



# Public charter schools handbook



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# Overview

This handbook is intended to assist Albertans in understanding public charter schools in Alberta, to assist charter organizers with their planning and preparation for their charter school application and subsequent operations, and to support charter operators by providing relevant information.

## Purpose of public charter schools

Alberta created public charter schools in 1994 as a way of improving student learning through innovations in the organization and delivery of education as defined under Sections 24 to 27 of the *Education Act* and the Charter Schools Regulation.

A public charter school is a public school that provides education in an innovative or enhanced way to improve student learning and contribute to educational choice. This means that parents and students have increased opportunity to choose an education that best serves student needs.

The expectation for the educational services offered by public charter schools is that they will be different from what is locally available. Public charter schools must demonstrate the potential to improve student learning. In general, public charter schools complement the educational services provided in the local public system. They represent an opportunity for successful educational practices to be recognized and adopted by other public schools for the benefit of more Albertans. This does not apply to vocation-based education programs.

Each public charter school has a charter that identifies the school's vision and purpose, and the particular educational service or approach in order to address the needs of a particular group of students. A charter is an agreement between the Minister of Education and an individual or group regarding the establishment and administration of a charter school. The charter describes the educational service the school will provide, how the school will operate and the student outcomes that it intends to achieve. Enhanced student learning means greater acquisition, in some measurable way, of knowledge, skills and attitudes, leading to improved student success.

Public charter schools are expected to improve student learning by providing a different educational environment beyond the services provided by the existing local school board. Charter boards that operate schools have flexibility and considerable autonomy to implement innovative or enhanced educational services that broaden the range of educational opportunities and enhance student learning. Charter schools with a focus on vocation-based education may also be established to provide educational opportunities in a community.

The programs of study (curriculum) delivered by public charter schools are defined by Alberta Education and described in provincial curriculum in accordance with the Ministerial Order on Student Learning #028/2020 that focuses on literacy and numeracy. Education programs must meet the conditions outlined in section 18 of the *Education Act*. This allows students to transfer to or from any public school with a minimum of disruption and to obtain a high school diploma. In addition, students attending public charter schools must write provincial assessments and any other tests the Minister prescribes.

## Legislation

Public charter schools must comply with the *Education Act* and all regulations set out by the *Education Act*, including:

- the Charter Schools Regulation;
- the Charter Schools Exemption and Application Regulation;
- the Certification of Teachers and Teacher Leaders Regulation;
- the Practice Review of Teachers Regulation;
- the School Councils Regulation;
- the School Fees Regulation;
- the School Transportation Regulation;
- the Student Record Regulation; and
- the Superintendent of Schools Regulation.

Section 25(1) of the *Education Act* indicates that the program offered by the public charter school:

- (a) focuses on:
  - (i) a learning style, a teaching style, approach or philosophy or pedagogy that is not already being offered by a board of a public or separate school division or francophone regional authority operating within the geographic area in which the charter school will be located; or
  - (ii) vocation-based education.
- (b) has the potential to improve student learning outcomes;
- (c) demonstrates collaboration or engagement with a post-secondary institution or a school division; and

- (d) has the potential to provide improvement to the education system as a whole and to enhance education research and innovation in Alberta.

The Minister may approve a charter focused on vocation-based education, defined as an apprenticeship program or an education program in a designated occupation within the meaning of section 1 of the *Apprenticeship and Industry Training Act* or a science, technology, engineering and mathematics (STEM) focused program. As the programming mandates are set by agencies outside of Alberta Education, charter vocation-based education programs often have little to no flexibility to innovate and therefore, there are no charter requirements to avoid duplication in these areas of study.

Legislation does not allow public charter schools to supervise home education programs. Public charter schools may not be affiliated with a religious faith or denomination. A public charter school may provide religious instruction and exercises under section 58 of the *Education Act*, as may any other public school. Public charter schools are not private religious schools, nor are they intended to replace the services offered by private religious schools.

Public charter schools shall not charge tuition fees. However, they may charge parents of a student fees and costs, subject to section 26(5) of the *Education Act*, School Fees Regulation and School Transportation Regulation.

## Charter board

A charter school authority is operated by a society incorporated under the *Societies Act* or by a company registered under Part 9 of the *Companies Act*. A charter board is a corporate body responsible for operating and governing one or more charter schools that make up the charter authority. All schools run by a single charter board are subject to the same charter and governance procedures.

The society or company named in the approved charter shall operate the charter school, and it must restrict its purposes to the operation of that charter school.

Each charter board is accountable for its public charter school(s). A charter board is accountable to the students, parents, community and the Minister of Education. A board is responsible for ensuring that the public charter school complies with charter board procedures and the terms of the charter, as well as provincial legislation, regulation and policies. The Charter Schools Regulation authorizes the Minister to repeal a charter if these terms are not being met, after notifying the charter board of a significant issue and giving the charter board a reasonable period of time to satisfy the Minister's concerns.

As with any school board, a charter board is publicly accountable for student achievement in the school. The charter board must make publicly available annual reports that describe how well students are accomplishing their educational goals, documents and reports under section 65 of the *Education Act*, and any other information requested by the Minister (section 66 of the *Education Act*).

The Minister ensures that the public charter school is operated according to its charter, and that it achieves the outcomes outlined in the charter. Accountability and assurance in Alberta's K-12 education system arises from the combination of policies, processes, actions and evidence that help build public confidence in the education system. As do all school authorities, charter authorities and their boards are required to:

- establish a system of accountability for results that encompasses their school(s);
- interpret and report results to parents, students, the Department of Education and the public in a manner and at a time the Minister prescribes as part of ensuring transparency; and
- use results to improve the quality and effectiveness of education programs provided to their students and to improve student learning and achievement.

