



PRICHARD COMMITTEE FOR ACADEMIC EXCELLENCE

STUDY • INFORM • ENGAGE

EIGHT KEY QUESTIONS FOR ANY CHARTER SCHOOL BILL

ANSWERS FOR HOUSE BILL 520

SPONSOR	Representative John Carney
SPECIAL NOTE	Charter schools created under this bill will be “bodies politic and corporate.” That will make them a type of government body, rather than private entities that could be classified as for-profit or nonprofit organizations.
WHAT STUDENT RESULTS WILL CHARTER SCHOOLS BE EXPECTED TO DELIVER?	<p>Each charter school will have annual student achievement targets that are in accordance with the state accountability system.</p> <p>Each charter contract will also include a performance framework that includes student academic proficiency and growth, achievement gaps, and college or career readiness at the end of grade 12, and also includes data on school operations and on student attendance, suspensions, withdrawals, exits, and continuing enrollment from year to year. Charter applications will include a plan for “using external, internal, and state-required assessments to measure student progress on the performance framework.”</p>
WHICH PUBLIC SCHOOL REQUIREMENTS WILL BE WAIVED, AND WHICH REQUIREMENTS WILL CHARTER SCHOOLS HAVE TO FOLLOW?	<p>Required:</p> <ul style="list-style-type: none"> ▪ State assessments and school report card data reporting ▪ Health and safety laws (including vaccinations, emergency drills, criminal record checks, weapons rules, student seclusion and restraint rules) ▪ Civil and disability rights (including individualized education programs) ▪ Plans for identifying and serving gifted students and students who are academically behind “including but not limited to the school's plan for compliance with all applicable federal and state laws and regulations” on serving those students ▪ Financial audits and purchasing requirements under Kentucky Revised Statutes, Chapter 45 ▪ KTRS retirement for certified personnel and CERS retirement for other employees <p>Not required:</p> <ul style="list-style-type: none"> ▪ Free and reduced-price meals for low-income students (application must describe “the health and food services to be provided to students attending the school”) ▪ Student learning services, including primary talent pool, primary program, family resource and youth services centers, individual learning plans, college-level courses in high school, and class size caps ▪ State teacher evaluation rules, continuing contracts (tenure), and single salary schedule ▪ MUNIS accounting and 2% contingency reserve <p><i>Possible questions:</i></p> <p><i>Will health requirements include physical activity in grades K-5?</i></p> <p><i>Will disability rights include alternate diplomas?</i></p> <p><i>Will public school laws on suspensions and expulsions apply?</i></p> <p><i>Will all teachers have to be certified by the Education Professional Standards Board?</i></p> <p><i>Will purchases be subject to the bidding and conflict of interest rules in KRS Chapter 45A?</i></p>
HOW WILL STUDENTS BE ADMITTED OR ASSIGNED TO CHARTER SCHOOLS?	Students who wish to attend will be admitted. If the number wishing to attend exceeds the charter school’s capacity, preference will be given to students who already attend the school, their siblings, and students who live in the district where the school is located. Charter schools will also be allowed to give preferences to students who are eligible for free or reduced-price meals, who attend persistently low-achieving school, or whose parents are board members or full-time employees. At conversion charter schools, a preference will also be given to students who attended the school before the conversion. Remaining slots will be awarded by lottery.
WHO WILL AUTHORIZE	Charter schools will be authorized by the local school board in the district where the school will be located or by a collaborative of local boards formed to set up a regional charter school.

<p>CHARTER SCHOOLS?</p>	<p>The Kentucky Board of Education will hear appeals of rejected applications, with power to order further authorizer consideration and (on a second appeal) order the charter approved after determining that the decision “was contrary to the best interest of the students or community.” Charters authorized after appeal will have joint oversight from the authorizer and KBE.</p>
<p>WHO WILL BE ABLE TO APPLY TO RUN A CHARTER SCHOOL?</p>	<p>“Teachers, parents, school administrators, community residents, public organizations, nonprofit organizations, or a combination thereof” will be able to apply. Each charter application will include by-laws and initial members of the school’s board of directors, which must include two parents of students at the school and must not include employees of the school or educational service providers that will serve the school. The board will be sworn in after the application is approved.</p> <p>If a charter school plans to contract with an education service provider, the planned terms of the contract will be included in the charter application. (The bill defines an education service provider as “an education management organization, school design provider, or any other partner entity with which a public charter school contracts for educational design, implementation, or comprehensive management.”)</p> <p>Conversion charter schools will be allowed when the local school board votes for the conversion or 60% of parents at an existing public school sign a conversion petition.</p> <p>Applications for schools controlled wholly or partly by religious denominations will be rejected.</p> <p><i>Possible question: Will private schools be able to apply to become public charter schools?</i></p>
<p>WILL CHARTER SCHOOL NUMBERS AND ENROLLMENTS BE SUBJECT TO CAPS?</p>	<p>No.</p>
<p>HOW WILL CHARTER SCHOOLS BE CLOSED IF THEY DO NOT DELIVER?</p>	<p>A charter authorizer will be able to refuse to renew a charter school’s contract if the school:</p> <ul style="list-style-type: none"> ▪ Fails to “meet or make significant progress toward” performance expectations ▪ Persistently fails to correct violations of its contract, the charter school law, or financial management standards ▪ Substantially violates material provisions of laws that apply to the charter school. <p>There will be a formal process for hearing evidence for and against renewal, and decisions will be subject to appeal to KBE.</p> <p>The charter authorizer will be able to revoke a charter school’s contract immediately if a violation threatens student health and safety.</p> <p><i>Possible question: Will it be possible to revoke a charter (close it before the contract ends) for any reason other than threats to health and safety?</i></p>
<p>WHAT FUNDING WILL CHARTER SCHOOLS RECEIVE?</p>	<p>Charter schools will receive funds from the school district where each student lives, including a proportionate per pupil share of state and local funds except for those for transportation, capital outlay, and an administrative fee. That fee will be 3% for students from the district where the charter is located and 1% for students from other districts. Charter schools will also share in federal and state categorical programs in proportion to the eligible students enrolled at the school and follow reporting requirements for each of those programs.</p> <p>Charter schools will be able to accept gifts, donations, and grants, so long as those funds are included in their annual reports and do not come with conditions that violate law or the charter contract.</p> <p>Students who live in the district where the charter school is located will receive district transportation and the district will keep the funding allocated for transportation.</p> <p>Charter school employees will receive state contributions for retirement, health, or life insurance on the same basis as other public school employees.</p> <p>Virtual charter school applications will propose a funding level based on a detailed statement of the school’s costs.</p> <p><i>Possible question: Will virtual charters be funded based on the costs listed in their applications or will they receive a proportionate per pupil share of all state and local funds?</i></p>

The complete bill is available for download from www.lrc.ky.gov/recorddocuments/bill/17RS/HB520/bill.pdf