applicable property and liability coverage amounts.

6. Other Insurance Coverage

Identify any additional types of insurance the charter school proposes to obtain. For each additional type of coverage, provide a description of the coverage, proposed amount of coverage, and estimated cost, if available.

7. Evidence of Insurability and Estimated Cost

For each applicable type of insurance identified above, provide documentation from a South Carolina-licensed insurance company, qualified insurance provider, or the State Insurance Reserve Fund demonstrating the applicant's ability to obtain the proposed coverage and identifying the estimated cost, if available.

Appendix Items Information

The table on the following page presents the appendix items that correspond to specific sections of the application. Applicants are encouraged to use this table to ensure that their application includes all required appendix items. Items in the table noted with **, indicate they are required only if applicable.

The first support document is the Signature Certification Page. Print the Signature Certification Page (page 47) and obtain the appropriate signatures from the chair of the charter committee. Note: this form includes certification of the SCDE Statement of Assurances for Charter Schools. Retain the copy of the statement of assurances included in this document (pages 45-46) for your records and ensure that each signatory has a copy of the document. By signing the Signature Certification Page, the signatories assure that they will comply with all the assurances for public charter schools in South Carolina. **The authorizer representative and the charter school committee chair will sign the bottom of this form after the school is approved.**

Once completed, include a copy per the instructions on page 5-6. **Applications must include a Signature Certification Page signed by the charter committee chair in the Applicant Certification section. The post-approval Authorization section must remain unsigned at the time of application submission and must be completed only after the application has been approved.**

Application Section	Appendix Item
Section I: Educational Plan and Capacity	
Executive Summary	<i>No appendix items in this section</i>
1. Evidence of Need and Community Support	A. Signature Certification Page
	B. **Evidence of Notification
	C. Evidence of Support
	D. **Conversion School Support
	E. **Private School Support
2. Curriculum and Instructional Model	F. School Calendar and Daily Schedule
	G. Supporting Documents for Educational Plan
	H. List of Teaching Positions
	I. **Virtual School List of Courses
	I-1. **Student Participation and Attendance Policy, Virtual Charter Schools Only
3. Serving Students with Disabilities and Special Populations	J. **Agreement Regarding Special Education Services
4. Goals, Objectives, and Assessment Plan	<i>No appendix items in this section</i>
Section II: Organizational Plan and Capacity	
1. Governing Board	K. Charter Committee Resumes
	L. Bylaws
	M. Articles of Incorporation and Certificate of Incorporation
	N. Organizational Chart
2. Education/Charter Management Contracts	O. **EMO/CMO Documentation
3. Administrative Structure/Building Leadership	P. Sample Job Descriptions
	Q. School Start-Up Plan
4. Employees	R. **Letter of Agreement with Authorizer Regarding Application of Article 5, Chapter 25, Title 59
5. Enrollment	S. **Documentation Regarding Desegregation Plan or Order
6. Student Conduct, Rights, and Responsibilities	T. Draft Student Conduct, Rights, Responsibilities, and Discipline Policy
7. Transportation	U. **Transportation Services Contract
Section III: Business Plan and Capacity	
1. Budget & Finance	V. Student Enrollment Projection Form
	W. SCDE Per-Pupil Estimate Review
	X. Start-Up Budget
	Y. Five-Year Detailed Budget
	Z. Ten-Year Budget Plan
	AA. **Agreements for Negotiated or Contracted Services
	AB. **Documentation of Grants, Donations, Gifts, or Other Variable or Nonrecurring Revenue

Application Section	Appendix Item
2. Facilities	BB. **Floor Plan of Identified Facility
	CC. **Proposed Lease or Rental Agreement
	DD. **Documentation from SCDE Office of School Facilities
	EE. **Documentation from SCDOT School Traffic Engineering
3. Insurance Coverage	FF. Insurance Documentation

Statement of Assurances for Charter Schools

For informational purposes only. The applicant certifies to abide by these assurances by signing and submitting the Signature Certification Page. Keep a file copy of both documents.