Public charter schools are required to incorporate their charter goals, outcomes and measures into their education plans and their annual education results report.

Additionally, the Minister must conduct at least one evaluation within the school's current charter term. The department conducts a full evaluation of the public charter school in the third year of a five-year term and the twelfth year of a fifteen-year charter term. The report provides additional information to the Minister when the board requests a charter renewal in the last year of its charter term.

## Charter Application

A public charter school application may be submitted at any time of the year.

A person may apply to the Minister for the establishment of a public charter school to be operated by a society incorporated under the *Societies Act* or by a company registered under Part 9 of the *Companies Act*. The Minister may issue a charter to establish a public charter school in accordance with the regulations if the Minister is of the opinion that the program to be offered by the public charter school:

- (a) focuses on:

- (i) a learning style, a teaching style, approach or philosophy or pedagogy that is not already being offered by a board of a public or separate school division or francophone regional authority operating within the geographic area in which the charter school will be located; or
- (ii) vocation-based education.
- (b) has the potential to improve student learning outcomes;
- (c) demonstrates collaboration or engagement with a post-secondary institution or a school division; and
- (d) has the potential to provide improvement to the education system as a whole and to enhance education research and innovation in Alberta.

## Considerations before applying

Initial deliberations should include reflection on the following questions:

- Why is this public charter school needed?
- Does the proposed program duplicate programming already available in the geographical area? Proposed programming must be significantly different than that already available (except for vocation-based education programs).
- Will there be enough parent and community support for the public charter school to be educationally and financially viable?
- Can our group procure an appropriate facility that would support the charter program?
- Is there a body of independent research to support the assertion that the proposed educational program will improve student learning in a way that can be measured against other programs?
- Is the proposed program innovative, in that it expands choice in the geographical area where it will be established?
- Is the purpose of the program vocation-based education programming?
- Will the proposed program include collaboration or engagement with a post-secondary institution or a school division?

The above questions will help your group confirm the vision and purpose for the proposed public charter school. The vision and purpose will guide the future charter school board in its steps to improve student learning outcomes, to collaborate or engage with a post-secondary institution or a school division, and to provide improvements to the education system as a whole and to enhance education research and innovation in Alberta.

## Process to apply

### 1. Visit Alberta Education's [Public charter schools webpage](#).

The webpage provides an overview of public charter schools, a list of public charter schools in Alberta, links to the *Education Act*, Charter Schools Regulation, and other resource documents. Resources on the webpage include a checklist of the information to be provided as part of a charter application.

### 2. Contact Alberta Education regarding your interest in establishing a public charter school.

When you are ready to complete the application, contact department staff at [EDC.charterapplication@gov.ab.ca](mailto:EDC.charterapplication@gov.ab.ca) or 780-427-6272 (toll-free by first dialing 310-0000 within Alberta). A manager will be assigned to your group to provide support and to review draft versions of the application and accompanying documentation.

### 3. Department support

The manager will provide your group with an application form that outlines all required elements for a charter application as per section 3 of the Charter Schools Regulation. The manager will also provide guidance about the content and format for all other required documentation.

The manager will work with the applicant to confirm that the charter proposal conforms to legislation. The public charter school:

- will be non-religious/non-denominational;
- will not provide home education services;
- will be innovative and provide improvements to the education system as a whole and will enhance education research and innovation in Alberta;
- will provide a learning style, a teaching style, an approach or philosophy or pedagogy that does not duplicate programming already being offered by local boards, or will offer vocation-based education;
- will measure charter goals and related outcomes and these will be included in the charter; and

- will accept enrolment of all students who fit the criteria described in the charter without discriminating against those with educational or behavioural needs for support.

The applicants are encouraged to read the [School Capital Manual](#) to learn expectations for a facility that could support the charter programming for the identified grade levels and ensure the safety and well-being for students and staff. Applicants are responsible for ensuring that the charter school facility will conform to provincial and municipal requirements.

#### 4. Submission of application

After working with the manager to ensure that the application will be complete with all requirements, the application form and accompanying documentation is to be emailed to [Education.Minister@gov.ab.ca](mailto:Education.Minister@gov.ab.ca) and copied to [EDC.charterapplication@gov.ab.ca](mailto:EDC.charterapplication@gov.ab.ca).

## Public Charter School Application

A public charter school application form will be shared upon request by emailing [EDC.charterapplication@gov.ab.ca](mailto:EDC.charterapplication@gov.ab.ca) or calling 780-427-6272 (toll-free by first dialing 310-0000 within Alberta). The application will request, among other pieces of information, the following:

- a) the name and contact information of the applicant;
- b) the names and contact information of the members of the governing body of the charter board;
- c) the proposed name of the charter school;
- d) the proposed opening date for the charter school;
- e) except for a charter school focused on vocation-based education, a statement explaining how the proposed program to be offered by the charter school is significantly different from the programs offered by a board of a public or separate school division or francophone regional authority operating within the geographic area in which the charter school is to be established;
- f) independent research supporting the proposed program to be offered by the charter school;
- g) indications of significant community support for the charter school;
- h) a parent declaration, in the form prescribed by the Minister, indicating the parent's intention to enrol their child or children in the charter school;
- i) a description of the type of collaboration or engagement the charter school will have with a post-secondary institution or a school division;
- j) the projected student enrolment and the proposed distribution of enrolled students in each grade for each year of the initial term of the charter;
- k) a school operational plan, including projections of the short-term and long-term educational and financial viability of the charter school;
- l) information respecting the acquisition and maintenance of the school building to be used for the charter school;
- m) the proposed charter for the charter school; and
- n) any other information required by the Minister.

