

Department of Planning and Budget 2010 Fiscal Impact Statement

1. Bill Number: HB1390

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

2. Patron: Lingamfelter

3. Committee: Education

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) for review, comment, and a pre-certification recommendation prior to the submission of such application to a local school board. The BOE's review must include a recommendation as to whether the application should be approved by the local school division. Also, the bill provides for an opportunity for a public charter school applicant to appeal a local school board decision.

6. Fiscal Impact Estimates: Preliminary. 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.

In addition, this bill requires the BOE to establish an appeals process for any public charter school application that is denied by the local school board or any public charter school whose charter agreement has been revoked or was not renewed by a local school board. In all cases, the decision by the BOE to grant or deny a public charter school application would be final. At this time, there is no appeals process for public charter school applicants.

The Department of Education (DOE) anticipates this legislation will result in additional costs associated with the review of such applications and the administration of the appeals process. 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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