Pursuant to S.C. Code Ann. § 59-40-60(F)(19), the charter school application must include a statement of assurances affirming that the applicant understands and agrees to perform the essential responsibilities and obligations of a charter school.

As the authorized representative of the applicant, I certify that the information submitted in this application for **[name of proposed charter school]** is true to the best of my knowledge and belief. I further understand and agree that, if the application is approved and a charter is granted, the charter school and its governing board:

A. Will comply with all applicable 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. (S.C. Code Ann. § 59-40-40(2)(b)).

B. Will not charge tuition or other charges pursuant to S.C. Code Ann. § 59-19-90(8), except as may be allowed by the authorizer and comparable to charges of the local school district in which the charter school is located. (S.C. Code Ann. § 59-40-40(2)(d)).

C. Will adhere to the same health, safety, civil rights, and disability rights requirements as are applied to public schools operating in the same school district or, in the case of the South Carolina Public Charter School District or a public or independent institution of higher learning authorizer, the local school district in which the charter school is located. (S.C. Code Ann. § 59-40-50(B)(1)).

D. Will meet, but may exceed, the same minimum student attendance requirements as are applied to public schools. (S.C. Code Ann. § 59-40-50(B)(2)).

E. Will adhere to the same financial laws and regulations, financial audits, audit procedures, and audit requirements as are applied to public schools and will comply with applicable financial reporting and public-posting requirements. (S.C. Code Ann. § 59-40-50(B)(3)-(7)).

F. Will comply with applicable federal requirements governing the receipt, expenditure, accounting, and reporting of federal funds received by or on behalf of the charter school.

G. Will maintain pupil accounting and reporting systems in accordance with applicable South Carolina public-school requirements. Regulation 43-601 requires pupil accounting and reporting to comply with the South Carolina Pupil Accounting Manual and the South Carolina Student Accountability Manual. (S.C. Code Ann. Regs. 43-601(III)(G)(3)).

H. Will comply with applicable requirements governing certified and noncertified teachers. A newly created charter school may employ noncertified teachers in a ratio of up to twenty-five percent of its entire teaching staff, while a converted charter school may employ noncertified teachers in a ratio of up to ten percent. A teacher teaching in a core academic area must be certified in that area or possess a baccalaureate or graduate degree in the subject the teacher is hired to teach. (S.C. Code Ann. § 59-40-50(B)(9)).

I. Will hire or contract for administrative staff, including a school leader, to oversee daily operations. At least one administrative staff member must be certified or experienced in school administration, and an administrator must be physically present onsite during school operating hours. (S.C. Code Ann. § 59-40-50(B)(11)).

- J. Will operate as a public, nonreligious, nonhome-based, nonprofit charter school in accordance with the South Carolina Charter Schools Act and will maintain its nonprofit status as required by law. (*S.C. Code Ann. § 59-40-40(1), (3)*).
- K. Will comply with the South Carolina Freedom of Information Act, including applicable open-meeting and public-record requirements, and will provide its authorizer notice of regular governing board meetings as required by law. (*S.C. Code Ann. § 59-40-50(B)(15)*).
- L. Will comply with applicable federal education laws and requirements governing public charter schools, including requirements applicable under the Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act (ESSA), and other applicable federal law.
- M. Will comply with applicable state and federal attendance, student discipline, school safety, and required reporting requirements.
- N. Will assume liability for the activities of the charter school and will indemnify and hold harmless the authorizer, its servants, agents, and employees from liability, damage, expense, causes of action, suits, claims, or judgments arising from injury to persons or property or otherwise arising from the act, failure to act, employment practices, or negligence of the charter school, its agents, and employees in connection with the activities of the charter school. (*S.C. Code Ann. § 59-40-60(F)(15)*).
- O. Will report to its authorizer and the South Carolina Department of Education changes to information provided in its application as required by law.
- P. Will provide all annual reports and other information required by the authorizer and the South Carolina Department of Education, including information required by S.C. Code Ann. § 59-40-140(H).
- Q. Will comply with applicable federal and state requirements concerning students with disabilities, including the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act. The authorizer is the charter school's Local Education Agency and retains responsibility for ensuring that enrolled students are served consistently with applicable LEA obligations. (*S.C. Code Ann. §§ 59-40-40(4), 59-40-50(B)(1)*).
- R. Will comply with applicable federal requirements concerning multilingual learners and students whose primary language is not English, including applicable civil rights requirements.
- S. Will comply with S.C. Code Ann. § 59-63-235 and applicable requirements concerning students who bring firearms to school. (*S.C. Code Ann. Regs. 43-601(III)(O)(3)*).
- T. Will comply with the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g, and other applicable federal student-record privacy requirements. Regulation 43-601 expressly requires an assurance of FERPA compliance.
- U. Will comply with any applicable desegregation plan or order and applicable federal constitutional and civil rights requirements. Regulation 43-601 requires an applicant to determine whether the proposed charter school is subject to a desegregation plan or order and, if so, demonstrate that its policies and procedures comply with that plan or order.
- V. Will obtain and maintain all facility approvals, health and safety reports, certificates, inspections, and other facility documentation required by applicable law and will make required health and safety reports and certificates available to its authorizer. (*S.C. Code Ann. § 59-40-50(B)(18)(f)*).

