

Charter School Proposal for Consideration by the Kentucky Board of Education

The Kentucky Board of Education supports initiatives that drive advances in student learning. Below are elements of a charter school proposal that the department is asking the board to consider approving and including in its legislative agenda.

Authorization

Authorizers

- Local boards of education should be the primary authorizers of charter schools.
- If multiple authorizers are allowed, the number of authorizers should be capped and limited to nonsectarian; nonprofit organizations; and universities.
- The Kentucky Board of Education should be the final arbiter for approving conflicts between authorizers and in providing oversight of the state charter initiative.

Authorizer Duties

- Grant charters.
- Enter into performance based contracts.
- Oversight of charters.
- Establish evaluation criteria of academic performance.
- Establish evaluation criteria of finances.
- Establish revocation criteria.
- Establish renewal criteria.

Applicants

- Charter school applicants and providers must be non-profit, nonsectarian, and cannot be wholly or partially governed by a group that is a religious denomination or affiliation.
- If an applicant is rejected, an appeal process should be handled by the Kentucky Board of Education.
- A charter school application must demonstrate support from local parents and the community.

Accountability

Define Charters

- Provide a common definition for charter schools.
- Provide a common definition for conversion charter schools.
- Provide a common definition for regional charter schools.

Targeted Groups

- Restrict conversion charters to low-performing schools.

Data

- Required reporting from charters that would include information such as:
 - Entrance data.
 - Cohort completion rate.
 - Expulsion and discipline data.
 - Performance/achievement gap data by defined subpopulations.

- Reporting requirements: data should be delivered to the commissioner, to the Kentucky Board of Education (KBE), and the Interim Joint Committee on Education.
- Include charter schools in the state assessment and accountability system.

Performance Goals

- Charter schools should have clear academic performance goals.
- Charters schools should have clear financial performance goals.
- Charters that fail to meet these goals should be subject to intervention and closure.

Teachers

- EPSB certification to be required for teachers in charter schools. EPSB has many routes to certification that can be utilized by those without formal teacher training to get them certified and a path is already established for vetting these teacher candidates.

Application Process

- The charter application process should facilitate timely decisions based on a transparent review of application quality.
- Authorizers should focus on approving applications that target at-risk and/or under-served populations of students while also demonstrating the capability and competence of the applicant to execute its vision.

Enrollment

- A charter school should be available to any parent/guardian in the district or in a defined region for a regional charter school that wishes to enroll their child.
- Students cannot be excluded due to a disability or any other characteristic.
- If a charter school is over-subscribed, a free and fair lottery should be held to determine enrollment.
- Charter schools may be allowed to grant certain enrollment preference weights to students entering a lottery if their application specifies their intent to serve a specific population of under-served students, but this mechanism should not allow schools to discriminate in any way or to selectively admit students.
- High expectations for parental involvement should be outlined and required.
- Caps on enrollment within a district (percent of overall district population) as well as statewide caps on enrollment should be specified.

Finances and Governance

- Funding for charter schools should not detrimentally impact the funding provided to “common schools” of the public school districts.
- Charter schools should meet and follow the requirements for protection of students’ and employees’ health, safety, civil and disability rights.
- Charter schools should be required to provide special education evaluation and services just like a “common school.”
- Charter schools should be held to the same assessment and accountability standards for “common schools” as well as the academic progress goals set forth in the charter contract with the authorizer.
- Graduation requirements and diploma authority should remain with the local board of education.
- A hold harmless provision for districts that lose enrollment numbers to charters should be included.

- Charter schools should receive an exemption from state and local laws/regulations that do not specifically apply to charter schools, excluding regulations regarding accountability, health, safety, civil rights, employee background checks, open meetings, FOIA requests, and accounting practices.
- The legislature could consider approving a fund to provide districts with significant enrollment shifts to charter schools. This fund could help provide financial stability as districts manage changes to their fixed costs.
- Charter revocation for any reason other than the academic performance reason above should be appealable to the KBE.
- Charter schools should have to abide by the requirements for model procurement for local public agencies as well as the financial benefit restrictions applicable to local school district officials in KRS 156.480.
- No civil liability for the local board, local district, or the Commonwealth will result from the acts or omissions of the charter school.
- All assets and student educational records of a charter school that is closing shall be transferred to the local school district.
- Any student attending a charter school can choose to return to the regular attendance zone school of the district at any time during the school year.

Facilities

- Charter schools should have access to capital funding and public facilities.

Transportation

- Charter schools should have access to transportation funding. The state also should incentivize collaboration between districts and charters to promote the safe and efficient transportation of students.