



# Start a School

AN EDUCATION FREEDOM FOUNDATION INITIATIVE

## West Virginia

### Charter Schools

The [Professional Charter School Board \(PCSB\)](#) was created by the West Virginia legislature in 2021 to serve as a statewide authorizer for public charter schools. PCSB members are appointed by the Governor with the advice and consent of the Senate. The PCSB is an independent body, separate from the West Virginia Department of Education. The board, and the charter schools it authorizes, are subject to the general supervision of the State Board of Education solely for the purposes of accountability for meeting the standards for student performance required of other public school students in West Virginia.

### Virtual Charter School

[§18-5G-14. Virtual public charter schools.](#)

### Steps to Start a Brick & Mortar Charter School

1. Research information required to apply. This includes demographics and academic achievement of at least ten neighboring schools. You will use this information in your application.
2. Create a budget.
  - a. Identify revenue sources (Tuition, loans, etc.)
  - b. Identify Expenses
  - c. Decide if you will do fundraising events or ask for donations
  - d. Decide if you will need to raise capital
  - e. Decide if you will seek investors
3. Obtain a copy of prior successful applications at this [link](#).
4. Create your Mission and Vision Statements
5. Create a Board
  - a. Create Your Articles of Incorporation
  - b. Create your Bylaws
6. Create Required Policies for the application
7. Register as a Non-Profit LLC Corporation
8. Obtain your IRS Non-Profit status by submitting [IRS Form 1023](#).
9. Watch the videos on this [webpage](#) and/or read the presentations.

- a. Review of Charter School Application and Review Process for Founding Groups
  - b. Review of Charter School Contracting Process for Founding Groups
  - c. Review of Charter School Monitoring Process for Founding Groups
10. Apply to the [Professional Charter School Board](#).
- a. Download and review the Charter School Application [Evaluation Criteria](#).
  - b. Download and complete their application by clicking the “Apply” button at the top right of their webpage. You can submit an application [electronically](#) or with via [paper](#).
  - c. Applicants must follow the guidelines outlined in [West Virginia Code §18-5G](#), particularly those in [§18-5G-8](#).
  - d. Applications are evaluated on a rolling basis, but they must be submitted by August 31st of the year prior to the school’s first academic year.
  - e. Applications may be completed through the online form above, or may be electronically delivered to PCSB Executive Director James Paul at [James.paul@wvpcsb.org](mailto:James.paul@wvpcsb.org).
11. You will likely be invited to an Applicant Interview to “Defend” your application.
12. Once the application is approved, you will negotiate a Charter contract with the authorizer.

## Statutes and Rules

- IRS Regulations
  - IRS Schedule E, 990 – Non discrimination notice must be posted publicly
- [Electronic Code of Federal Regulations \(e-CFR\)](#):
  - [CFR § 200.501 - Audit requirements](#).
- [Department of Education Charter School Policies 3300](#)
  - §126-79-5.5 Initial Application Timeline
  - §126-79-2. Purpose.
  - §126-79-4. Charter School Application.
  - §126-79-5.2.b Charter School Application Addendum
  - §126-79-5.2.c County Boards Must Solicit high-quality applications
  - §126-79-5.3 Evaluation of Charter School Applications
- [Article 5g. Public Charter Schools](#).
  - [§18-5G-1. Legislative purpose and intent; liberal interpretation; prohibiting conversion of private schools; prohibiting profit or monetary consideration by elected officials; limiting authorization of public charter schools; legislative auditor report.](#)
  - [§18-5G-2. Definitions.](#)
  - [§18-5G-3. Public charter school criteria, governance structure and statutory compliance requirements; applicable federal and state laws.](#)

- [§18-5G-4. West Virginia Board of Education; powers and duties for implementation, general supervision and support of public charter schools.](#)
- [§18-5G-5. State board rule relating to funding for public charter school enrollment and other necessary provisions; local education agency status; authorizer oversight fee.](#)
- [§18-5G-6. Authorizer powers and duties.](#)
- [§18-5G-7. Public Charter school governing board.](#)
- [§18-5G-8. Application to establish public charter school.](#)
- [§18-5G-9. Charter contract requirements; term of contract.](#)
- [§18-5G-10. Charter contract renewal; performance report by authorizer and renewal guidance; renewal application; renewal term; nonrenewal; closure and dissolution.](#)
- [§18-5G-11. Public charter school students; enrollment and eligibility; enrollment preferences; random selection lottery; enrollment discrimination prohibited; credit transfers; participation in interscholastic sports.](#)
- [§18-5G-12. Access to public facilities.](#)
- [§18-5G-13. Appeal of authorizer's decision to West Virginia Board of Education.](#)
- [§18-5G-14. Virtual public charter schools.](#)
- [§18-5G-15. West Virginia Professional Charter School Board; members; appointments; meetings.](#)
- [§18-5G-16. Charter contract and enrollment application deadlines for schools opening in 2022, only.](#)
- [§18-5G-17. Charter Schools Stimulus Fund.](#)

## Resources

- <https://wvcharters.org/schools>
- [Frequently Asked Questions](#)
- [Overview of West Virginia's Charter School Law](#)
- [Governance and Board Responsibilities](#)

**Contact**

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