

2. Powers and Duties—General.

(a) The board is an authorizer as defined in code §18-5G-2, which means the board is empowered under state law to review applications, decide whether to approve or reject applications, enter into charter contracts with public charter school applicants, oversee public charter schools, and decide whether to renew or not renew charter contracts. §18-5G-2.

(b) The board is 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 under §18-2E-5 of the West Virginia code. For these sole purposes, the board shall report directly to and be responsible to the state board, separate from the Department of Education, regarding its duties in accordance with Article 18-5G of the code. §18-5G-15(a).

(c) The board shall investigate official complaints submitted to it that allege serious impairments in the quality of education in a public charter school it has authorized pursuant to Article 18-5G of the code, or that allege such schools are in violation of the policies or laws applicable to them. Formal complaints should be emailed to the board's executive director and must include the complainant's full name, contact information, a statement of facts on which the allegation of noncompliance is based, and supporting evidence. The board also may at its own discretion conduct or cause to be conducted audits of the education and operation of public charter schools it has authorized that it determines necessary to achieve its mission of authorizing high-quality public charter schools. Upon a determination that serious impairments or violations exist, the board shall follow §18-5G-15(k), §§18-5G-6(f) and (g), and the board's policies and regulations.

The board will review official complaints, investigate, and provide a report (if deemed necessary) in a reasonable and timely manner. This turnaround will be subject to staff availability and resources. In no instances shall this complaint and investigative process take more than 90 days to complete. The board will follow these steps when complaints are received:

(1) WVPCSB staff will determine if the complaint:

- (A) is in the purview of board oversight;
- (B) includes necessary information; and
- (C) warrants further investigation.

(2) WVPCSB staff may notify complainant, and charter school governing board chair, that an investigation is underway.

(3) WVPCSB staff may collect evidence through the following means, which include but are not limited to:

- (A) Email questionnaires;
- (B) Phone calls or virtual meetings;
- (C) In-person interviews; and
- (D) Document requests.

(4) WVPCSB may produce a final report summarizing the complaint and describing results of the investigation—namely whether there appear to be serious impairments in the quality of education

at the charter school, or if the charter school appears to have committed violations of applicable policies or laws.

(A) If the report finds perceived impairments or violations, WVPCSB will promptly notify in writing the charter school governing board and provide reasonable opportunity for the school to remedy.

(B) Additionally, if the report finds apparent serious impairments or violations, WVPCSB will take corrective actions or exercise sanctions, which may include requiring the school to develop and execute a corrective action plan within a specified time frame. Corrective actions or sanctions require formal board action.