The following are the contents of the charter to be approved by the Minister, and upon approval, are to be posted on the public charter school's website:

- a) the name of the charter board;
- b) the vision, purpose and teaching philosophy of the charter school and whether the charter school is focused on vocation-based education;
- c) a description of the students for whom the charter school is intended;
- d) the goals of the charter school expressed as measurable outcomes;
- e) a description of the improved student learning outcomes to be attained by each student;
- f) the grades to be offered at the charter school;
- g) the selection criteria to be used if applications for enrolment exceed the capacity of the charter school;
- h) any curriculum to be offered by the charter school in addition to the Alberta Programs of Study;
- i) a description of the process by which the successful innovations of the charter school are to be communicated to the education community;
- j) a description of the process by which the charter may be amended;

- k) a description of the process by which the charter school may be dissolved, including:
  - (i) the form of notice of dissolution to be given by the charter board to parents and other interested persons or groups,
  - (ii) the transfer of students to other schools, and
  - (iii) the disposition of real and personal property and financial, school and student records.
- (l) any other information required by the Minister.

## Notification of application

On receipt of a charter application, the Minister shall provide notice of the application for a new charter school and the proposed programming to:

- (a) every board of a public or separate school division and francophone regional authority operating within the geographic area in which the charter school is to be established, and
- (b) the operators of any other charter schools as determined by the Minister.

The Minister will provide notice in writing and include:

- (a) the proposed name of the charter school;
- (b) the geographic area in which the charter school is to be established; and
- (c) the proposed program to be offered at the charter school.

## Decision and notification of decision

If an application is deemed to be incomplete, the Minister may request additional information.

The Minister may consider any information received from a board of a public or separate school division, francophone regional authority or operator of a public charter school that receives notice under section 24 of the Act, including information about any alternative programs that currently exist in the geographic area, except where the alternative programs are vocation-based education programs. Notification of vocation-based charter applications is for information only to area boards and feedback will not be considered. Where applicable, school authorities will have 21 days to provide information to the Minister.

The Minister may approve the application, subject to any terms and conditions the Minister considers appropriate, or may reject the application, giving reasons. The Minister must make a decision in respect to a charter application within 90 days of receiving it, even if there was a request for additional information. Upon making a decision, the Minister will communicate the decision to the applicant and to any board that received notice of the charter application.

If the Minister rejects the request for a charter, the Minister will provide reasons for not approving the charter application. If the application is approved, the Minister's letter indicating the decision may or may not include conditions. If there are conditions to the charter approval, the Minister's letter will include a deadline for meeting the terms and conditions, and to whom the applicants must submit the requested information. On meeting the terms and conditions, the applicants will receive notification of charter approval.

## Commencement requirements

Before a charter school begins operations, the charter board must follow the requirements detailed in the Charter Schools Regulation:

- a) the charter school must have the number of students that, in the opinion of the Minister, is required to ensure that the program offered by the charter school is educationally and financially viable; and
- (b) the charter board must:
  - (i) appoint a superintendent in accordance with section 222 of the Act;
  - (ii) appoint a secretary and a treasurer, or a secretary-treasurer, in accordance with section 68 of the Act; and
  - (iii) provide to the Minister proof that the school building complies with municipal zoning bylaws and all applicable municipal and provincial public health, safety, fire and building standards requirements, if the school building was used for a purpose other than as a school building immediately before it was acquired by the charter board.

The Minister's letter of charter approval will include a deadline for the commencement of charter operations. Depending on the date of approval, the applicants will have up to two years to commence charter operations. If the charter school does not begin operations by the stated deadline, the applicant will be encouraged to submit a new charter application that follows the application process described above.



