

Department of Planning and Budget 2004 Fiscal Impact Statement

1. Bill Number HB380

House of Origin	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron Lingamfelter

3. Committee Education

4. Title Charter School Excellence and Accountability Act.

5. Summary/Purpose: This bill amends the charter schools statutes to (i) require public charter schools to maintain high standards for teachers and administrators; (ii) allow charter schools to contract with private institutions of higher education for school facilities, services, and other undertakings; (iii) provide for judicial review of school board decisions (a) for persons submitting an application for a public charter school who are aggrieved by a school board's grant or denial of a charter application or approval or disapproval of revisions to a charter agreement; and (b) for any governing body of a public charter school aggrieved by a school board's revocation or denial of renewal of a charter or approval or disapproval of revisions to a charter agreement (parents already have the right to petition for judicial review of school board decisions generally); (iv) add evidence of the support of school division residents for a charter school to those items that may be included in proposed charter agreement materials; (v) allow charter applicants to submit the proposed charter agreement to the Board of Education for review and comment, and may include the Board's findings in its charter application to the local school board; (vi) delete the authority of school boards to limit the number of charter schools within the division and the statutory cap on the maximum number of charter schools (two schools or not more than 10 percent of the total number of schools in the division, whichever is greater); (vii) delete the requirement that half the charter schools in the division be designed to benefit at-risk pupils; (viii) increase the maximum charter term from three to seven years; (ix) delete school board authority to revoke the charter upon determining that the charter is not in the public interest or for the welfare of the students within the school division; (x) allow school boards to hire and place otherwise qualified personnel who may be unlicensed as teachers and administrators in a charter school; and (xi) amend the State and Local Government Conflicts of Interests Act to allow the governing body, administrators, and other personnel within a public charter school to have a personal interest in the construction or lease of public charter school facilities or services.

6. Fiscal Impact: See Item 8.

7. Budget amendment necessary: No.

8. Fiscal implications: Under the provisions of this bill, the Board of Education would be required to establish a review committee to examine public charter school applications for feasibility, curriculum, financial soundness, and other criteria. The Board would be required

to assign and report passing and failing grades for each application, along with a written report. This provision would involve staff time and resources at the state level (The Department of Education). The cost impact would depend upon the number of proposed charter schools to be reviewed by the Board.

9. Specific agency or political subdivisions affected: The Board of Education, the Department of Education, local school divisions, charter schools

10. Technical amendment necessary: No.

11. Other comments: None.

Date: 01/28/04 / acd

Document: H\ bos\k12 legislation\2004 session\completed bills\HB380.doc.

cc: Secretary of Education
Secretary of Finance