

**ALABAMA STATE DEPARTMENT OF EDUCATION
OFFICE OF PUBLIC CHARTER SCHOOLS**

**GUIDELINES
FOR
ALABAMA PUBLIC CHARTER SCHOOLS**



The State Superintendent of Education is authorized to provide guidelines for the establishment, operation, and oversight of public charter schools pursuant to rules and regulations adopted by the Alabama State Board of Education. This working document does not attempt to address all components of Act 2015-3 or the rules and regulations. These guidelines will be revised as the Alabama State Department of Education (ALSDE) develops specific guidelines and detailed information.

Please send questions to pcs@alsde.edu.

OCTOBER 15, 2015



Guidelines for Alabama Public Charter Schools

INTRODUCTION

To provide for the establishment of public charter schools in Alabama, the 2015 Alabama Legislature announced its intent to accomplish all of the following:

- Provide school systems and communities with additional tools that may be used to meet the educational needs of a diverse student population.
- Encourage innovative educational ideas that improve student learning for students at all academic levels.
- Empower educators to be nimble and strategic in their decisions on behalf of students.
- Provide additional high-quality educational options for all students, especially students in low-performing schools.
- Create public schools with freedom and flexibility in exchange for exceptional results.
- Foster tools and strategies to close achievement gaps between high-performing and low-performing groups of public school students.

Public charter schools are part of the public education system in this state and must follow many of the same requirements as the public schools operated by local boards of education. Parents and community organizations interested in establishing a public charter school need to understand that establishment of an independent governing board for a public charter school does not remove the responsibility to operate a school that adheres to the federal requirements for public school students. In addition, the state requirements that provide for the health, safety, and welfare of public school students will be of paramount importance for public charter school students.

Authorization



On March 19, 2015, Governor Robert Bentley signed the Alabama School Choice and Student Opportunity Act. This Act allows authorizers to establish and oversee the operations of public charter schools subject to the requirements of this Act. Authorizers include the Alabama Public Charter School Commission and local boards of education that register as authorizers with the Alabama State Department of Education. This Act requires the Alabama State Department of Education to oversee the performance and effectiveness of all public charter school authorizers under rules and regulations adopted by the Alabama State Board of Education. These rules authorize the State Superintendent to provide these guidelines for the establishment, operation, and oversight of public charter schools in Alabama. Appendices are an integral part of the guidelines.



GLOSSARY

Act – The *Alabama School Choice and Student Opportunity Act* enacted as Alabama Act No. 2015-3 to provide for public charter schools.

Alabama Open Meetings Act – The state law requiring public agencies to provide advance notice of meetings.

Authorizer – The Commission or a local school board that may meet the requirements to approve or deny applications and contracts for public charter schools.

Commission – The Alabama Public Charter School Commission.

Department – The Alabama State Department of Education.

Fiscal Year – October 1 through September 30.

Governing Board – The independent board that governs a public charter school.

Local School Board – A city board of education or a county board of education that governs the school system responsible for providing the elementary and secondary education for students within its jurisdiction.

Local School System – An organization led by a local school superintendent to manage the operations of a local board of education.

NACSA – The National Association of Charter School Authorizers that provides standards for high-quality public charter school authorizers.

Rules – The regulations adopted by the Alabama State Board of Education for public charter schools and local boards of education for the provision of educational services to Alabama school students.



TABLE OF CONTENTS

Section 1	Public Charter School Students	
	Enrollment Eligibility	Page 1
	Enrollment Preferences	Page 1
	Facility Capacity	Page 2
Section 2	Public Charter Schools	
	Establishing a Public Charter School	Page 1
	Conversion and Start-Up Public Charter Schools	Page 1
	Public Charter School Employees	Page 2
	Financial Resources for Public Charter Schools	Page 3
Section 3	Public Charter School Authorizers	
	Local School Board Authorizers	Page 1
Section 4	Public Charter School Contracts	
	Public Charter School Contracts with Local School Board Authorizers	Page 1
	Performance of Public Charter Schools	Page 2
	Oversight by Local School Board Authorizers	Page 2
	Corrective Actions by Local School Board Authorizers	Page 3
Section 5	Alabama State Department of Education Responsibilities	
	Oversight of Authorizers	Page 1
	Authorizer Reports to Department	Page 2
	Public Charter School Cap	Page 3
	Registration of Local School Boards as Authorizers by Department	Page 3
	Reports by Department	Page 4
	Corrective Actions	Page 4



APPENDICES

NOTE: To access the following documents, please click on the Office of Public Charter Schools link provided. Document titles without links are currently being developed. Upon approval by the department, each document link will be provided below.

