



# PRICHARD COMMITTEE FOR ACADEMIC EXCELLENCE

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EIGHT KEY QUESTIONS FOR ANY CHARTER SCHOOL BILL

## ANSWERS FOR HOUSE BILL 520

AS AMENDED BY THE SENATE AND APPROVED BY THE HOUSE ON MARCH 15, 2017

SPONSOR	Representative John Carney and Representative Richard Heath
SPECIAL NOTES	<p>Charter schools created under this bill will be “bodies politic and corporate,” making them a type of government body, rather than private corporations that could be classified as for-profit or nonprofit.</p> <p>Regional achievement academies will be able to admit students from a regional achievement zone of one or more contiguous counties each with at least four school districts. (Only Campbell and Kenton Counties fit those criteria.)</p>
WHAT STUDENT RESULTS WILL CHARTER SCHOOLS BE EXPECTED TO DELIVER?	<p>Each charter school will have annual student achievement targets in line with the state accountability system. 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"> <li>▪ State assessments and school report card data reporting, shared in the state information system</li> <li>▪ Health and safety laws (including vaccinations, emergency drills, criminal record checks, weapons rules, student seclusion and restraint rules)</li> <li>▪ Civil and disability rights (including individualized education programs)</li> <li>▪ Plans for identifying and serving gifted students and students who are academically behind, including compliance with federal and state laws and regulations on serving those students</li> <li>▪ Financial audits</li> <li>▪ Instruction by teachers who hold state certification</li> <li>▪ KTRS retirement for certified personnel and CERS retirement for other employees</li> </ul> <p>Not required:</p> <ul style="list-style-type: none"> <li>▪ 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”)</li> <li>▪ 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</li> <li>▪ State teacher evaluation rules, continuing contracts (tenure), and single salary schedule</li> <li>▪ MUNIS accounting and 2% contingency reserve</li> </ul> <p>Charter schools will have a choice of complying with state purchasing rules in KRS Chapter 45 A or providing monthly reports on spending to their boards of directors.</p> <p><i>Possible questions:</i></p> <p><i>Will public school laws on suspensions and expulsions apply?</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>
HOW WILL STUDENTS BE ADMITTED OR ASSIGNED TO CHARTER SCHOOLS?	<p>Students will be admitted if they apply and live in the authorizing district or in the regional achievement zone for a regional achievement academy. If applications exceed the charter school’s capacity, preference will be given to students who attend the school and their siblings. Charter schools will also be allowed to give preference 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. A regional achievement academy will be allowed to give preference to students from the district where it is located, and a conversion charter school will give preference to students who attended the school before the conversion. Remaining slots will be awarded by lottery.</p>

<p>WHO WILL AUTHORIZE CHARTER SCHOOLS?</p>	<p>Charter schools will be authorized by the local school board in the district where the school will be located, by a collaborative of local boards formed to set up a regional charter school, or by the mayor of the largest city in a county with an urban-county government or with a consolidated local government. (Only Fayette and Jefferson fit those requirements.)</p> <p>The Kentucky Board of Education (KBE) will hear appeals of rejected applications, with power to order further authorizer consideration and (on a second appeal) order the charter approved if the rejection “was contrary to the best interest of the students or community.” KBE final decisions can be appealed to the Circuit Court in the school district where the school is located.</p>
	<p><i>Possible question: When a mayor authorizes, who will act as the “governing board” approving the charter contract in an open meeting?</i></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.</p> <p>Conversion charter schools will be allowed if:</p> <ul style="list-style-type: none"> <li>▪ 60% of parents sign a conversion petition at a school performing in the lowest 5% of schools</li> <li>▪ 60% of parents sign a conversion petition and the local school board approves at other schools</li> <li>▪ The local school board decides to create a conversion charter school</li> </ul> <p>Applications for virtual charter schools and charter schools controlled wholly or partly by religious denominations will be prohibited.</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"> <li>▪ Fails to “meet or make significant progress toward” performance expectations</li> <li>▪ Persistently fails to correct violations of its contract, the charter school law, or financial management standards</li> <li>▪ Substantially violates material provisions of laws that apply to the charter school</li> </ul> <p>A nonrenewal decision will be subject to appeal to KBE and then to the “district court of appeals.” 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>As amended, HB 520 does not specify what funding charter schools will receive. The bill does call for funding allocations to be identified in each charter school’s contract with its authorizer. Note, however, that Senate amendments to HB 471 include additional provisions for charter school funding, and the House accepted those changes on March 15, 2017.</p> <p>If a school district chooses to provide transportation to a charter school, it will be allowed to retain funding allocated for transportation.</p> <p><i>Possible question: How will funds be provided for students who attend charter schools authorized by mayors and students who attend regional achievement academies?</i></p>

The complete bill is available for download from [www.lrc.ky.gov/recorddocuments/bill/17RS/HB520/bill.pdf](http://www.lrc.ky.gov/recorddocuments/bill/17RS/HB520/bill.pdf)