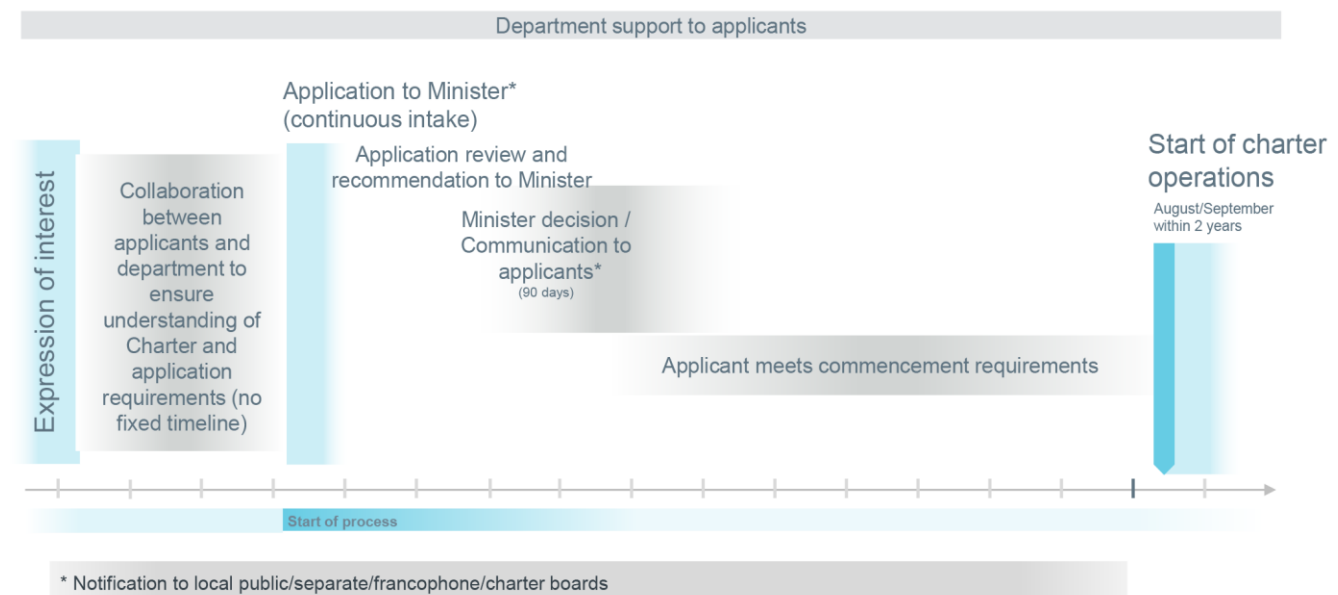
## Start of operations

Upon Minister approval of the initial five-year charter, the charter school board will receive a school authority code and a school code for the facility where instruction will occur. The board can then work with the department to commence operations. The board can consult the [Funding Manual for School Authorities](#) for information on advances on the next year's allocations, start-up grants and calculations for allocations on the first year of operation.

Examples of start-up considerations beyond the commencement requirements listed in the regulation are:

- ensuring that the society's bylaws comply with legislation and regulations;
- developing school authority policies and administrative procedures that align with legislation and government policy;
- ensuring that the board and the superintendent understand which responsibilities are governance and which tasks are administrative, and who bears which responsibilities;
- interviewing and hiring leadership staff, with mutually-understood start dates;
- signing the Provincial Approach to Student Information (PASI) User Agreement;
- securing a vendor for a student information system that is compatible with PASI if desired;
- registering students according to requirements in the Student Records Regulation;
- signing the Supernet Agreement where applicable;
- creating a school calendar that respects guidelines in the Guide to Education (425 hours of programming for ECS, 950 hours for grades 1-9 and 1000 hours for grades 10-12);
- securing a transportation agreement with a contractor or another school authority if the charter authority wishes to transport students to the school;
- securing agreements for the many operational needs of the public charter school ;
- securing technology resources for school operations and instruction;
- furnishing the school;
- securing teaching resources for teachers; and
- ensuring required credentialing for school authority leaders and school leaders.

## Application process



## Charter expansion to a new geographic area

Public charter schools may operate multiple school sites under the same charter in different geographic locations. Expansion requests must align with the current charter and must be made to the Minister. Please contact [EDC.charterapplication@gov.ab.ca](mailto:EDC.charterapplication@gov.ab.ca) for further information.

On receipt of an application to expand to a facility in a new geographic area (i.e., request to establish a charter school in a facility in a different community using the same charter as the original charter school), the Minister shall provide notice of the application to:

- (a) every board of a public or separate school division and francophone regional authority operating within the geographic area in which the charter board proposes to operate the additional location of the charter school; and
- (b) the operators of any other charter schools as determined by the Minister.

The Minister may consider any information received from the boards receiving notice, including information about any alternative programs that currently exist in the geographic area in which the charter board proposes to operate the additional location of the charter school. This does not apply in respect of a charter school focused on vocation-based education.

The Minister will make a decision within 90 days of receiving an application for expansion to a new geographic area. A decision by the Minister is final.

Please note that a charter board may grow its operations in the same community by submitting in its yearly Capital Plan a plan to modernize or expand their present facility, as well as choosing to include a request for a new facility to accommodate for student enrolment growth. Government assesses capital requests from all school authorities through its usual capital planning process.

## Operation of a public charter school

### Governance

A public charter school is operated by a corporate body in accordance with section 24(1) of the *Education Act*. The public charter school may be governed by the board of directors of the corporate body, or the board may establish under it another body whose sole responsibility is the governance of the public charter school. In either case, this governing body is called the charter board, and its membership should represent parents and teachers of students in the school as well as community members. In accordance with the provisions of the *Societies Act* or the *Companies Act*, the charter board must have bylaws and procedures for governance of the board as well as for governance of the public charter school.

A charter board must understand the ways of selecting its members, the roles and responsibilities of the members, the relationship between the charter board and the public charter school, and the school council's roles and responsibilities. The charter board should be guided by the vision and purpose of the charter.

A charter board has the authority and autonomy to operate a public charter school. The board develops governance procedures subject to its charter agreement with the Minister of Education. Typically, a charter board delegates administrative decisions to the superintendent of the public charter school. The school authority administration (superintendent) conducts the day-to-day operations of the authority, and school administration (principal) conducts the day-to-day operations of the school.

Other duties of a charter board include the development and implementation of a student code of conduct, a policy for discipline, suspension and expulsion, personnel policies, and a management operation plan, and ensuring the effective stewardship of the board's resources. The Charter Schools Regulation sets out further responsibilities of a charter board.

A charter board is a corporate body and may enter into contractual arrangements that allow it to comply with the *Education Act* and meet the requirements of the charter.

Each public charter school must establish a school council, as required by section 55 of the *Education Act*. The majority of the school council membership must be parents of students enrolled in the school. Students and teachers may also be represented on the school council. The principal's role on the school council is defined in section 55 of the *Education Act*.

As per the Charter Schools Regulation, members of the charter board may not receive remuneration for acting as a member of the governing body. However, members of the governing body may be reimbursed for any expenses incurred while performing their duties.