APPENDIX A

Rules and Laws for Charter Schools

- [Alabama School Choice and Student Opportunity Act](#)
- [Public Charter School Rules and Regulations](#)
- [Specific State Laws Related to the Act](#)

APPENDIX B

Timelines

- [Opportunities-Obligations-Timelines](#)
- [2015 Timelines](#)

APPENDIX C

Forms and Guidance

- [Charter Authorizer Registration](#)
- [Requests for Proposals Guidance for Start-Up Public Charter Schools](#)
- Sample Start-up Public Charter School Application
- Sample Charter Contract

APPENDIX D

Accountability, Student Assessment, and Records

- [Public Charter School Accountability](#)
- [Student Assessment](#)
- [Information Systems \(Student Records\)](#)

APPENDIX E

Guidance for Charter Schools

- [Career and Technical Education](#)
- [E-Rate](#)
- [Educational Technology](#)
- [Extracurricular-Interscholastic Activities](#)
- [Federal Programs](#)
- Instructional Services Support
 - [Alabama Math, Science, and Technology Initiative \(AMSTI\)](#)
 - [Alabama Reading Initiative](#)
 - [Instructional Services](#)
- [Research and Development](#)
- [Special Education Services](#)

APPENDIX F

Safety, Health, and Welfare

- [Child Nutrition Programs](#)
- [Pupil Transportation](#)
- [School Safety](#)
- [Health Services](#)



APPENDIX G

Employees

- [Educator Certification](#)
 - Certification, Criminal Background Checks, Fingerprinting
- [Educator Effectiveness](#)

APPENDIX H

Funding and Facilities

- [Public Charter School Funding](#)
- [Unused Facilities and Public School and College Authority Funds \(PSCA\)](#)

APPENDIX I

Resources

- [NACSA Principles and Standards for Quality Charter School Authorizing](#)
- [NACSA Core Resource: Charter School Application Process](#)
- [NACSA Core Resource: Charter School Application](#)
- [NACSA Core Replication: Charter School Application Evaluation Criteria](#)
- [NACSA Core Resource: Charter School Applicant Interviewer Guidance](#)
- [NACSA Core Performance Framework and Guidance](#)
- [U. S. Department of Education Letter with Resources](#)

Enrollment Eligibility

Any child who is eligible for attendance in public schools in the state may be eligible to attend a public charter school in Alabama. A public charter school is open to any student residing in Alabama. The residence of a student is the domicile of the student's custodial parent who may be the parent, guardian, or other person or entity having legal custody of the child. A public charter school cannot limit student admission based on ethnicity, national origin, religion, gender, income level, disability, proficiency in the English language, or academic or athletic ability. Student admission may be limited to students within a given age group or grade level.

Enrollment Preferences

A public charter school must first enroll students who reside within the local school system in which the public charter school is located. Enrollment preference is next given to students enrolled in the public charter school the previous school year and to siblings of students already enrolled in the public charter school. Children of the public charter school's founders, governing board members, and full-time employees may then be given enrollment preferences not to exceed ten percent of the school's total student population if enrollment capacity has not been reached. A public charter school may not deny enrollment preferences or admission to students who do not meet the mission, academic approach, or theme of the school including career technical education, visual and performing arts; liberal arts, classical education science, math, or technology. This includes students with disabilities, students of the same-gender, students with severe disciplinary issues, students at risk of academic failure, and students who are English learners.

A conversion public charter school must first enroll students who reside within the former attendance zone of the converting public school before opening the enrollment to students residing in the local school system. After providing enrollment preferences to students residing in the local school system, the conversion public charter school will follow the enrollment preferences in the preceding paragraph.



Facility Capacity

The student capacity of public charter schools is determined annually by the governing board of the public charter school in conjunction with the authorizer. In determining student capacity, the governing board would include factors such as facilities, personnel, financial, and legal considerations that affect the public charter school's ability to facilitate the academic success of its students and achieve the other objectives specified in the charter contract.

If the number of students that seek enrollment in the public charter school exceeds student capacity, the school will select students through a random selection process for the students who reside within the local school system in which the public charter school is located. The governing body of the public charter school must schedule a public meeting and follow all posting and notice requirements of the Alabama Open Meetings Act for the selection of students for enrollment.

