

Kentucky’s law is new but weak. District authorizers, heavy regulation, and inequitable funding earn the state a “D” grade in CER’s rankings. To promote an innovative and robust charter sector, Kentucky’s legislators will have to consider dramatic changes to the law.

Kentucky’s law permits only districts to authorize charter schools, except in the big cities of Louisville and Lexington where the mayors may become authorizers. Despite their authorizing authority, Kentucky’s charter school regulations will hamper the ability of mayors in both cities to grow high quality charter sectors.

When charters open in Kentucky, they will be vulnerable to politics, as they must rely on a separate appropriation for funding. This tenuous funding arrangement is could prove disastrous for charter success and growth.

FAST FACTS

- Law passed: 2017
- Number of schools: 0
- Charter school enrollment: 0
- Kentucky doesn’t cap the number of charter schools
- Virtual charter schools are not permitted
- Charter schools may contract with education service providers but only with permission from state regulators

- Kentucky scores 6 out of 15 for “authorizing” because its law allows only for expanded authorizing (authorizers other than districts) in two large cities, Louisville and Lexington. Outside of these cities, only districts can authorize, which limits charter diversity and innovation.
- Because its law is new, the actual growth of Kentucky’s sector cannot be assessed. However, the law is unlikely to foster a flourishing charter sector, given the regulations to which it subjects charters, through district authorizers, and provisions that may deter prospective operators from establishing charters. CER awards Kentucky 10 out of 15 points for the potential it sector has to grow.
- Kentucky scores 8 out of 20 points for operations. The law provides blanket waivers from most regulations that affect districts. However, because districts will authorize most charters, charters will likely be vulnerable to regulations.
- Kentucky receives 3 of 15 points for “funding equity.” Charter school funding will be appropriated by the legislature each year, making charters vulnerable to politics and budget cuts.