

Department of Planning and Budget
2004 Fiscal Impact Statement - Final

1. Bill Number HB380

House of Origin ☐ Introduced ☐ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☒ Enrolled

2. Patron Lingamfelter

3. Committee Passed Both Houses

4. Title Charter School Excellence and Accountability Act.

5. Summary/Purpose: This bill amends the charter schools statute to (i) allow charter schools to contract with private institutions of higher education for school facilities, services, and other undertakings, including construction; (ii) 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; (iii) allow charter applicants to submit the proposed charter agreement to the Board of Education for review and comment, and to require inclusion of the Board's findings in the charter application to the local school board; (iv) 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); (v) delete the requirement that half the charter schools in the division be designed to benefit at-risk pupils, and instead direct school boards to give priority to applications designed to benefit these students, particularly those at-risk students currently served by schools that have not achieved full accreditation; (vi) direct the Board to report annually to the General Assembly the number of public charter school applications granted and denied, and the reasons for any such denials; and (vii) increase the maximum charter term from three to five years. The Board of Education must set objective criteria for the review and comment on the applications; the Board's comments cannot relate to whether the local school board should approve the application. The bill also amends 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 an ownership or financial interest in renovating, lending, granting, or leasing public charter school facilities, if such interest has been disclosed in the public charter school application. The provisions of this bill sunset on July 1, 2009.

6. Fiscal Impact: Final

7. Budget amendment necessary: No.

8. Fiscal implications: The bill would require the Board of Education to review any public school charter application submitted to it. This new provision would involve staff time and resources at the state level. 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: 03/26/04 / acd

Document: H\ bos\k12 legislation\2004 session\completed bills\HB380ER.doc.

cc: Secretary of Education
Secretary of Finance