Establishing a Public Charter School

A public charter school may only be established under the chartering authority of the Alabama Public Charter School Commission or the local school board in which the public charter school is located. If the local school board is not a registered authorizer, then the Commission will be the authorizer for public charter schools within the boundaries of the school system. A private, church, or nonpublic school may not establish a public charter school in Alabama.

Conversion and Start-Up Public Charter Schools

A local school board that is a registered authorizer may convert an existing public school to a public charter school to be governed by a tax-exempt governing board. The independent governing board will have a charter contract with the local school board but the public charter school will remain a part of the local school board. The local school board will request proposals for an education service provider to manage the conversion charter school and will negotiate the performance contract with the selected education service provider. The education service provider will contract with the conversion public charter school's governing board for the performance contract. The local school board will become the authorizer of the public charter school and will monitor the performance and legal compliance of the public charter school.

A local school board that is a registered authorizer must issue Requests for Proposals for quality public charter school applications for start-up public charter schools before November 1 of each calendar year. The Requests for Proposals for start-up public charter schools must comply with the requirements of the Act. Applications for a start-up public charter school will be submitted to the local school board in which the public charter school will be located. If the local school board is not a registered authorizer, then the application will be denied and the applicant may apply directly to the Commission as the authorizer. The authorizer will evaluate the application and approve or deny the application for a start-up public charter school based on the educational needs identified by the authorizer. The authorizer cannot approve a public charter school application that includes a parochial or religious theme, or includes admission requirements for students, such as financial means, academic proficiency, or particular skills or competencies. If the applicant intends to contract with an education service provider for substantial education or management services, this relationship must be articulated in the public charter school application.

If no action is taken on the application for a start-up public charter school by a local school board authorizer within sixty (60) days, the application is considered denied, and the applicant may appeal the denial to the Commission. The decision to approve or deny an application for a start-up public charter school will be made by the authorizer in a resolution adopted in an open meeting. An approval decision by the authorizer may include reasonable conditions that the public charter school applicant must meet before the charter contract is executed. If a public charter school application is denied, the resolution must clearly state the reasons for the denial. A denied applicant may subsequently reapply to that board in the following calendar year or appeal the denial to the Commission.

Authorizers may establish reasonable preopening requirements or conditions to monitor the start-up progress of newly approved public charter schools and ensure that they are prepared to open smoothly on the date agreed and to ensure that each school meets all building, health, safety, insurance, and other legal requirements for school opening.

A public charter school cannot charge tuition and may only charge student fees consistent with schools operated by local school boards in Alabama. Public charter school students will take the same standardized tests as the other Alabama public schools. A public charter school may pursue membership in the Alabama High School Athletic Association that would allow students to compete in high school sports. Public charter school students will not be eligible to participate in athletic programs of other local schools without the approval of the Alabama High School Athletic Association. A local school board cannot require a student to attend a start-up public charter school.

Public Charter School Employees

Employees and educational service providers will be subject to the same employee fingerprinting and background checks that apply to other Alabama public school employees. The employees of public charter schools will be subject to the requirements of the State Ethics Law. Public charter school teachers are exempt from the Alabama teacher certification requirements unless required by the public charter school contract or federal regulations. Employees of conversion public charter schools will be subject to state minimum salary schedules for teachers and school nurses. Participation in the Teachers Retirement System and Public Education Employees Health Insurance Plan is required for conversion public charter schools. Before the execution of the charter contract with the authorizer, the governing board of a start-up public charter schools will make an irrevocable determination of agency membership in the Teachers Retirement System and Public Education Employees Health Insurance Plan.

An employee, agent, representative, vendor, or contractor of a public charter school may not serve as an employee, agent, or representative of the authorizer of the public charter school.

Financial Resources for Public Charter Schools

A public charter school will receive funding from state and local education funding sources and must meet eligibility requirements in order to receive federal funds. A public charter school may receive funding from loans, voluntary donations, foundations, trusts, grants, and other public or private sources. The Act specifies that tuition may not be charged to students enrolled in the public charter school and that the student fees will follow the same requirements as those imposed on non-charter Alabama public schools.

State funding for a public charter school after the first fiscal year in operation will be based on the state Foundation Program funding of the local board of education where the public charter school student resides. The amount of state Foundation Program funds per student varies among school boards because of a variety of factors, including the number of students by grade level. The value of property in the local school district determines the local Foundation matching requirement for each school board. A public charter school will also be eligible to receive other state funds on the same basis as local boards of education.

