

# IMPLEMENTATION OF CHARTER SCHOOLS IN ALABAMA

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# ALABAMA SCHOOL CHOICE AND STUDENT OPPORTUNITY ACT

- The SB45 bill was introduced in the Alabama State Senate by Senate Pro Tem Del Marsh on February 25, 2015, and was sponsored in the State House by Representative Terri Collins. It was signed by Governor Bentley on March 20, 2015.
- Now codified at Code of Alabama Section 16-6F-1 through Section 16-6F-11.

# WHAT ARE CHARTER SCHOOLS?

- Charter schools are public schools of choice, meaning that families choose them for their children.
- They operate with freedom from some of the regulations that are imposed on district schools.
- Charter schools are accountable for academic results and for upholding the promises made in their charters.
- They must demonstrate performance in the areas of academic achievement, financial management, and organizational stability...

# TYPES OF PUBLIC CHARTER SCHOOLS

- **Start-Up Public Charter School** - A school that did not exist as a non-charter school public school. It is open to any child that resides in the state. Charter authorizers cannot approve more than 10 start-ups in a fiscal year. After 5 years, the cap is removed.
- **Conversion Public Charter School** - A public charter school that existed as a non-charter public school before becoming a public charter school. A conversion public charter school shall adopt and maintain a policy giving enrollment preference to students who reside within the former attendance zone of the public school.

# WHO CAN OPEN THESE SCHOOLS?

- Educators, Community members, Parents, Entrepreneurs, Existing schools converted to charter schools.
- SECTION 16-6F-4
  - (1) Defines **Applicant** as any group with 501(c)(3) tax-exempt status or that has submitted an application for 501(c)(3) status that develops and submits an application for a public charter school to an authorizer.
  - (4) It Defines an **Authorizer** as an entity authorized to review applications, approve or reject applications, enter into charter contracts with applicants, oversee public charter schools, and decide whether to renew, not renew, or revoke charter contracts.

# PROCEDURE

- 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 application goes directly to the Commission (APCSC).
- If the applicant is not satisfied with the local board decision, it can appeal to the Commission.
- A private, church, or nonpublic school may not establish a public charter school in Alabama.
- A local school board that is a registered authorizer may convert an existing public school to a public charter school \* *MPS was not an authorizer but through Intervention, they have become an authorizer for charter schools.*

# AUTHORIZERS

- The Alabama Public Charter School Commission (Commission) OR a local school board that has met the requirements to approve or deny applications and contracts for public charter schools.
- The Commission is composed of a total of 11 members, 10 being appointed by the State Board of Education and the eleventh member shall be a rotating position based on the local school system where the application was denied.
- The National Association of Charter Schools Authorizers (NACSA) provides standards for high quality public charter school authorizers and makes recommendations.

# MISSION OF THE COMMISSION

- To authorize high quality public charter schools
  - To accomplish this mission, they are to utilize the NACSA and look to its recommendations.
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# WHO CAN ATTEND THESE SCHOOLS?

- A public charter school is open to any student residing in Alabama.
  - Student admission may be limited to students within a given age group or grade level.
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# ENROLLMENT PREFERENCES

- **Start-Up Charter Schools** must enroll **1.** Students who reside within the local school system in which the public charter school is located. **2.** Students enrolled in the public charter school the previous school year and to siblings of students already enrolled. **3.** Children of the public charter school's founders, governing board members, and full-time employees with limitations.
- **Conversion Charter Schools** must enroll **1.** Students who reside within the former attendance zone of the converting public school. **2.** Then must follow the enrollment preferences for Start-Up Charter schools.

# PUBLIC CHARTER SCHOOL EMPLOYEES

- Subject to the same employee fingerprinting and background checks that apply to other Alabama public school employees.
- Subject to the requirements of the State Ethics Law.
- Exempt from the Alabama teacher certification requirements **unless** required by the public charter.
- Participation in the Teachers Retirement System and Public Education Employees Health Insurance Plan is **required only** for conversion public charters.
- As for Start-Ups, the governing board will make an irrevocable determination of agency membership in the **Teachers Retirement System** and **Public Education Employees Health Insurance Plan**.