W. Will comply with its charter and charter contract and will remain accountable to its authorizer for the academic, operational, governance, financial, and legal obligations applicable to the charter school. Act 123 requires authorizers to negotiate outcome-based charter contracts addressing academics, operations, governance, and finance and to monitor charter-school legal and fiscal compliance.

X. Will comply with applicable state ethics, government accountability, conduct, and conflict-of-interest requirements governing charter school board members, employees, management organizations, and other applicable parties. (S.C. Code Ann. §§ 59-40-50(B)(16), 59-40-75).

Y. Will comply with all applicable financial transparency and accountability requirements, including requirements governing the public posting of budgets, audits, transaction registers, credit-card statements, and other financial information and the maintenance and disclosure of financial records required by law. (S.C. Code Ann. § 59-40-50(B)(3)-(7), (18)).

Z. If the school contracts with a management organization, it will provide its authorizer a copy of each executed or amended management organization contract, post management organization contracts as required by law, and comply with applicable requirements governing management organization contracts, independent fiduciary oversight, budget authority, performance responsibility, compensation, contract oversight, renewal, and termination. (S.C. Code Ann. §§ 59-40-50(B)(17), 59-40-60(F)(17)).

AA. Will ensure that charter school governing board members and administrators complete applicable orientation and training required by South Carolina law. (S.C. Code Ann. § 59-40-155).

BB. Will collect, maintain, make available, and publicly post governance, financial, management, and operational information as required by law, including the most recent version of the school's bylaws and board policies. (S.C. Code Ann. § 59-40-50(B)(3)-(7), (17)-(19)).

Signature Certification Page

Name of Proposed School: _____

Mailing Address, if known: _____

City, State, ZIP Code: _____

Name of Applicant Group: _____

Authorizer Name (local school board of trustees, South Carolina Public Charter School District, or approved public or independent institution of higher learning): _____

Applicant Certification: I hereby certify that, to the best of my knowledge and belief, the information and documentation contained in this charter school application are true and correct. I further certify that the charter committee has authorized submission of this application and that the applicant understands and agrees to perform the essential responsibilities and obligations of a charter school, including compliance with the South Carolina Public Charter School Statement of Assurances included with this application.

Signature of Charter School Committee Chair

Date

Authorization: *The authorizer representative and the charter school committee chair will sign below after the charter school application is approved.*

We hereby acknowledge that this charter school application has been duly approved by the authorizer identified above. Upon approval of the application, the approving entity becomes the charter school's authorizer and must sign the approved application. The charter school and authorizer must also enter into a charter school contract that establishes the roles, powers, responsibilities, and performance expectations of each party. (S.C. Code Ann. §§ 59-40-40(9), 59-40-70(E)).

The authorizer must negotiate and execute a sound charter contract with the approved charter school that includes specific outcome-based expectations concerning academics, operations, governance, and finance. The authorizer must monitor the charter school's performance and legal and fiscal compliance in accordance with the charter contract, applicable charter-specific state law, Department of Education policies, procedures and practices, and applicable policies adopted by the authorizer's governing board. (S.C. Code Ann. § 59-40-55(B)(3)-(5)).