State funding for a start-up public charter school in the first fiscal year of operation will be provided in the legislative appropriation called Current Units—an allocation to accommodate an increase in the number of students from the previous school year. (The Foundation Program funding for the current fiscal year is determined by the number of students at the beginning of the previous school year.) State funding for a conversion public charter school in the first fiscal year of operation will be provided by the authorizer from state Foundation Program funding received by the local board authorizer.

Local funding for a public charter school will be provided by the local board of education where the public charter school student resides. The amount of local funds per student that a local board of education will be required to send to a public charter school will vary among school boards because of a number of factors, some of which are included in the Act. Local funds per student will exclude those local funds of the school board that are designated for specific purposes such as debt payments, building projects, bus purchases, and local matching to receive other funds. The Act provides a maximum limit of local funds provided by a local school board to a start-up public charter school.

Local School Board Authorizers

A local board of education may register with the department for chartering authority within the boundaries of the school system overseen by the local school board. As an authorizer, the local board of education may approve the conversion of an existing school to a public charter school. An authorizer may also approve or deny an application to form a start-up public charter school within its boundaries. The denial of a start-up public charter school application may be overruled by the Commission and the Commission will become the authorizer of the public charter school.

In its role as public charter school authorizer, a local school board will issue and broadly publicize a Request for Proposals for public charter school applications in order to solicit, encourage, and guide the development of quality public charter school applications. In evaluating and reviewing charter applications, authorizers will employ procedures, practices, and criteria consistent with nationally recognized principles and standards for quality charter authorizing. The application review process will include thorough evaluation of each written charter application, an in-person interview with the applicant group, and an opportunity in a public forum for local residents to learn about and provide input on each application.

The department will establish a deadline for a local school board to register as an authorizer each calendar year. Before registering as an authorizer, the local school board and the local superintendent should be fully informed of the duties and responsibilities undertaken as a result of the decision to become an authorizer. In addition to the numerous requirements in the Act, the authorizer is subject to nationally recognized authorizing standards that are subject to change. The National Association of Charter School Authorizers (NACSA) outlines the responsibilities of a quality authorizer for maintaining high standards for public charter schools that will be utilized by authorizers in Alabama.

In deciding whether to approve charter applications, registered authorizers will:

- Grant charters only to applicants that have demonstrated competence in each element of the authorizer's published approval criteria and are likely to open and operate a successful public charter school.
- Base decisions on documented evidence collected through the application review process.
- Follow charter-granting policies and practices that are transparent, based on merit, avoid conflicts of interest, and avoid the appearance of a conflict of interest.

Public Charter School Contracts with Local School Board Authorizers

After approval of a charter school application, the local school board authorizer and the governing board of the approved public charter school will negotiate a charter contract that clearly sets forth the academic and operational performance expectations and measures by which the public charter school will be judged and the administrative relationship between the authorizer and the public charter school, including each party's rights and duties. The performance expectations and measures set forth in the charter contract will include, but need not be limited to, applicable federal and state accountability requirements. The performance provisions may be refined or amended by mutual agreement after the public charter school is operating and has collected baseline achievement data for its enrolled students. The governing board of the public charter school must have its 501(c)(3) tax-exempt status before beginning negotiations with the local school board authorizer.

If the approved public charter school intends to contract with an education service provider for substantial education or management services, the charter contract will require the education service provider to follow all state and federal laws applicable to the public charter school.

Within sixty (60) days of approval of a charter application, a local school board authorizer will enter into a fixed-term renewable contract between the governing board of a public charter school and the authorizer that outlines the roles, powers, responsibilities, and quantitative and qualitative performance expectations for each party to the contract. The charter contract will be signed by the president of the authorizer's board and the president of the public charter school's governing body. The authorizer must send the executed charter contract to the department within ten (10) days.

An employee, agent, or representative of an authorizer may not simultaneously serve as an employee, agent, representative, vendor, or contractor of a public charter school of that authorizer. A public charter school may not be required to purchase services from its authorizer but may choose to execute a separate annual service contract by mutual agreement with the local school board. Fees for the services purchased by the public charter school from the local school board authorizer will be clearly stated in the annual service contract.

