

Legislative Changes to the Charter Schools Act of 1998

1993 Original charter school law passed

- only existing public schools can convert to charter status
- one- to three-year charter period
- over two-thirds teacher-support requirement
- over two-thirds parent-support requirement
- no limit on the number of charter schools
- charter approval by local and state boards required
- plan for improvement to meet national and state educational goals

1995 Charter school law amended

- simple majority vote teacher-support requirement
- charter period extended to five years
- plan for improvement to meet America 2000 national goals and state education goals

1998 Charter school law amended

- start-up charter schools authorized
- "blanket exemption" from Title 20, State Board rules, local board policies permissible
- governing body must be made up of majority parents of students at the school
- plan for improvement to meet minimum state standards

2000 Charter School law amended

- charter petitioners denied approval by their local boards of education may apply to the State Board of Education
- charter schools required to participate in the State Accountability System

2002 Charter School law amended

- clarification of funding
- requirement for local board to provide written explanation for petition denial
- initial term of charter: minimum of 3 years; maximum of 5 years
- removal of provision for "blanket exemption" - petitioner must list specifically identified school laws or rules to be waived and provide rationale
- State Board given authority to draft petition requirements in State Board rule
- majority of parents on the governing board removed from law

2004 Charter School law amended

- blanket exemption partially restored.
- The State Board of Education is directed to create a facilities fund for local charter schools and state chartered special schools to establish a per pupil, need based facilities aid program.

2005 Charter School law amended

- "blanket exemption" from Title 20, State Board rules, local board policies fully restored

- charter period increased to ten years
- further clarification of funding
- provisions for “charter clusters” within school districts and multiple districts
- additions to allowable preferential student enrollment
- annual report requirements added

2006 Charter School Law Amended

- States the Code Section 20-2-2065 provisions should not preclude the use of computer and internet based instruction for students in a virtual or remote setting.

2007 Charter School law amended

- system charters established allowing for entire districts to charter
- creates Charter Advisory Committee
- provides transportation and food service funding for start-ups, effective in 2008-2009 school year

2008 Charter School law amended

- 7-member “Charter School Commission” created
- members appointed by State Board of Education on recommendation of Governor, Lt. Governor, and Speaker of the House
- commission given power to authorize charter schools
- commission authorized to award “full” funding to approved charter schools
- allow current charter school employees to participate in the State Health Benefits program
- grant program created that provides financial incentives for donations to charter schools for facilities needs

2009 Charter School law amended

- change “five percent” to 5 percent and replace “nonQBE state grants” with “non-QBE state grants.
- Added commission charter school language for facilities funds.
- Unused facilities shall become available for local charter schools.

2010 Charter School law amended

- A conversion charter for a high school cluster petition and approval process
- Charter schools or systems cannot waive fingerprints and background checks

2011 Charter School law amended

- Regarding waiving title 20, charter schools or systems are subject to individual graduation plan provisions

2012 Charter School law amended

- Appropriation of state funds by QBE formula earnings and QBE grants updated

2013 Charter School law amended

- “Charter petitioner” definition updated
- States that a charter for a local charter school shall be three-party agreement between a charter petitioner, a local board of education, and the State Board of Education and the charter petitioner shall be a part other than the local board of education.

- Local board approval of petition increased from 60 to 90 days.
- Updated waiver provisions for facility usage
- Allow students to attend charter that matriculated from a pre-kindergarten program
- Changes to the annual report for charter schools and charter systems
- Additions to the termination of charters
- Changed language from commission charter school to state charter school relating to a facilities fund

2014 Charter School law amended

- Changed definition for charter schools to code section 20-2-2063.2
- State board must approve training for the members of the governing board that they must participate in

2015 Charter School law amended

- Charter facilities operation requirements updated
- added definition of “Educationally Disadvantaged Students”
- Updated enrollment and admissions guidelines for students and added additional language
- Local board shall approve or deny a petition no later than **90** days.
- Charter schools and/or systems are subject to provisions relating to annual performance evaluations.
- Annual reports outlining the previous year’s progress should be submitted no later than **November 1** of each year.
- Added that termination of a charter for a charter school can be done when there is a failure to comply with any recommendation or direction of the state board with respect to any intervention prescribed by the state board pursuant to the charter.

2016 Charter School law amended

- changed the definition of College and Career Academy and allowed for the creation of TCSG capital funding-eligible college and career academies within charter system and strategic waivers school system contracts
- requires governing board members of each charter school to participate in initial and annual financial governance training
- requires the SBOE to establish a charter school’s financial certification program for charter school leaders and personnel
- prohibits a charter school’s CFO from being the CEO or equivalent

2017 Charter School Law amended

- Added that a charter for a charter system shall include the interventions, sanctions, and loss of governance consequences contained in Code Section 20-14-41.
- Changed the initial, maximum term of a charter for a charter system from five years to six years.
- Added requirement for the State Board of Education and the State Charter Schools Commission (SCSC) to jointly establish a code of principles and standards of high-quality charter school authorizing, to provide for the training of State Board staff and local board members on these principles and standards, as well as for an annual independent review of local boards for adherence to the principles and standards of high-quality charter school authorizing practices.

- Allows locally-approved charter schools to petition the State Charter Schools Commission (SCSC) for authorization if the local board of education fails to meet the principles and standards of charter school authorizing established by the State Board of Education and the SCSC for two (2) consecutive years.
- Added requirement that local charter schools must certify all data collected for QBE funding purposes, including enrollment data and certified personnel information, prior to a local board of education submitting the data to the State Board.
- Added requirement for local school systems to distribute to each local charter school the proportionate amount of federal funds for which a school is eligible under each federal program, or to provide in-kind services to the school upon agreement between the parties.
- Added requirement for local boards of education to post on the websites the calculation of earnings for each local charter school, including federal funds.
- Allows for the termination of a charter school contract if the local board of education fails to meet the principles and standards of high-quality charter school authorizing for two (2) consecutive years and the SCSC approves the transfer of the charter school's authorization to the Commission.
- Added the definition of "Unused Facility" and provides for an annual facilities grant for local charter schools, state chartered special schools, and state charter schools.

Appendix

Legislation that influenced the amendments to “The Charter Schools Act of 1998”

2005 – Senate Bill 35

2006 – Senate Bill 610

2007 – Senate Bill 39

2008 – Senate Bill 455, House Bill 881

2009 – Senate Bill 46, House Bill 555

2010 – Senate Bill 457, House Bill 1079

2011 – House Bill 186

2012 – House Bill 797

2013 – House Bill 283*

2014 – Senate Bill 340, House Bill 405

2015 – Senate Bill 133, House Bill 372, House Bill 502

2016 – House Bill 895, House Bill 959

2017 – House Bill 430