

**§2408. Charter contracts**

**1. Charter contracts.** When an application is approved, a charter contract must be executed in accordance with this section.

A. After approval of an application and no later than 60 days prior to the opening date of the public charter school, the authorizer and the governing board shall execute a charter contract that sets forth:

- (1) Performance provisions describing the academic and operational performance expectations and measures by which the public charter school will be judged;
- (2) Administrative provisions articulating the administrative relationship between the authorizer and the public charter school, including each party's rights and duties; and
- (3) A description of the standards and processes under which the authorizer may pursue revocation of the charter contract. [PL 2011, c. 570, §10 (AMD).]

B. The performance provisions set forth in a charter contract under paragraph A must include but need not be limited to applicable federal and state accountability requirements. [PL 2011, c. 414, §5 (NEW).]

C. The performance provisions set forth in a charter contract under paragraph A may be refined or amended by mutual agreement of the parties to the charter contract after the public charter school is operating and has collected baseline achievement data for its enrolled students. [PL 2011, c. 414, §5 (NEW).]

D. A charter contract must be signed by a designated representative of the authorizer and of the public charter school's governing board. [PL 2011, c. 414, §5 (NEW).]

E. A public charter school may not commence operations without a charter contract executed in accordance with this section and approved in a meeting open to the public. [PL 2011, c. 414, §5 (NEW).]

[PL 2011, c. 570, §10 (AMD).]

**2. Virtual public charter schools.** The charter contract of a virtual public charter school must require the governing board to:

A. Provide each student enrolled in the virtual public charter school with online courses that meet or exceed state standards and all instructional materials required for the student's participation in the school; [PL 2011, c. 414, §5 (NEW).]

B. Ensure that the persons who operate the virtual public charter school on a day-to-day basis comply with and carry out all applicable requirements, statutes, regulations, rules and policies of the school; [PL 2011, c. 414, §5 (NEW).]

C. Ensure that a parent of each student verifies the number of hours of educational activities completed by the student each school year; and [PL 2011, c. 414, §5 (NEW).]

D. Adopt a plan by which the governing board provides:

- (1) Frequent, ongoing monitoring to ensure and verify that each student is participating in the virtual public charter school, including synchronous contact between teachers and students and between teachers and parents to ensure and verify student participation and learning;
- (2) Regular instructional opportunities in real time that are directly related to the virtual public charter school's curricular objectives, including, but not limited to, meetings with teachers and educational field trips and outings;
- (3) Verification of ongoing student attendance in the virtual public charter school;

- (4) Verification of ongoing student progress and performance in each course as documented by ongoing assessments and examples of student course work; and
- (5) Administration to all students in a proctored setting of all applicable assessments as required by the State. [PL 2011, c. 414, §5 (NEW).]

Nothing in this subsection prohibits a virtual public charter school from reimbursing families of enrolled students for costs associated with their Internet connection for use in the program.

Only students enrolled in a virtual public charter school as full-time students may be reported in the virtual public charter school's average pupil count to the department for the purposes of receiving local, state and federal funds.

A virtual public charter school authorized by the commission may not expand to serve a grade level not included in the school's initial charter contract or, for a school whose charter was renewed prior to November 1, 2019, the renewed charter contract.

[PL 2019, c. 253, §2 (AMD).]

#### SECTION HISTORY

PL 2011, c. 414, §5 (NEW). PL 2011, c. 570, §10 (AMD). PL 2019, c. 253, §2 (AMD).

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