

**§2407. Charter applications**

**1. Application.** An applicant for approval as a public charter school must submit an application as set out in this section. An applicant may submit an application only to an authorizer that has issued a request for proposals in accordance with section 2406. An applicant may submit a proposal for a particular public charter school to no more than one authorizer at a time. The purposes of the application are to present the proposed public charter school's academic and operational vision and plans, demonstrate the applicant's capacities to execute the proposed vision and plans and provide the authorizer a clear basis for assessing the applicant's plans and capacities.

[PL 2011, c. 414, §5 (NEW).]

**2. Conversion of existing noncharter public schools.** A noncharter public school or public school program may apply to its local school board to become a conversion public charter school.

[PL 2011, c. 414, §5 (NEW).]

**3. Start-up schools.** An application for a start-up public charter school may be submitted by a nonprofit, nonreligious organization. If the organizers of a start-up public charter school have been affiliated with a previous school or education program, they must form a separate nonprofit organization in this State to be eligible for state and federal grants.

[PL 2011, c. 414, §5 (NEW).]

**4. Application review process.** In reviewing and evaluating applications, authorizers shall employ procedures, practices, criteria and standards consistent with nationally recognized principles and standards for authorizing high-quality public charter schools.

A. The application review process must include, at a minimum, substantive participation by a team of reviewers who collectively possess appropriate academic expertise and operational experience with public charter schools. [PL 2011, c. 414, §5 (NEW).]

B. The application review process must include a thorough evaluation of each application, an in-person interview with the applicant and a public hearing. [PL 2011, c. 414, §5 (NEW).]

C. In deciding whether to approve applications, authorizers shall:

(1) Grant charters only to applicants that have demonstrated competence in each element of the authorizer's published approval criteria and are likely to open and operate a successful public charter school;

(2) Base decisions on documented evidence collected through the application review process; and

(3) Follow charter-granting policies and practices that are transparent, based on merit and avoid conflicts of interest or any appearance of a conflict of interest. [PL 2011, c. 414, §5 (NEW).]

[PL 2011, c. 414, §5 (NEW).]

**5. Approval; denial.** No later than 90 days after the deadline set by the authorizer for the filing of applications, an authorizer shall render a decision on each application. The authorizer shall make and announce all charter decisions in a meeting open to the public.

A. An approval decision may include, if appropriate, reasonable conditions that the applicant must meet before a charter contract may be executed. [PL 2011, c. 414, §5 (NEW).]

B. If the authorizer denies an application, the authorizer shall clearly state, for public record, its reasons for denial. An applicant may subsequently reapply to that authorizer or apply to any other authorizer in the State. [PL 2011, c. 414, §5 (NEW).]

C. Within 10 days of rendering a decision on an application, the authorizer shall report to the commissioner and the Legislature the action it has taken. The authorizer shall provide a copy of

the report to the applicant at the same time that the report is submitted to the commissioner and the Legislature. [PL 2015, c. 54, §2 (AMD).]

D. The commissioner shall register the charters approved by all chartering authorities in chronological order by date of approval. [PL 2011, c. 414, §5 (NEW).]

E. An approved application may not serve as a school's charter contract. [PL 2013, c. 272, §1 (AMD).]

F. A decision on an application must be conveyed in writing to the applicant. A decision may grant approval or conditional approval or reject the application and must include written reasons for the decisions. [PL 2013, c. 272, §1 (AMD).]

[PL 2015, c. 54, §2 (AMD).]

#### SECTION HISTORY

PL 2011, c. 414, §5 (NEW). PL 2013, c. 272, §1 (AMD). PL 2015, c. 54, §2 (AMD).

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