



Kentucky Charter School Law Bill

Bill Number: HB 63
Date Introduced: N/A
Sponsors: Representative Brad Montell

Summary

- The one authorizer is not independent from the state board.
- Charter schools need a sponsor before applying to the authorizer, which is an unnecessary layer of bureaucracy.
- Charters have a blanket waiver from most rules and regulations, giving them autonomy.
- Funding as written seems equitable, although no facilities assistance and money being distributed only by school board could be problematic.

Multiple Authorizers - NO

Approval Kentucky Public School Academy Commission, a charter board created by the Kentucky Board of Education.

Appeal Denial may be appealed to the Kentucky Board of Education, which can affirm or reverse the decision. Final appeal can be made to the Circuit Court in the county where charter will be located.

Number of Schools Allowed

Cap No cap.

Operations

State Autonomy Yes. Charters are granted a blanket waiver from most state and local rules and regulations. No mention of virtual schools. No discussion of whether or not nonprofit or for-profit EMOs are allowed, but based on discussion of "sponsors" throughout bill, I would assume no EMOs allowed.



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District Autonomy Yes. Charters are granted a blanket waiver from most local rules and regulations, including curriculum, operations and personnel decisions. Charters are required to provide transportation for attendance zone students. Charters are not their own LEA.

Teacher Freedom No. Teachers must participate in retirement system and receive all health insurance and benefit programs of other public school employees. Employees in a converted charter school are employees of local school board and are given same compensation and benefits.

Equity

Student Funding "A local school board shall distribute funds directly to a public school academy located in its district in an amount equal to the per pupil funding based on the average daily attendance and add-on funds that are allocated under the Support Education Excellence in Kentucky program pursuant to this chapter and any other categorical funds that are allocated to schools based on a per pupil basis or in lump sum grants. Other state, local and school district funds shall be distributed to an academy by using the same formulas and allocation processes as is used to distribute funds to any other school under its authority." (Sec. 9.2)"

All local, state and federal funding flows through the local board and is based on average daily attendance of the school; charters also receive any categorical funds. Charter schools are eligible to apply for federal and state competitive grants as their own LEA, giving them more direct opportunities to receive funding that align with their students and curriculum.

Charters may receive some transportation assistance, but only in specific circumstances.

Facilities Funds No facilities funding. Department will only make available a list of vacant and unused buildings to charter school, and charter is given first refusal.



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Additional Information

- No specific discussion of whether or not charter schools must participate in local teachers union - important to mention this to understand fully a charter's autonomy.
- A sponsor of a charter school is not an authorizer, which is confusing. There is only one authorizer - the Kentucky Public School Academy Commission, which approves or denies a charter school. A sponsor is a local board or university, which works with a charter as its manager and adviser. It is unclear if a charter must have a sponsor - EMOs should be an option, not a requirement.
- Charter is evaluated by both the sponsor and the authorizer, which creates a double layer of oversight and bureaucracy.
- Charter applications, for new starts and conversions, both need evidence that a charter is supported in the district. Conversions need 2/3 of staff and parents to support the change, which is a large percentage.
- The Kentucky Public School Academy Commission is not an independent charter board. It is created by and reports to the KY Board of Education, and consists of 9 members, 2 appointed by the governor, and 1 each from the Association of School Administrators, and the Association of School Boards, not making it very charter friendly.