



# HOUSE BILL 800: Various Changes to Charter School Laws.

2017-2018 General Assembly

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<b>Committee:</b> Senate Rules and Operations of the Senate	<b>Date:</b> June 27, 2017
<b>Introduced by:</b> Reps. Bradford, Saine, Stone, Grange	<b>Prepared by:</b> Drupti Chauhan
<b>Analysis of:</b> Fourth Edition	Committee Counsel

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**OVERVIEW:** *House Bill 800 makes various changes to charter school laws and the North Carolina Virtual Public School.*

## **PART I. Allow Employees of Education or Charter Management Organizations to Serve as Teachers**

**Current Law:** G.S. 115C-218.90 requires the charter school's board of directors to employ and contract with teachers for the charter schools.

**Bill Analysis:** The board of directors would also be able to contract with an education management organization or charter management organization to employ and provide teachers for the school.

## **PART II. Modify Decision Timeline for Charter School Fast-Track Replication Application Process**

**Current Law:** S.L. 2016-79 requires State Board of Education (SBE) rules for the fast-track replication process for charters provide that decisions by the SBE on whether to grant a charter through the replication process be completed no later than October 15 of the year immediately preceding the year of the proposed school opening.

**Bill Analysis:** The bill would require the rules to provide that decisions be completed in less than 120 days from the application submission date for fast track replications.

**Effective Date:** This section would be effective when the bill became law and would apply beginning with applications submitted for fast-track replication of schools opening in the 2018-2019 school year.

## **PART III. Expansion of Growth Exception for Material Revisions of Charters**

**Current Law:** Enrollment growth of more than 20% is considered a material revision of a charter and requires approval by the SBE. The SBE may approve enrollment growth of greater than 20% only if it finds 5 specific items including: (i) actual enrollment is within 10% of maximum authorized enrollment; (ii) there are commitments for 90% of the requested maximum growth; (iii) the school is not identified as low-performing; (iv) the school meets generally accepted standards of fiscal management; and (v) the school is substantially in compliance with the law, its own by-laws and its charter.

**Bill Analysis:** The bill would provide that enrollment growth of greater than 20% would be considered a material revision of a charter for any charter that is identified as low-performing. The SBE may approve enrollment growth of greater than 20% for a low-performing charter school only if it finds all of the following: (i) actual enrollment is within 10% of maximum authorized enrollment; (ii) there are commitments for 90% of the requested maximum growth; (iii) the school meets generally accepted

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standards of fiscal management; and (iv) the school is substantially in compliance with the law, its own by-laws and its charter.

For charter schools that are not identified as low-performing, enrollment growth of more than 25% would be considered a material revision of the charter that would require approval by the SBE. In this case, the SBE may approve enrollment growth of greater than 25% only if it finds all of the following: (i) actual enrollment is within 10% of maximum authorized enrollment; (ii) there are commitments for 90% of the requested maximum growth; (iii) the school meets generally accepted standards of fiscal management; and (iv) the school is substantially in compliance with the law, its own by-laws and its charter.

**Effective Date:** This section is effective when it becomes law and applies to approvals for material changes on or after that date.

## **PART IV. Enrollment Priorities for Students Previously Enrolled in Charters**

**Current Law:** Charter schools may give enrollment priority to various groups of students including siblings; children of the schools' employees and boards of directors (limited to 15% of the enrollment unless a waiver is granted by the SBE); and students enrolled in other charter schools in the previous year that do not offer the student's next grade level.

**Bill Analysis:** The bill would add another enrollment priority category for students who were enrolled in another charter school in the State in the previous school year.

## **PART V. Charter Schools and NC Pre-K**

**Current Law:** Charter schools can currently run NC Pre-K programs if they meet the requirements of the program, including the rules and regulations for child care established by the Division of Child Development and Early Education at the Department of Health and Human Services, such as having teachers licensed in birth through kindergarten. Traditional public schools do have an exemption from building standards for a child care facility under G.S. 115C-521.1.

**Bill Analysis:** The bill directs the Office of Charter Schools to assist charter schools that wish to participate in the NC Pre-K program. It also allows a charter school to give enrollment priority to a student who was enrolled in a preschool program in the prior year that was operated by that charter school. Finally, the PCS creates a new statute that specifies that charter schools may apply to participate in the NC Pre-K program as a local program site. A charter school can request assistance from the Office of Charter Schools regarding its application if it meets the following: (i) has operated as charter school for at least 3 school years; (ii) is not identified as low-performing; (iii) meets generally accepted standards of fiscal management; and (iv) is in substantial compliance with the law, its own by-laws and its charter.

The Office of Charter Schools along with the Division of Child Development and Early Education at the Department of Health and Human Services must assist a charter school with determining whether the charter school's proposed program would meet the specific building standards set out below and any other State standards required for the charter school to be licensed as a child care facility and site standards for NC Pre-K. Charter schools that otherwise meet all of the requirements for a child care facility license may use an existing or newly constructed classroom for 3 and 4 year old students without modifications if the classroom meets the following: (i) has at least 1 toilet and sink for hand washing; (ii) meets kindergarten standards for overhead light fixtures, floor, walls, and ceilings; and (iii) has floors, walls, and ceiling that are mold, mildew, and lead hazard free. These standards are the same as what is required of the traditional public schools. G.S. 115C-521.1.

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## **PART VI. North Carolina Virtual Public School (NCVPS)**

**Bill Analysis:** The bill would make modifications to the NCVPS, that include: (i) providing that the Director of NCVPS must ensure that course quality standards are met for courses developed by NCVPS; and (ii) repealing the requirement that all e-learning opportunities are consolidated under NCVPS. The provision also allows local school administrative units to partner with providers other than NCVPS for e-learning opportunities. These other providers must (i) be accredited by a regional accrediting agency; (ii) employ teachers who hold teaching licenses from states that are in the NASDTEC Educator Identification Clearinghouse; and (iii) ensure that the courses offered to North Carolina students are aligned to the North Carolina Standard Course of Study.

**Effective Date:** This section is effective when it becomes law.

## **PART VII. Reorganize Statute on State and Local Funds**

**Bill Analysis:** This section reorganizes the statute on State and local funds for charter schools.

**PART VIII. Effective Date** Except as otherwise provided, the bill would become effective when it becomes law and apply beginning with the 2017-2018 school year.