### The charter

The philosophy, purpose and goals define a public charter school's reason for existence. These statements show how the school meets an educational need that is not being met by the local school board. The statements should be measurable, tied to improved student learning, and should form the basis for educational decision making. A charter must include elements as outlined in the Charter Schools Regulation:

- a) the name of the charter board;
- b) the vision, purpose and teaching philosophy of the charter school and whether the charter school is focused on vocation-based education;
- c) a description of the students for whom the charter school is intended;
- d) the goals of the charter school expressed as measurable outcomes;
- e) a description of the improved student learning outcomes to be attained by each student;

- f) the grades to be offered at the charter school;
- g) the selection criteria to be used if applications for enrolment exceed the capacity of the charter school;
- h) any curriculum to be offered by the charter school in addition to the Alberta Programs of Study;
- i) a description of the process by which the successful innovations of the charter school are to be communicated to the education community;
- j) a description of the process by which the charter may be amended;
- k) a description of the process by which the charter school may be dissolved, including:
  - (i) the form of notice of dissolution to be given by the charter board to parents and other interested persons or groups,
  - (ii) the transfer of students to other schools, and
  - (iii) the disposition of real and personal property and financial, school and student records.
- l) any other information required by the Minister.

## Assurance

The Alberta government's Assurance Framework is a process for schools and school authorities, including public charter schools, to consistently assess progress and demonstrate success. Under this framework, public charter schools are responsible for providing assurance to their local stakeholders, Alberta Education and the public that they are fulfilling their responsibilities and students are successful. One of the key ways that they demonstrate accountability and provide assurance is through the development and publication of their education plans and annual education results reports as outlined in sections B and K of the [Funding Manual for School Authorities](#).

Each charter board is accountable for its public charter school(s). A board is responsible for ensuring that the public charter school complies with charter board procedures and the terms of the charter, as well as provincial legislation, regulation and policies. The Charter Schools Regulation authorizes the Minister to repeal a charter if these terms are not being met, after notifying the charter board of a significant issue and giving the charter board a reasonable period of time to satisfy the Minister's concerns.

A charter board promises to improve student learning beyond the services provided by the local school board. So that the public charter school(s) may achieve this goal, the charter board is provided with increased flexibility and autonomy. Consequently, this obligation must be balanced with an accountability requirement to ensure that the charter board is achieving the results to which it has committed.

A charter board is accountable to the students, parents, community and the Minister of Education. The Minister ensures that the public charter school is operated in accordance with its approved charter, and that it achieves the outcomes outlined in the charter and as required by provincial legislation, regulation and policies, as well as to uphold its fiduciary responsibilities.

## Reviews, evaluations and charter renewals

All charters are term-specific and renewable. Charter boards receive an initial term of five years. Boards may apply for an additional charter term of five years or 15 years by December 1 of the final year of their charter term.

Each renewal is determined largely by the results of regular school evaluations. When a public charter school continues to demonstrate success and meets all the criteria identified in the Charter Schools Regulation, its charter may be renewed upon request. As part of the charter renewal process, charter boards participate in an evaluation process described in the Charter Schools Regulation. The Minister must conduct at least one evaluation within the school's current term. The department conducts a fulsome evaluation of the public charter school in the third year of a five-year term and in the twelfth year of a fifteen-year charter term in preparation for the public charter school's anticipated request for renewal of the charter.

In order to receive approval for an additional five-year charter term, the Minister must not renew a charter unless the Minister is satisfied that the charter school:

- (a) is meeting the terms of its charter and has performance measures that demonstrate clear evidence of success;
- (b) is operating in a manner consistent with all applicable provisions of the Act, regulations and policies of the Minister;
- (c) is fiscally viable and responsible; and
- (d) has a school program considered successful by the charter school council, community, students, parents and staff.

In order to receive approval for a 15-year term, boards must submit proof of meeting enhanced criteria in addition to the above criteria. The Minister must be satisfied that:

- (a) student achievement at the charter school is consistently strong or improving;

- (b) there are multiple indicators of the charter school's ongoing commitment to engaging students, teachers, parents and community members in a collaborative model of continuous improvement; and
- (c) there is evidence that the charter school uses research-informed practices to create innovative learning environments and improve student learning outcomes.

## Student enrolment

Public charter schools cannot deny access, if sufficient space and resources are available, to any students who meet the requirements of section 3 of the *Education Act*.

Charter boards determine the student enrolment of each of its schools based on considerations that include resources, staffing and space in the context of the terms of its charter, while ensuring compliance with municipal zoning bylaws and all applicable municipal and provincial public health, fire, safety and building standards requirements.

If student enrolment exceeds the capacity of a program, the school selects students in accordance with a selection process outlined in the school's charter. The selection process may set priorities in such matters as attendance areas, access for siblings, and the order in which applications were received. The selection process must be open and fair.

## Inclusive education

A public charter school is intended to focus on a particular learning style, teaching style, approach or philosophy or pedagogy that is not already offered by a school division. The chosen learning style, teaching style, approach or philosophy or pedagogy may not be a perfect fit for all potential students. A charter must include a description of the students that the school is intended to serve. However, a public charter school must make enrolment decisions in a manner consistent with the *Alberta Human Rights Act*. This means, for example, that a public charter school cannot deny enrolment to a student who needs specialized supports and services solely on that basis if the student is otherwise eligible for learning under that public charter school's particular learning style, teaching style, approach or philosophy or pedagogy.

Public charter schools do not have resident students under section 4 of the *Education Act* for whom they are responsible for providing an education program. That said, public charter schools do have responsibilities to students enrolled in their school, including the obligation to provide continuum of supports and services to students that is consistent with the principles of inclusive education, section 33(e) and specialized supports and services in accordance with section 11(2)-(6) of the *Re*.

Public charter schools cannot engage in discriminatory behaviour that is contrary to the *Alberta Human Rights Act*. The public charter school must have a discipline policy, which is to be applied equally to all students. Any student who is expelled from a public charter school can request the Minister to review this matter.

