

## SENATE JOINT RESOLUTION NO. 334

*Requesting the establishment of a joint subcommittee to study charter schools.*

Agreed to by the Senate, February 7, 1995  
 Agreed to by the House of Delegates, February 22, 1995

WHEREAS, 12 states have passed various forms of charter school legislation, beginning with Minnesota in 1991; and

WHEREAS, although charter school legislation differs from state to state, the basic concept remains focused on locally initiated, public schools, which are relieved of state and local controls and mandates to the extent possible and are controlled by the initiating groups; and

WHEREAS, the rationale for this basic concept is that autonomy from some legal restrictions would be exchanged for development of innovative programs with measurable goals and high academic standards; and

WHEREAS, the establishment of measurable goals and high academic standards are laudable aspirations, however, there are many issues related to legal authority for charter schools; and

WHEREAS, each state has its unique constitutional structure, with corresponding and specific state high court interpretations; and

WHEREAS, the provisions of any charter school bill must be carefully composed to conform to a state's generally accepted constitutional principles; and

WHEREAS, in the past several years, the Virginia General Assembly has seen the introduction of several charter school bills, however, the issues continue to need clarification and discussion; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That a joint subcommittee to study charter schools be hereby established. The joint subcommittee shall consist of nine members to be appointed as follows: four members of the Senate to be appointed by the Senate Committee on Privileges and Elections, and five members of the House of Delegates to be appointed by the Speaker.

In its deliberations, the joint subcommittee shall comprehensively examine the issues related to charter schools and shall provide a recommendation on the efficacy of such legislation after considering: (1) the provisions of other states laws; (2) actual operations of charter schools in other states, including, but not limited to, the number of students in the average school, the educational purpose, concept, or curricula of the schools, the method for establishing academic standards, accountability, and any revocations and the reasons for such revocations; (3) the focus of the organizing groups; (4) constitutional issues in other states and the interaction of the Constitution of Virginia with the various components of the charter school concept; (5) funding issues related to the charter school concept; and (6) the various components of charter school legislation, including, but not limited to, organizer eligibility, application process, charter eligibility, sponsoring authority, approval authority, governance, employment requirements, administrative responsibilities, limitations on the number of charters, contract terms and conditions, prescribed autonomy or waiver of legal requirements, curricula, student admissions, due process procedures for denials or revocations, accountability, and the state Board of Education's role.

The direct costs of this study shall not exceed \$5,400.

The Division of Legislative Services, the Senate Committee on Finance, and the House Committee on Appropriations shall provide staff support for the study. All agencies of the Commonwealth shall provide assistance to the joint subcommittee, upon request.

The joint subcommittee shall complete its work in time to submit its findings and recommendations to the Governor and the 1996 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents.

Implementation of this resolution is subject to subsequent approval and certification by the Joint Rules Committee. The Committee may withhold expenditures or delay the period for the conduct of the study.