



KENTUCKY DEPARTMENT OF EDUCATION

NEWS RELEASE

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KENTUCKY BOARD OF EDUCATION APPROVES CHARTER SCHOOL PRINCIPLES

(FRANKFORT, Ky.) – At its meeting in Frankfort Wednesday, the Kentucky Board of Education (KBE) approved a framework for charter schools, should the General Assembly consider public charter school legislation in the upcoming session. Currently, Kentucky is one of seven states that does not offer charter schools.

Charters are public schools in which an authorizer and charter operator enter into a performance-based contract, or charter, that spells out the school's governance, funding, accountability and flexibility, among other things.

At a study session Nov. 28, the board learned that there is a wide variety among charters including who can authorize them, who can run them, funding and student performance results.

While the board did not vote to support charter schools, it did advance a list of best practices it hopes the legislature will consider if it moves forward with charter legislation.

"I think we are open to these principles because of the possibility to advance student learning," board member Mary Gwen Wheeler said. "And, at the same time we want to be sure we are minimizing negative consequences."

Among the other principles for charter schools, to which the board agreed:

- Local boards of education should be the authorizers of charter schools. The KBE recognizes that authorizers are the driver of quality and the quality is most important for students. If multiple authorizers are allowed, the number of authorizers should be capped and limited to nonsectarian; nonprofit organizations; local governments and universities. The Kentucky Board of Education should be the final arbiter for approving conflicts and in providing oversight of the state charter initiative.
- Charter school applicants and providers must be non-profit, nonsectarian and cannot be wholly or partially governed by a group that is a religious denomination or affiliation.
- Authorizers should focus on approving applications that target at-risk and/or under-served populations of students while also demonstrating the capability and competence of the applicant to execute its vision. A charter school application must demonstrate support from local parents and the community. If an applicant is rejected, an appeal process should be handled by the Kentucky Board of Education.
- Conversion charters should be restricted to low-performing schools.
- Kentucky certification is to be required for teachers in charter schools.
- A charter school should be available to any parent/guardian in the district, or in a defined region for a regional charter school, who wishes to enroll their child. Students cannot be excluded due to a disability or any other characteristic. If the number of students exceed space, a free and fair lottery should be held to determine enrollment.
- Charter schools should be held to the same assessment and accountability standards as other public schools as well as the academic progress goals set forth in the charter contract with the authorizer.

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- Charter schools should receive an exemption from state and local laws/regulations excluding regulations regarding accountability, health, safety, civil rights, employee background checks, open meetings, the Freedom of Information Act requests, and accounting practices.
- Charter schools should be required to provide special education evaluation and services just like other public schools.
- There should be fair and equitable funding for all schools and funding for charter schools should not detrimentally impact the funding provided to other public schools in a district. Charter schools should have access to capital funding and public facilities.
- Charter schools should have access to transportation funding. The state also should incentivize collaboration between districts and charters to promote the safe and efficient transportation of students.

Board member Gary Houchens said he hopes the General Assembly will recognize the board's work, yet acknowledges that the lawmakers can do whatever they wish with the recommendations.

"In some ways it makes what we have done here today a symbolic act, nevertheless a very important act. And, we have exercised our responsibility as board members to speak on behalf of all the students of the state on this issue. And though we have come at it from a multitude of perspectives, I'm terribly proud of this group that we have worked together to try and find a set of principles that we can agree on collectively. I think it speaks volumes about this board and its commitment to the cause of education."

In addition to advancing best policies and practices as the General Assembly considers establishing charter schools, the Kentucky Department of Education's primary focus in the upcoming legislative session will be advancing and aligning Kentucky's accountability system with the new requirements of the Every Student Succeeds Act (ESSA). Other policy initiatives include addressing the unfunded liability faced by the Teachers' Retirement System (TRS) and the Kentucky Retirement Systems (KRS) and continued improvement of career and technical education (CTE) and expansion of CTE opportunities throughout the state.

In other actions the board approved:

- the Carl D. Perkins Consolidated Annual Report of 2015
- 703 KAR, 5:070, Inclusion of Special Populations in the State-Required Assessment and Accountability System
- the adoption of a Physical Activity Assessment Tool
- new district facility plans for Barbourville Independent, Clay County, Elizabethtown Independent and Russellville Independent
- 2016-17 local district tax rates levied
- 2016-17 local district working budgets
- a recommendation to the Interim Joint Committee on Appropriations and Revenue of the Kentucky Department of Education's Capital Funds Request Guidelines for Fiscal Year 2017-18
- the commissioner's evaluation document

Also at its meeting, the board received an update on the development of a new accountability system including news that the United States Department of Education is allowing additional time for states to submit their Every Student Succeeds Act (ESSA) plans. Kentucky now intends to submit its application in September 2017.

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Page 3 – KBE approves charter principles

Additionally, the board received updates on the Professional Growth and Effectiveness System and its alignment with the Kentucky Teacher Internship Program; the Race to the Top Early Learning Challenge Grant and results from the 2016 administration of the Kindergarten Entry Screener, which overall remained unchanged from last year.

At its meeting Wednesday, the board reviewed:

- goals and strategy results (Delivery) for 2016
- 704 KAR 7:051, Repeal of 704 KAR 7:050, Student Discipline Guidelines
- 702 KAR 6:090, Minimum Nutritional Standards for Foods and Beverages Available on Public School Campuses During the School Day; Required Nutrition and Physical Activity Reports
- reports on districts under state management: Breathitt and Menifee Counties
- reports on districts in state assistance: Fleming and Robertson Counties and Caverna Independent

And the board received a primer on SEEK (Support Education Excellence in Kentucky), the state's main funding formula for schools.

Supporting materials for the meeting are available on the [board's online portal](#).

The next regular meeting of the Kentucky Board of Education is scheduled for February 8, 2017 in Frankfort.

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