## Staffing

Charter boards are regulated by the *Labour Relations Code*, the *Employment Standards Code* and all professional quality standards. Teachers employed at public charter schools must be certificated. Other staffing arrangements are subject to the decisions made by the charter board in compliance with the provisions of the charter and with provincial legislation, regulations and policies.

The principal and all teachers offering instruction must hold a certificate of qualification in order to practice. Teachers must hold a valid teaching certificate, principals must hold a leadership certificate issued by the Registrar at Alberta Education. In Alberta, all teachers including public charter school teachers are expected to meet the Teaching Quality Standard throughout their careers. In addition, principals are also expected to meet the Leadership Quality Standards.

Teachers employed by a charter board are not eligible to be active members of the Alberta Teachers' Association (ATA) under the *Teaching Profession Act*, but may choose to be associate members. Public charter school teachers are not subject to the disciplinary process under the *Teaching Profession Act*, including any code of professional conduct established under the *Teaching Profession Act*. Teachers employed in a public charter school must meet the requirements set out in the Schedule to the Practice Review of Teachers and Teacher Leaders Regulation, established under the *Education Act*.

Any teacher employed by a charter school must contribute to and will receive benefits according to the *Teachers' Pension Plans Act* which was amended in 1994 to include charter school teachers.

Section 202(2) of the *Education Act* states that a board shall assign a principal to each school. Section 197 outlines the responsibilities of the principal. Both sections apply to public charter schools.

As per sections 222 and 224 of the *Education Act*, a charter board shall appoint or reappoint only a teacher who holds a Superintendent Leadership Certificate as superintendent for a term of up to five years. A charter board must notify the Minister of the appointment using a prescribed form that must be completed and forwarded to the Registrar at Alberta Education. The responsibilities of the appointed superintendent are identified in the *Education Act* and related regulations.

Section 68 of the *Education Act* requires that a secretary-treasurer be appointed and that person must be bonded. The Minister of Education shall be notified of this appointment. This does not have to be a full-time position.

## Funding and budgets

Public charter schools are eligible for provincial funding. Provincial grants flow directly to the charter board. The current funding framework is distributed through base instruction funding. Additional funding is provided for services and supports. The funding model provides school authorities with increased flexibility to meet the needs of the children and students they serve. For information on grant allocations, please refer to the [Funding Manual for School Authorities](#).

Public charter schools are able to fundraise and accept donations, similar to public schools. Any gifts, grants, donations, student or parent fees, charges for student or school services, benefits, and any other assets the public charter school may obtain in addition to provincial grants, must be included in the public charter school's annual financial report.

A charter board must appoint an independent auditor, establish an audit committee, and annually submit an Alberta Education Budget Report Form and an Audited Financial Statement. These must reflect the financial operation of the public charter school. In addition, charter boards must operate within a balanced budget (sections 137 to 143 of the *Education Act*).

## Facility

The *Education Act* broadly defines a school as a structured learning environment through which an education program is offered to students. However, there is an expectation that whatever facility is used will support the philosophy and learning expectations of the school. The school facility must also comply with provincial legislation and local bylaws regarding health, safety, fire and zoning. A public charter school may use all or part of an existing school, a private or public facility, or any other suitable location. School facilities need to meet provincial and municipal codes and regulations. The charter board may own, lease or rent its facility, subject to the *Municipal Government Act*, which may restrict ownership of buildings on reserve land.

The [School Capital Manual](#) helps inform charter applicants and operators about standards and capital processes.

## Transportation

As section 59 of the *Education Act* does not apply, charter boards are not required to provide transportation. However, parents should be told whether the charter board has made arrangements for transportation. If transportation is provided, and meets the criteria under the School Transportation Regulation, transportation funding is available.

## Other

Any charter board must, at a minimum, carry insurance in accordance with section 54(1) of the *Education Act*. The secretary-treasurer must be bonded in accordance with section 68(c) of the *Education Act*. The charter board also will be required to carry indemnification insurance to cover any financial obligations that cannot be met. The Minister of Education cannot be held liable for any unmet financial obligations of a charter board.

# Glossary

**Accountability:** An obligation to answer or account for assigned (delegated) responsibilities, e.g., for use of funds, results achieved and for taking action to make continuous improvement and achieve desired results.

**Annual Education Results Report (AERR):** The document posted on the charter authority website that provides the results obtained from implementing the plan and actions taken to meet responsibilities in the key assurance domains.

**Assurance:** Assurance means demonstrating to Albertans that the education system is meeting the needs of students and students are successful. Assurance arises from the combination of funding, policies, processes, actions and evidence that help build public confidence in the education system.

**Charter:** A charter is an agreement between the Minister of Education and an individual or group regarding the establishment and administration of a public charter school. The charter describes the unique educational service the school will provide, how the school will operate and the student outcomes that it intends to achieve.

**Charter Authority:** one or more charter schools make up a charter authority governed by a charter board and administered by a superintendent.

**Charter Board:** The society or company that is named in a charter as being responsible for the operation for a public charter school, as per section 26(3) of the *Education Act*.

**Charter Evaluation:** The process whereby the department conducts a full evaluation of the public charter school in the third year of a five-year term and the twelfth year of a fifteen-year charter term. The report provides information to the Minister when the board requests a charter renewal in the last year of its charter term.

**Charter Goals:** The goals of the public charter school written as measurable outcomes.

**Charter Term:** The term during which the Minister has approved charter authority operations.

**Department of Education:** As per the *Government Organization Act*, the department of government administered by the Minister of Education. The Department of Education, school authorities, and the Alberta School Foundation constitute the Ministry of Education as per the *Fiscal Planning and Transparency Act*.