An initial public charter school contract will be granted for a term of five (5) operating years. The charter contract term will begin on the public charter school's first day of operation. An approved public charter school may delay its opening for one (1) school year in order to plan and prepare for the school's opening. If the public charter school requires an opening delay of more than one (1) school year, the president of the public charter school's governing body shall request an extension from its local school board authorizer. The local school board authorizer may grant or deny the extension depending on the particular public charter school's circumstances.

Performance of Public Charter Schools

The local school board authorizer is responsible for monitoring the performance and legal compliance of the public charter school in accordance with the contract terms. The performance provisions within the charter contract will be based on a performance framework that clearly sets forth the academic and operational performance indicators, measures, and metrics that will guide the authorizer's evaluations of each public charter school. The performance framework will include indicators, measures, and metrics for, at a minimum, the following:

- Student academic proficiency, which includes, but is not limited to, performance on state standardized assessments.
- Student academic growth, which includes, but is not limited to, performance on state standardized assessments.
- Achievement gaps in both proficiency and growth between major student subgroups.
- Attendance.
- Recurrent enrollment from year to year.
- Postsecondary readiness for high schools.
- Financial performance and sustainability.
- Board performance and stewardship, including compliance with all applicable laws, regulations, and terms of the charter contract.

Annual performance targets will be set by each public charter school in conjunction with its local school board authorizer and will be designed to help each school meet applicable federal, state, and authorizer expectations. The performance framework will allow the inclusion of additional rigorous, valid, and reliable indicators proposed by a public charter school to augment external evaluations of its performance, provided that the local school board authorizer approves the quality and rigor of the school-proposed indicators and they are consistent with the purposes of this Act. The performance framework will require the disaggregation of all student performance data by major student subgroups (gender, race, poverty status, special education status, English learner status, and gifted status).

For each public charter school it oversees, the local school board authorizer will be responsible for collecting, analyzing, and reporting all data from state assessments in accordance with the performance framework.

Oversight by Local School Board Authorizers

A local school board authorizer will continually monitor the performance and legal compliance of the public charter schools it oversees, including collecting and analyzing data to support ongoing evaluations according to the charter contract. A local school board authorizer shall have the authority to conduct or require oversight activities that enable the authorizer to fulfill its responsibilities, including conducting appropriate inquiries and investigations, so long as those activities are consistent with the intent of the Act, adhere to the terms of the charter contract, and do not unduly prohibit the autonomy granted to public charter schools.

Corrective Actions by Local School Board Authorizers

If a public charter school's performance or legal compliance appears unsatisfactory, the local school board authorizer shall promptly notify the public charter school of the perceived problem and provide reasonable opportunity for the school to remedy the problem unless the problem warrants revocation, in which case the revocation timelines shall apply. Actions or incidents impacting the health, safety, and welfare of students attending the public charter school may require immediate revocation of the charter contract without regard to revocation notice and timelines. A local school board authorizer will have the authority to take appropriate corrective actions or exercise sanctions short of revocation in response to apparent deficiencies in public charter school performance or legal compliance. Such actions or sanctions may include, if warranted, requiring a school to develop and execute a corrective action plan within a specified time frame.

A charter contract may be revoked at any time if the local school board authorizer determines that the public charter school did any of the following:

- Commits a material and substantial violation of any of the terms, conditions, standards, or procedures required under the charter contract or state or federal laws.
- Fails to meet or make sufficient progress toward the performance expectations set forth in the charter contract.
- Fails to attain the minimum state proficiency standard for public charter schools in each year of its operation and over the charter term.
- Fails to meet generally accepted standards of fiscal management.
- Substantially violates any material provision of law from which the public charter school was not exempted.

A local school board authorizer will develop revocation and nonrenewal processes that do all of the following:

- Provide the charter holders with a timely notification of the prospect of revocation or nonrenewal and of the reasons for such possible closures.
- Allow the charter holders a reasonable amount of time in which to prepare a response.
- Provide the charter holders with an opportunity to submit documents and give testimony challenging the rationale for closure and in support of the continuation of the school at an orderly proceeding held for that purpose.
- Allow the charter holders access to representation by counsel, at the expense of the charter holder, and to call witnesses on their behalf.
- Permit the recordings of such proceedings.
- Require that after a reasonable period for deliberation a final determination be made and conveyed in writing to the charter holders.

If a local school board authorizer revokes or does not renew a charter, the authorizer shall clearly state in a resolution the reasons for the revocation or nonrenewal. Within fifteen (15) days of taking action to renew, not renew, or revoke a charter, the local school board authorizer shall report to the department the action taken and shall provide a copy of the report to the public charter school at the same time that the report is submitted to the department. The report shall include a copy of the local school board authorizer's resolution setting forth the action taken and reasons for the decision and assurances as to compliance with all of the requirements set forth in this Act.

