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| **Name of Grant Program:** Charter School Program Start-Up Grant | **Fund Code:** 535  |

### Additional Information: Definitions

To be eligible for funding in this grant program the public charter school must meet the federal definition of a ***public charter school***, found in ESSA, Sec 4310 (2) (A-M).

A public charter school is a public school that:

1. in accordance with a specific State statute authorizing the granting of charters to schools is exempt from significant State or local rules that inhibit the flexible operation and management of public schools, but not from any rules relating to the other requirements of this paragraph; is created by a developer as a public school, or is adapted by a developer from an existing public school, and is operated under public supervision and direction;
2. operates in pursuit of a specific set of educational objectives determined by the school’s developer and agreed to by the authorized public chartering agency;
3. provides a program of elementary or secondary education, or both;
4. is nonsectarian in its programs, admissions policies, employment practices, and all other operations, and is not affiliated with a sectarian school or religious institution;
5. does not charge tuition;
6. complies with the Age Discrimination Act of 1975, title VI of the Civil Rights Act of 1964, title IX of the Education Amendments of 1972, section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (commonly referred to as the ‘‘Family Educational Rights and Privacy Act of 1974’’), and part B of the Individuals with Disabilities Education Act;
7. is a school to which parents choose to send their children, and that— (i) admits students on the basis of a lottery, consistent with section 4303(c)(3)(A), if more students apply for admission than can be accommodated; or (ii) in the case of a school that has an affiliated charter school (such as a school that is part of the same network of schools), automatically enrolls students who are enrolled in the immediate prior grade level of the affiliated charter school and, for any additional student openings or student openings created through regular attrition in student enrollment in the affiliated charter school and the enrolling school, admits students on the basis of a lottery as described in clause (i);
8. agrees to comply with the same Federal and State audit requirements as do other elementary schools and secondary schools in the State, unless such State audit requirements are waived by the State;
9. meets all applicable Federal, State, and local health and safety requirements;
10. operates in accordance with State law;
11. has a written performance contract with the authorized public chartering agency in the State that includes a description of how student performance will be measured in charter schools pursuant to State assessments that are required of other schools and pursuant to any other assessments mutually agreeable to the authorized public chartering agency and the charter school; and
12. may serve students in early childhood education programs or postsecondary students.