The charter school remains accountable for the measurable goals, objectives, academic performance standards, educational program, financial plan, governance and operational commitments, and other performance expectations established in the approved charter application and charter contract. Act 123 provides that a charter may be revoked or not renewed for specified grounds, including an uncured material violation of the conditions, standards, performance expectations, or procedures contained in the charter application or charter contract; failure to meet the academic performance standards and expectations established in the charter application or contract; failure to maintain books and records according to generally accepted accounting principles or establish an appropriate system of internal control; or an uncured material violation of applicable law. (S.C. Code Ann. § 59-40-110(F)).

The charter school and authorizer also acknowledge that applicable federal requirements continue to govern the charter school. Regulation 43-601 provides that an authorized charter school operates under a legally binding charter and performance contract and addresses improved student academic achievement as a component of federal charter-school accountability.

By signing below, the charter school committee chair and authorizer representative acknowledge approval of the application and their respective responsibilities under applicable law. The signatures on this page do not replace the separate charter school contract required by law.

Charter School Committee Chair Name: _____

Signature

Date

Authorizer Representative Name: _____

Signature

Date

Student Enrollment Projections Form

***This form is a template for planning purposes.** Upon downloading, the applicant may modify the “Grade” rows as applicable to meet the needs of the proposed school to reflect applicable grade levels or non-graded education groupings.*

Student Enrollment Projections for 10-Year Charter

Name of Charter School _____

GRADE	2028-29	2029-30	2030-31	2031-32	2032-33	2033-34	2034-35	2035-36	2036-37	2037-38
Pre-Kindergarten										
Kindergarten										
First										
Second										
Third										
Fourth										
Fifth										
Sixth										
Seventh										
Eighth										
Ninth										
Tenth										
Eleventh										
Twelfth										
TOTALS										

Charter School Facilities Approval Process

Effective January 1, 2019

All charter schools must construct and maintain facilities that meet all the requirements of the latest edition of the *South Carolina School Facilities Planning and Construction Guide*. The Office of School Facilities (OSF) cannot waive requirements of building, fire, or other applicable codes and regulations. In addition, compliance with all local zoning and land use ordinances is required.

In accordance with state statute and regulation, all schools must contract with South Carolina– licensed design professionals to provide construction documents, code, zoning and land-use analysis, transportation analysis, and other professional services as needed. Additionally, accessory buildings considered Assembly Occupancies by the codes, such as auditoriums and gymnasiums, require the services of licensed design professionals.

The charter school is responsible for all roadway improvements required by the SCDOT, including, but not limited to, road widening, intersection realignment, creation of turn lanes, and signaling. Traffic studies at the expense of the school may be required to determine requirement, and traffic improvements may extend to intersections beyond the actual school site. The charter school is responsible for any additional property and cost required for roadway improvements to the property.

Responsibilities of the Charter School:

1. Contact the OSF for information to set up a school account to include school name, contact information, and proposed opening date.
2. Contact the OSF to schedule a site evaluation visit for your proposed school site.

Submittal Process by the Architect:

1. The architect must submit plans in accordance with the process in the *Guide*.
2. All local ordinances and regulations, including zoning ordinances, must be met in addition to state regulations, such as SCDHEC Food Services requirements. Approval of plans by permitting authority is required prior to final plan approval by the OSF. Consult the *Guide* for additional information on permitting.
3. Bidding cannot begin until the charter school has received final approval on the construction documents and a building permit is issued.

Construction Process:

1. All projects will require inspections by independent, third-party vendors in addition to the inspections performed by the OSF. Consult the *Guide* for this procedure.
2. **Occupancy of the charter school cannot occur until OSF has issued a Certificate of Occupancy. This includes teachers setting up classrooms and student orientation.**

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

Office of School Facilities
SC Department of Education
849 Learning Lane
West Columbia, SC 29172

Tel: 803-734-8500
Email: schoolfacilities@ed.sc.gov