

Department of Planning and Budget 2010 Fiscal Impact Statement

1. Bill Number: HB1390ER

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

2. Patron: Lingamfelter

3. Committee: Passed Both Houses

4. Title: Public charter schools; pre-certification and appeals

5. Summary: Requires the public charter school applicant to submit its proposed charter application to the Board of Education (BOE) and local school board for review. Prior to the submission of the application to the local school board, the applicant shall submit the application to the BOE for review, comment, and a determination as to whether the application meets the approval criteria developed by BOE.

6. Fiscal Impact Estimates: Final. See item 8.

7. Budget Amendment Necessary: No.

8. Fiscal Implications: Currently, applicants have the option of submitting a proposed charter school application to the BOE for review but it is not mandatory and BOE does not make any recommendations regarding approval. The enrolled version of the bill allows local school boards the ability to deny, revoke or fail to renew a charter agreement. A charter school applicant is entitled to petition the local school board for reconsideration. Each school board will establish a process for reviewing petitions of reconsideration which shall include an opportunity for public comment. Upon reconsideration, the decision of the school board is final and not subject to appeal.

The Department of Education (DOE) anticipates this legislation will result in additional costs associated with the review of such applications. However, it is assumed such costs can be absorbed within current resources by realigning current DOE staff responsibilities and reprioritizing the expenses of DOE as well as the BOE.

9. Specific Agency or Political Subdivisions Affected: Board of Education, Department of Education, and local school divisions.

10. Technical Amendment Necessary: No.

11. Other Comments: Identical to SB737.

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