Before a public charter school closure decision, a local school board authorizer shall have developed a public charter school closure protocol to ensure timely notification to parents; orderly transition of students and student records to new schools; and proper disposition of school funds, property, and assets in accordance with state laws. The protocol shall specify tasks, timelines, and responsible parties, including delineating the respective duties of the public charter school and the local school board authorizer.

The local school board authorizer will oversee and work with the closing public charter school to ensure a smooth and orderly closure and transition for students and parents, as guided by the closure protocol. The assets of the school will be distributed first to satisfy outstanding payroll obligations for employees of the public charter school, then to creditors of the school, and then to the State Treasury to the credit of the Education Trust Fund. If the assets of the public charter school are insufficient to pay all parties to whom the school owes compensation, the prioritization of the distribution of assets may be determined by decree of a court of law.

Transfer of a public charter contract, and of oversight of that public charter school, from one authorizer to another before the expiration of the charter term shall not be permitted except by special petition to the department by a public charter school or its authorizer. The department shall review such petitions on a case-by-case basis and may grant transfer requests in response to special circumstances and evidence that such a transfer would serve the best interests of the public charter school's students.

Oversight of Authorizers

The department will oversee the performance and effectiveness of all authorizers established under this Act. The department will conduct a special review of an authorizer with persistently unsatisfactory performance of the portfolio of the public charter schools of an authorizer, a pattern of well-founded complaints about the authorizer or its public charter schools, or other objective circumstances. In reviewing and evaluating the performance of an authorizer, the department will apply nationally recognized standards for quality in charter authorizing issued by the National Association of Charter School Authorizers. If at any time the department finds that an authorizer is not in compliance with an existing charter contract or the requirements of all authorizers under this Act, the department will notify the authorizer in writing of any identified problem and the authorizer will have reasonable opportunity to respond and remedy the problem.

If a local school board acting as an authorizer persists in violating a material provision of a charter contract or fails to remedy any other authorizing problem after due notice from the department, the department will notify the local school board within sixty (60) days after due notice that it intends to revoke the chartering authority of the local school board unless the local school board demonstrates a timely and satisfactory remedy for the violation or deficiencies.

If the Alabama Public Charter School Commission violates a material provision of a charter contract or fails to remedy any other authorizing problems after due notice from the department, the department will notify the Commission within sixty (60) days after due notice that it intends to notify the Governor, the Speaker of the House of Representatives, and the President Pro Tempore of the Senate of the actions of the Commission unless the Commission demonstrates a timely and satisfactory remedy for the violation of the deficiencies. Along with this notification, the department will publicly request in writing that the Governor, the Speaker of the House of Representatives, and the President Pro Tempore appointees comply with the requests of the department or face a revocation of their appointment to the Commission.

In the event of revocation of the chartering authority of a local school board authorizer, the department will manage the timely and orderly transfer of each charter contract held by that authorizer to another authorizer in the state, with the mutual agreement of each affected public charter school and proposed new authorizer. If an agreement for the transfer of a charter contract to a local school board authorizer cannot be reached in a timely manner, the Alabama Public Charter School Commission will be the sole option for the continuation of the charter contract. The new authorizer shall assume the existing charter contract for the remainder of the charter term.

The transfer of a charter contract and of oversight of that public charter school from one authorizer to another before the expiration of the charter term will not be permitted except by special petition to the department by the public charter school or its authorizer. The department will review the petitions on a case-by-case basis and may grant transfer requests in response to special circumstances and evidence that such a transfer would serve the best interests of the public charter school's students.

Authorizer Reports to Department

Within thirty (30) days of taking action to approve or deny a charter application, the authorizer will report to the department the action it has taken. The authorizer will provide a copy of the report to the charter applicant at the same time that the report is submitted to the department. The report will include a copy of the authorizer's resolution setting forth the action taken and reasons for the decision and assurances of compliance with all of the requirements of the Act.

Within fifteen (15) days of taking action to renew, not renew, or revoke a charter, the authorizer will report to the department the action taken. The authorizer will provide a copy of the report to the public charter school at the same time that the report is submitted to the department. The report will include a copy of the authorizer's resolution setting forth the action taken and reasons for the decision and assurances of compliance with all of the requirements in the Act.