**Duplication:** Refers to a situation where the learning style, a teaching style, approach or philosophy or pedagogy to be offered by a charter school is already offered by a board of a public or separate school division or francophone regional authority operating within the geographic area in which the charter school will be located. Duplication is allowed where a charter school will be offering a vocation-based education, as set out in s. 25(1)(a) of the *Education Act*.

**Education Plan:** The document posted on the charter authority website that sets out what needs to be done, including determining priorities, outcomes, measures and strategies using the most recent results.

**Funding Manual for School Authorities:** [Funding Manual for School Authorities](#)

**Guide to Education:** [Guide to Education](#)

**Public Charter School:** A school established under section 25 of the *Education Act* and operated per section 26 of the *Education Act*. (Funding Manual) A public charter school and a charter authority may be synonymous when there is only one campus in the charter authority. A charter school is administered by a principal.

**School Capital Manual:** [School Capital Manual](#)

**School Year:** For funding and financial reporting purposes, means the 12-month period from September 1 to August 31. This applies to all school authorities. See also Section 139 of the *Education Act*.

**Vocation-based education:** An apprenticeship program or an education program in a designated occupation within the meaning of section 1 of the *Apprenticeship and Industry Training Act* or a science, technology, engineering and mathematics (STEM) focused program.

# Establishing a Public Charter School

The following checklist is provided as a service to potential applicants. Please contact Alberta Education to request information on public charter schools, to obtain an application form and for support on completing the application.

Phone: 780-427-6272 (Toll free: 310-0000 before the phone number in Alberta)

Email: [EDC.charterapplication@gov.ab.ca](mailto:EDC.charterapplication@gov.ab.ca)

## PRIOR TO COMPLETING A CHARTER APPLICATION

Our applicant group has discussed the following:	✓
• Why is this public charter school needed?	
• Does the proposed program duplicate programming already available in the geographical area? Proposed programming must be significantly different than that already available (except for vocation-based education programs).	
• Will there be enough parent and community support for the public charter school to be educationally and financially viable?	
• Is there an appropriate facility that can be procured that would support the charter program?	
• Does independent research support that the proposed program will improve student learning in a way that can be measured against other programs?	
• Is the proposed program innovative, in that it expands choice in the geographical area?	
• Has the purpose of the program been established to be vocation-based education?	
• Will the proposed public charter school collaborate or engage with a post-secondary institution or a school division?	
• Is the proposed program non-religious/non-denominational?	
• Can the group confirm that the proposed program will not provide home education services?	
• Can the group confirm that the proposed program will accept enrolment of all students who fit the criteria described in the charter without discriminating against those with educational or behavioural needs for support?	

## PRIOR TO SUBMITTING A CHARTER APPLICATION (obtained from [EDC.charterapplication@gov.ab.ca](mailto:EDC.charterapplication@gov.ab.ca))

The following are suggested sequence of tasks to complete and information to assemble prior to completing the application form and packaging attachments:	✓
• Proposed school name	
• Name of society or company that would operate the charter school	
• Contact information for applicant and/or directors of society	
• Vision and purpose of the proposed public charter school	
• Proposed opening date	
• Teaching philosophy (with details on the learning style, teaching style, approach or philosophy or pedagogy)	
• Is the proposed program focused on vocation-based education?	
• Will the proposed public charter school collaborate or engage with a post-secondary institution or a school division?	
• Is the proposed program non-religious/non-denominational?	
• How does the proposed program differ from programming already available in the geographical area (avoids duplicating already existing programs, except for charter program focused on vocation-based education)?	
• Independent research supporting the proposed program	
• Indications of significant community support for the charter school (parents, businesses, other community groups)	
• Sufficient number of parent declarations of intention to enrol children in proposed program (declarations follow model in Charter Schools Handbook)	
• Plan for collaboration or engagement with a post-secondary institution or a school division	
• Projected student enrolment	

<ul style="list-style-type: none"> <li>Distribution of students in each grade for each year of the initial five-year term</li> </ul>	
<ul style="list-style-type: none"> <li>School operational plan with short-term and long-term considerations on educational viability (appropriate student and class groupings, teaching assignment considerations, student high school credentialing possibilities, ability to provide education supports to all students)</li> </ul>	
<ul style="list-style-type: none"> <li>School operational plan with short-term and long-term considerations on financial viability (financial projections of revenues and expenditures such as administration, staffing, transportation, technology, additional contracted services, equipment and furnishings)</li> </ul>	
<ul style="list-style-type: none"> <li>Acquisition of school building (negotiations with building owner, facility costs and renovations required for programming needs)</li> </ul>	
<ul style="list-style-type: none"> <li>School building and property costs after acquisition (future renovations, maintenance, deferred maintenance costs)</li> </ul>	
<ul style="list-style-type: none"> <li>Description of the students for whom the charter program is intended</li> </ul>	
<ul style="list-style-type: none"> <li>Charter goals written as measurable outcomes</li> </ul>	
<ul style="list-style-type: none"> <li>Charter measures to confirm continuous improvement on the charter goals</li> </ul>	
<ul style="list-style-type: none"> <li>Description of the improved student learning outcomes</li> </ul>	
<ul style="list-style-type: none"> <li>Grades to be offered (initially and in the future)</li> </ul>	
<ul style="list-style-type: none"> <li>Selection criteria if requests for enrolment exceed facility capacity and available resources</li> </ul>	
<ul style="list-style-type: none"> <li>Any curriculum to be offered in addition to Alberta's Programs of Study</li> </ul>	
<ul style="list-style-type: none"> <li>Plan to communicate charter innovations to the education community (parents, community, other charter schools, school authorities in Alberta and outside Alberta, post-secondary institutions and education researchers)</li> </ul>	
<ul style="list-style-type: none"> <li>Process for the society to amend the approved charter</li> </ul>	
<ul style="list-style-type: none"> <li>Process to dissolve the public charter school should the school cease operations</li> </ul>	

