

Charter School Growth with Quality Act

Summary

The Charter School Growth with Quality Act would expand quality public education opportunities for all children by establishing a state public charter school commission to serve as an independent statewide charter authorizer.

Model Legislation

Section 1. {Legislative findings}

(A) The Legislature finds that:

(1) In our current system of public schools, too many students are graduating from high school without the necessary skills and knowledge and too many students are failing to graduate at all; and,

(2) Current shortcomings and future global economy and information age require new models of delivering education at the individual student level, school level and education system level.

Section 2. {Legislative intent}

(A). The Legislature intends with this Act to:

(1) Expand quality public educational opportunities for all children;

(2) Provide opportunities for effective, innovative educational models;

(3) Establish public charter schools that can serve as models of effective practices that are shared with others; and,

(4) Establish model practices for public charter school authorizing that are shared with other authorizers.

Section 3. {Statewide Public Charter School Commission Established}

(A) This Act establishes a state public charter school commission (the “Commission”) as an independent state agency with statewide chartering jurisdiction and authority.

(B) The mission of the Commission shall be to authorize high-quality public charter schools throughout the state consistent with the intent of this Act.

(C) The Commission shall consist of:

(1) Nine members, no more than five of whom shall be members of the same political party. Three members shall be appointed by the Governor; three members shall be appointed by the President of the Senate; and three members shall be appointed by the Speaker of the House of Representatives. In making the appointments, the Governor, the President of the Senate, and the Speaker of the House of Representatives shall ensure statewide geographic diversity among Commission members.

(2) Members appointed to the Commission shall collectively possess strong experience and expertise in public and nonprofit governance, management and finance, public school leadership, assessment, and curriculum and instruction, and public education law. All members of the Commission shall have demonstrated understanding of and commitment to charter schooling as a strategy for strengthening public education.

(3) To establish staggered terms of office, the initial term of office for three Commission members shall be four years and thereafter shall be three years; the initial term of office for another three members shall be three years and thereafter shall be three years; and the initial term of office for the last three members shall be two years and thereafter shall be two years. No member shall serve more than seven consecutive years.

(D) The Commission shall carry out its work consistent with best practices as set forth in Principles and Standards for Quality Charter School Authorizing promulgated by the National Association of Charter School Authorizers.

(E) The Commission is not required to approve any charter application. Denials of such applications, as well as non-renewal and closure decisions rendered by the Commission, are final. The Commission may require an applicant to modify or supplement an application as a condition of approval.

(F) The Commission is authorized to receive from the state education department not to exceed three percent of the state funds annually flowing to the charter schools it approves and oversees. Such retained monies shall be exclusively used to fund the Commission's authorizer activities.

(G) An authorizer's oversight fee shall not include any costs incurred in delivering services that a public charter school may purchase at its discretion from the authorizer. The authorizer shall use its funding provided under this section exclusively for the purpose of fulfilling authorizing obligations in accordance with this Act.

(H) To commence operations, the Commission shall be funded initially by a one-time state appropriation of []. The Commission is authorized to receive and expend gifts, grants, and donations of any kind from any public or private entity to carry out the

purposes of this Act, subject to the terms and conditions under which they are given, provided that all such terms and conditions are permissible under law.

(I) The Commission shall operate with dedicated resources and staff qualified to execute the day-to-day responsibilities of public charter school authorizing in accordance with this Act.

(J) The Commission shall annually submit to the Legislature a report summarizing:

(1) The academic and financial performance of all operating public charter schools overseen by the Commission, according to the performance expectations for public charter schools set forth in this Act;

(2) The status of the Commission's public charter school portfolio, identifying all public charter schools in each of the following categories: approved (but not yet open), operating, renewed, transferred, revoked, not renewed, voluntarily closed, or never opened; and,

(3) The authorizing functions provided by the Commission to the public charter schools under its purview, including its operating costs and expenses detailed in annual audited financial statements that conform with Generally Accepted Accounting Principles.

Section 4. {Responsibilities of the Commission}

(A) The Commission shall be accountable to the Legislature for these responsibilities:

(1) Maintaining high academic, financial, governance and management standards, including by:

(a) Only approving proposals from applicants that are qualified and capable in all aspects of a school's operation;

(b) Establishing uniform, objective, measurable and high standards for public charter schools; and,

(c) Renewing only those schools that achieve those standards and closing schools that fail to achieve those standards.

(2) Ensuring schools have the autonomy to which they are entitled, including by:

(a) Exercising its oversight responsibilities in a manner that secures public charter schools from regulatory interference by other governmental agencies; and,

(b) Minimizing the administrative burdens faced by public charter schools.

(3) Ensuring that the interests of students and the public are protected, including by:

(a) Requiring public charter schools to follow policies for student admissions, special education services, English Language Learners, discipline, expulsion, safety and student records that are in accordance with state and federal laws;

(b) Requiring that the governance of public charter schools follow the best practices of non-profit governance consistent with providing a public service through non-governmental means; and,

(c) Requiring the governing boards of charter schools operate with a high degree of transparency and accountability to the public, including by providing periodic financial reporting, conducting annual independent audits of financial statements, and adhering to applicable state laws for public information and open meetings.

Section 5. {Activities of the Commission}

(A) The Commission shall:

(1) Annually assess the educational needs of the state and release Requests for Proposals for public charter school solutions to these needs, receive solicited and unsolicited applications, evaluate applications and make approval and denial decisions;

(2) Execute contracts between the Commission and public charter schools detailing the rights and responsibilities of the Commission and the charter school, and specifying how the school's performance on the state's academic accountability system will be the primary, but not only, basis for renewal;

(3) Monitor on a regular basis the performance of the charter schools it oversees;

(4) Establish revocation, intervention, and renewal criteria and processes for the charter schools it oversees;

(5) Disseminate its policies and practices among other public charter school authorizing entities in the state;

(6) Implement practices to support students affected by school closures, including but not limited to strategies to replace low-performing charter schools with high-performing charter schools.

Section 6. {Severability clause}

Section 7. {Repealer clause}

Section 8. {Effective Date}

COMMON CAUSE
Holding Power Accountable