

Charter School Compromise Proposal

Begin with LD 1553 as amended by the sponsor, and adopt the following additional amendments:

- **To strengthen oversight of authorizers, amend Section 2403, the role of the DOE/commissioner, to add the following:**

X. Principles and professional standards. The commissioner shall establish policies and practices consistent with nationally recognized principles and professional standards for authorizing public charter schools including standards relating to:

- A. Organizational capacity and infrastructure;
- B. Soliciting and evaluating applications;
- C. Performance contracting;
- D. Ongoing public charter school oversight and evaluation; and
- E. Charter renewal decision making.

Y. Investigation and sanctioning of authorizers. Consistent with the policies and practices established in Part X, the commissioner may investigate and, as appropriate, institute sanctions in response to deficiencies in authorizer performance or legal compliance.

(This section of LD 1553 allows the Department to adopt rules to implement these elements)

- **To limit the growth of charter schools in the early years, adopt the “ten-year pilot” language from last session’s LD 1438**, which would allow no more than 20 charter schools to be authorized by the state Charter Commission over the next 10 years. Conversions by SAU’s of existing public schools to charter schools would not count against this cap.
- **As a further limitation, strip the language allowing colleges and universities to authorize charter schools. Leave only SAU’s, the Commission or collaboratives of these as authorizers.**
- **To provide additional protection to smaller school districts, amend Section 2404 as follows:**

D. For school administrative units with an enrollment exceeding 500 students, a public charter school, unless authorized by a school administrative unit, may not enroll more than 10% of a school administrative unit's public school students per grade level in each of the first 3 years of the public charter school's operation. For school administrative units with a student enrollment of 500 students or less, a public charter school, unless authorized by a school administrative unit, may not enroll more than 5% of a school administrative unit's public school students per grade level in each of the first 3 years of the public charter school's operation.
- **To clarify the funding provisions**, amend Section 2415, Paragraph 2.A.(1) to include references to the Essential Programs and Services funding law, making it clear that the “per-pupil allocation” referenced in the bill is the EPS per-pupil rate, not actual per-pupil spending.
- **To clarify the authority of the State Charter Commission**, add language providing them with rulemaking authority.
- **To clarify various elements of the bill**, adopt Supt. Perry’s recommendations regarding charter school marketing (her bullet #3), and contracting (her bullet #5). Supt. Perry’s suggestion to remove college as authorizers is addressed above, as is her proposal to limit the percent of students in each grade level who can attend charters. Her concerns with the reporting and funding processes would be addressed as described below.

- To strengthen auditing oversight, add the following language under Section 2414:

7. External audit. A public charter school shall adhere to generally accepted accounting principles and shall annually engage an external auditor to do an independent audit of the school's finances. Such audit shall be submitted to the charter school authorizer upon completion and forwarded to the Department of Education.

- To strengthen the provisions governing virtual charter schools, adopt the following language under Section 2410:

(1) Frequent, ongoing monitoring to ensure and verify that each student is participating in the virtual public charter school, including proctored assessments each semester in core subjects graded or evaluated by the teacher, and at least biweekly parent teacher conferences in person or by telephone; including synchronous contact between teachers and students and teachers and parents to ensure and verify student participation and learning.

- Include in the bill unallocated language that:

- Prohibits the opening of charter schools prior to July 1, 2012, so that the committee has an opportunity to review, during the next legislative session, any proposed changes to the charter school statute.
- Requires the Department to develop, by November 1, 2011, the following:
 - Major substantive rules:
 - Establishing how special education services are to be provided to charter school students, including how such services are to be funded.
 - Establishing the process by which funds are transferred to charter schools.
 - Establishing the Commissioner's oversight and authority over charter school authorizers.
 - Standards and procedures for the approval of authorizers.
 - Any other rules or procedures deemed necessary, including clarifications of the applicability of existing laws to charter schools.
 - Charter school implementation processes, guidelines and materials.
- Authorizes the Department to submit legislation to the committee next session if statutory changes are deemed necessary.