An authorizer will submit to the State Board of Education a publicly accessible annual report within sixty (60) days after the end of each fiscal year summarizing all of the following:

- The authorizer's strategic vision for chartering and progress toward achieving that vision.
- The academic and financial performance of all operating public charter schools overseen by the authorizer, according to the performance measures and expectations specified in the charter contracts.
- The status of the public charter school portfolio of the authorizer, identifying all public charter schools within that portfolio as one of the following:
 - Approved, but not yet open.
 - Open and operating.
 - Terminated.
 - Closed, including year closed and reason for closing.
 - Never opened.
- The oversight and any services provided by the authorizer to the public charter schools under the purview of the authorizer.
- The authorizing functions provided by the authorizer to the public charter schools under its jurisdiction, including the operating costs and expenses of the authorizer as detailed in annual audited financial statements that conform to generally accepted accounting principles.
- All use of taxpayer dollars including expenditures, contracts, and revenues in the format required by the State Superintendent of Education.

Public Charter School Cap

There is no limit on the number of conversion public charter schools that may be approved by local school board authorizers. No more than ten start-up public charter schools may be approved statewide by local school board authorizers and the Commission in each fiscal year through September 30, 2021. The authorizers will send the public charter school approval resolutions to the department within thirty (30) days after the authorizer's decision to approve a start-up public charter school application. The approval resolutions must include the documentation required by the Act. The department will provide notification to all public charter school authorizers to deny approval of start-up public charter school applications after the department has received ten (10) authorizers' approval resolutions in the fiscal year. Start-up public charter school applications approved by authorizers after the tenth approval resolution is received by the department in a fiscal year will be declared invalid. After September 30, 2021, authorizers will not be subject to an annual limitation on the number of start-up public charter schools.

Registration of Local School Boards as Authorizers by Department

A local school board may register with the department for chartering authority within the boundaries of the school system overseen by the local school board. The department will publicize to all local school boards the opportunity to register with the state for chartering authority within the school system they oversee. Before June 1 of each calendar year, the department will provide information about the opportunity to register as a public charter school authorizer, including a registration deadline, to all local school boards. To register as a public charter school authorizer in its school system, the local school board will submit the following information in a format to be established by the department:

- Written notification of intent to serve as a public charter school authorizer in accordance with the Act.
- An explanation of the local school board's capacity and commitment to execute the duties of quality charter authorizing of the National Association of Charter School Authorizers (NACSA) and the Act.
- An explanation of the local school board's strategic vision for approval or denial of public charter school applications.
- An explanation of how the local school board plans to solicit public charter school applicants in accordance with the Act.
- A description or outline of the performance framework the local school board will use to guide the establishment of a public charter school contract and for ongoing oversight and evaluation of public charter schools consistent with the requirements of the Act.
- A draft of the local school board's renewal, revocation, and nonrenewal processes consistent with the Act.
- A statement of assurance that the local school board commits to serving as a public charter school authorizer and shall fully participate in any authorizer training provided or required by the state.

Reports by Department

The department will provide an annual report on the state's public charter schools to the Governor, the Legislature, and the public that includes information from the annual reports submitted by every authorizer as well as any additional relevant data compiled by the department. The annual report will include a comparison of the performance of public charter school students with the performance of academically, ethnically, and economically comparable groups of students in non-charter public schools. The annual report will also include the department's assessment of the successes, challenges, and areas for improvement in meeting the purposes of the Act, including the department's recommendations as to any suggested changes in state law or policy necessary to strengthen the state's public charter schools.

After the conclusion of the 2019-2020 fiscal year, the department will submit a report to the Legislature outlining the performance of both start-up and conversion public charter schools. This report will include the academic performance of all public charter schools in the state, a detailed update on the authorizing process, and recommendations for adjustments to public charter school governance and oversight.

Corrective Actions

The State Superintendent of Education may withhold state funds from a public charter school that fails to provide data necessary to calculate the cost of the Foundation Program and other state funds. The State Superintendent of Education may also withhold state or federal funds from a public charter school that fails to successfully complete other reporting requirements as set forth by the State Superintendent of Education. Reporting requirements may include submission of reports and forms in electronic formats compatible with the requirements for local school boards.

A public charter school and education service providers must cooperate with the department and all public agencies in assuring the health, safety, and welfare of students, including allowing access to facilities and records necessary for authorized agents of the department and other public agencies to fulfill their responsibilities.