# GOVERNING BOARD

- In Alabama, it is the independent board that governs a public charter school and it is parties to the charter contract *with* the authorizer.
- Governing board shall have 20% of its membership as parents of student(s) who attend, have attended or will attend the charter school.

# WHO ARE CHARTER SCHOOLS ACCOUNTABLE TO?

- Sponsors that grant them
- Parents who chose them
- Public that funds them

IF A CHARTER SCHOOL DOES NOT MEET SET  
STANDARDS, THEY ARE CLOSED.

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# HOLD THEM ACCOUNTABLE

- If it warrants it, challenge the opening;
- If we don't our students will suffer and our members will suffer;

AT THIS POINT, BECAUSE THE LAW IS STRICT AND NEW  
IN ALABAMA, FEW KNOW WHAT THEY ARE DOING.

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# START-UPS IN ALABAMA

## OPEN

1. ACCEL Day & Evening Academy – Acceleration -1<sup>st</sup> tuition free charter school 9<sup>th</sup> – 12<sup>th</sup>; Services Mobile, Baldwin and Washington Counties; contract signed

## APPROVED TO OPEN IN 2018

1. University Charter School - Livingston , AL; contract signed
2. LEAD Academy – Montgomery, AL

## APPROVED TO OPEN 2019

1. Legacy Prep – Birmingham, AL – previously called STAR; contract signed
2. SLAM - Huntsville, AL

# CONVERSION CHARTER SCHOOLS

- Montgomery Education Foundation through state Intervention purported to convert 5 schools in Montgomery namely, Sidney Lanier High School, E.D. Nixon Elementary, Davis Elementary, Bellingrath Middle School and Floyd Elementary School beginning in 2019 through 2022.

Are there any schools in your local areas that are open and functioning as conversion charter schools?

# BACK TO LEAD ACADEMY

- Started as Infinity Learning Center...
- There were 5 members on the board...none of them had school administration experience.....Chair of the board admitted she didn't know how to run a school...
- When it was INFINITY it was **CONDITIONALLY APPROVED** and the same was abandoned for reasons unknown...
- Same board has come back now as LEAD Academy...

# LEAD ACADEMY

- The application was submitted directly to the Commission *since* the local school board was not an authorizer.
- The application was submitted to NACSA for review and recommendation.
- NACSA reviewed the LEAD Application and recommended that the application be DENIED.

# LEAD ACADEMY(NACSA REPORT)

NACSA grades the applications on 3 criteria – p.3 (bottom right column)

- EDUCATIONAL PROGRAM DESIGN & CAPACITY – curriculum and instruction
- OPERATIONS PLAN & CAPACITY – professional development, staffing, governing board
- FINANCIAL PLAN & CAPACITY – budgets and financial management

# LEAD ACADEMY(NACSA REPORT)

There can be 3 ratings given in these areas (p.4 in left column)

- MEETS THE STANDARD –application reflects a thorough understanding;
- PARTIALLY MEETS THE STANDARD – application meets standard in some respects but lacks detail;
- DOES NOT MEET THE STANDARD – the response is wholly undeveloped.

# LEAD ACADEMY(NACSA REPORT)

Page 6 (at the top) you will see that the EXECUTIVE SUMMARY shows that NACSA made the recommendation that LEAD Academy be DENIED. Note: The rest of that page summarizes.

- P. 7 - gives breakdown of why LEAD Academy partially met standards in the Educational Program Design Category – there was no clear and comprehensive education program;
- P. 8 gives breakdown of how LEAD partially met standards in the Operations Plan and Capacity Category – no clear delineation of roles, responsibilities or lines of authority between those involved;
- P. 9 gives breakdown of how and why LEAD partially met standards in the Financial Plan & Capacity Category.

# LEAD ACADEMY

Since the goal of the commission is to authorize high quality public schools – you would think that if the NATIONAL REPORT said DENY, the Commission would follow that recommendation –

**BUT NOT SO**

# WHO WERE THE LAWYERS ON THE LEAD ACADEMY CASE?

- What was discovered with LEAD and the COMMISSION and why did we file a lawsuit?
- What issues were raised and what were the opposing counsels' responses?
- What problems did we discover with their CMO and its founder?
- What were we able to accomplish at the trial level?
- What is the current status?