#### REQUIREMENTS FOR PUBLIC CHARTER SCHOOLS

<p>The charter school board (operator) is responsible to the Minister of Education for meeting the requirements of provincial legislation and regulations as set out in this chart:</p>	✓
<ul style="list-style-type: none"> <li>Our applicant group has reviewed the following responsibilities:</li> </ul>	
<ul style="list-style-type: none"> <li>The charter operator is incorporated as a society under the <i>Societies Act</i>, or as a non-profit company under Part 9 of the <i>Companies Act</i>, and the board of directors will act as the school board.</li> </ul>	
<ul style="list-style-type: none"> <li>The charter school board will ensure the provision of programs of study that meet the goals and standards adopted or approved by the Minister consistent with the <a href="#">Ministerial Order on Student Learning</a>.</li> </ul>	
<ul style="list-style-type: none"> <li>The charter school board will comply with the <a href="#">Education Act</a>, except for parts of the Act identified in section 27 or in the <i>Charter Schools Exemption and Application Regulation</i>.</li> </ul>	
<ul style="list-style-type: none"> <li>The charter school board will comply with all components of <a href="#">regulations</a> that apply as set out by the <i>Education Act</i>, including the Charter Schools Regulation, the Charter Schools Exemption and Application Regulation, the Certification of Teachers and Teacher Leaders Regulation, the Practice Review of Teachers Regulation, the School Councils Regulation, the School Fees Regulation, the School Transportation Regulation, the Student Record Regulation, and the Superintendent of Schools Regulation.</li> </ul>	
<ul style="list-style-type: none"> <li>The charter school board will not provide a home education program, as per the <i>Education Act</i>.</li> </ul>	
<ul style="list-style-type: none"> <li>The public charter school will not be affiliated with a religious faith or denomination.</li> </ul>	
<ul style="list-style-type: none"> <li>The charter school board will ensure that students have the opportunity to meet the standards of education set by the Minister.</li> </ul>	
<ul style="list-style-type: none"> <li>The charter school board will administer all provincially mandated assessments, including provincial achievement tests and diploma examinations.</li> </ul>	
<ul style="list-style-type: none"> <li>The charter school board will comply with provincial senior high school graduation requirements described in the <a href="#">Guide to Education</a>.</li> </ul>	
<ul style="list-style-type: none"> <li>The charter school board will ensure that enrolled students entitled to have access to specialized supports and services will have the opportunity to meet the standards of education set by the Minister.</li> </ul>	
<ul style="list-style-type: none"> <li>The charter school board will accept enrolment of all students who fit the criteria described in the charter without discrimination as per the terms under the <i>Alberta Human Rights Act</i>.</li> </ul>	
<ul style="list-style-type: none"> <li>The charter school board will be, if a student is expelled, responsible for the student's education program, and will ensure that the student will continue to have access to an education program for the remainder of the school year.</li> </ul>	



<ul style="list-style-type: none"> <li>The charter school board will establish, implement and maintain a policy respecting the board's obligation to provide a welcoming, caring, respectful and safe learning environment that includes the establishment of a code of conduct for students that addresses bullying behaviour.</li> </ul>	
<ul style="list-style-type: none"> <li>The charter school board will agree to regular evaluation and assurance monitoring by the Minister.</li> </ul>	

# SAMPLE PARENT DECLARATION TO ENROL CHILDREN IN PROPOSED CHARTER SCHOOL

## Charter Schools Regulation

The personal information collected on this form is collected pursuant to the provisions of the Charter Schools Regulation, and will be used for the purposes of reviewing the public charter school application as submitted by the applicants. This information will be treated in accordance with the ***Freedom of Information and Protection of Privacy Act, RSA 2000, Chapter F-25***. Should you have any questions about this collection, please contact Alberta Education, Field Services, 9th Floor, 44 Capital Boulevard, 10044 – 108 Street NW, Edmonton Alberta T5J 5E6. Telephone: 780-427-6272 in Edmonton (toll-free by first dialing 310-0000). Email: [edc.charterapplication@gov.ab.ca](mailto:edc.charterapplication@gov.ab.ca)

The following confirm that:

1. he or she is the parent/guardian of the named child/children who is/are eligible to attend the proposed public charter school on opening; and
2. he or she intends to enroll his or her child/children at the proposed public charter school if it is approved by the Minister.

**Name of Proposed Public Charter School:** \_\_\_\_\_

**Proposed Opening Date:** \_\_\_\_\_

#	NAME of PARENT/GUARDIAN	TELEPHONE NUMBER	CHILDREN THAT WOULD ATTEND		
			NAME(s)	AGE	GRADE ON OPENING DATE

**I/We, the applicant(s) wishing to establish the above public charter school, certify that the above parents/guardians completed this form.**

\_\_\_\_\_  
Public Charter School Applicant – Signature

\_\_\_\_\_  
Public Charter School Applicant – Signature

\_\_\_\_\_  
*Name – Please Print*

\_\_\_\_\_  
*Name – Please Print*

**Dated the** \_\_\_\_\_ **day of** \_\_\_\_\_, **20** \_\_\_\_ If required, continue on additional form.