



**This Bill Analysis
reflects the contents
of the bill as it was
presented in
committee.**

SENATE BILL 176: Charter School Grade Level Expansion

2015-2016 General Assembly

Committee:	Senate Education/Higher Education	Date:	March 25, 2015
Introduced by:	Sen. Rabin	Prepared by:	Drupti Chauhan
Analysis of:	First Edition		Committee Counsel

SUMMARY: *Senate Bill 176 would allow grade level expansion in charter schools situated in localities that meet certain criteria.*

[As introduced, this bill was identical to H181, as introduced by Rep. Lewis, which is currently in House Education - K-12.]

CURRENT LAW: A charter school does not have to obtain the approval of the State Board of Education (SBE) to do any of the following: (i) increase enrollment during the second year of operation and annually thereafter by up to 20% of the previous year's enrollment; (ii) increase enrollment in its second year of operation as authorized by its charter; (iii) expand to offer one grade level higher than it offers if it has operated for 3 years and is not identified as having inadequate performance.

Until September 1, 2015, a charter school also does not need prior approval of the SBE in order to expand one grade level higher or lower than it currently offers if it meets all of the following:

- The student academic outcomes for the year prior to expansion are comparable to the academic outcomes of the local school administrative unit (LEA) in which the charter is located.
- The charter school has financially sound audits for the year prior to the expansion.
- The charter school is in compliance with State law, federal law, the school's own by-laws, or the provisions of its charter granted by the SBE.
- The charter school has been in operation for less than 3 years.

The charter school does have to provide documentation of these 4 requirements to the SBE. The SBE must allow it to expand one grade level higher or lower unless the SBE finds that the charter school has not met the 4 requirements or other exceptional circumstances exist which justify not allowing the expansion.

BILL ANALYSIS: Senate Bill 176 would allow a charter school that was given a charter to open an elementary school in the 2014-2015 school year to expand to include a middle school that serves grade 6 during the 2015-2016 school year without having to obtain SBE approval if the charter school is located in a county that meets all of the following criteria:

- The county is adjacent to a county with a major military installation.
- The county's population is greater than 100,000 from the 2010 Census.
- The population percent change of the county since the 2010 Census exceeds 8% as determined by the United States Census Bureau.

EFFECTIVE DATE: The bill would become effective when it becomes law.

