

# State Policy Trends

February 17, 2022  
10 am PT

NATIONAL NETWORK FOR DISTRICT AUTHORIZING

---

CALIFORNIA CHARTER AUTHORIZING PROFESSIONALS (CCAP)

COLORADO ASSOCIATION OF CHARTER SCHOOL AUTHORIZERS (CACSA)

FLORIDA ASSOCIATION OF CHARTER SCHOOL AUTHORIZERS (FACSA)

# Presenters

---

**Todd Ziebarth**, National Alliance for Public Charter Schools

**David Patterson** and **Tom Hutton**, California Charter Authorizing Professionals

**Alex Medler**, Colorado Association of Charter School Authorizers

**Melissa Brady** and **Wendy Dodge**, Florida Association of Charter School Authorizers

# National Context & Outlook

---

Todd Ziebarth, National Alliance for Public Charter Schools.



# California State Policy Trends

---

## Prohibition of for-profit charters

- AB 406 of 2018: cannot be operated by for-profit corporation, EMO, or CMO
- Other states already had restrictions; Dem 2020 campaigns
- Proposed U.S. House budget provision would block federal funds
  - Imprecise wording
- Laws can be circumvented, but authorizers have more leverage on “sweeps” contracts and tail-wagging-the-dog

# California State Policy Trends

---

## Virtual school (non-classroom based)

- AB 1505 imposed moratorium on new NCB schools
- AB 130 of 2021 extended to Jan. 2025
- High-profile scandals like A3 Schools, and incentive controversies
- More time to address legislatively
- Funding formula controversies nationally
- COVID impact on online learning generally



# California State Policy Trends

---

## Considering community interest in evaluating applications

- Other state laws consider impact on district
- CA context: Authorizer approves application unless...
- AB 1505 of 2019 adds ground for denial: “demonstrably unlikely to serve the interests of the entire community” with some factors
- Framed negatively because CA context
- Charter advocate fears
- CCAP developing resource for authorizers

# California State Policy Trends

---

## Special education funding

- CA context: charters own LEA or school of the district
- CA context: SELPAs, charter SELPAs, funding formulas
- Now: large state surplus, COVID recovery, enrollment decline
- Proposed funding formula changes
- Related issues: enrollment protection, various other funding initiatives for community schools

# Colorado State Policy Trends

---

## **State Board Rule Changes to Colorado Authorizer Standards:**

- Align Colorado admissions of students with disabilities and Federal requirements
- Updating school choice provisions for all forms of choice to honor choice when making “location” decisions regarding students with disabilities

## **Legislation to Allow Charters to Join “Administrative Unit” (AU) for Special Education Purposes:**

- Allow enrollment preferences for students with disabilities
- Charters can join Charter School Institute AU
- Charter Networks and Charter Collaboratives form their own AU



# Florida State Policy Trends

---

## **SB 758 - State Authorizer**

Creates the Charter School Review Commission (CSRC) within the Florida Department of Education.

CSRC:

- Consists of seven members,
- selected by the Commissioner of Education, and
- subject to confirmation by the Senate.
- Is provided the same powers as a sponsor in regard to reviewing and approving charter schools.

# Currently under Florida law, the following entities may approve and sponsor a charter school:



- A district school board may approve a charter school in the county over which the district school board has jurisdiction.
- A state university may sponsor a charter developmental research school (**charter lab school**).
- A state university may solicit applications and sponsor a charter school **to meet regional education or workforce demands** by serving students from multiple school districts.
- A Florida College System (FCS) to **meet workforce demands** and may offer postsecondary programs leading to industry certifications to eligible charter school students.
- A charter school-in-the-workplace may be established when a business partner provides the school facility to be used; enrolls children of employees of that business or corporation.
- A charter school-in-a-municipality enrolls children of the residents of that municipality who are seeking enrollment.

# CSCR vs District responsibilities



## The CSRC responsibilities:

- Approving charter school applications.

## District sponsor responsibilities:

- Approving or denying charter school applications.
- Overseeing each sponsored school's progress toward the goals established in the charter.
- Monitoring the revenues and expenditures of the school.
- Ensuring that the school participates in the state's education accountability system.
- Intervening when a sponsored school demonstrates deficient student performance or financial instability.
- A sponsor must provide administrative and educational services and may withhold a fee of up to five percent of each charter school's total operating funds.

## Why We Don't Need It

Florida charter law is already very clear about the process to ensure fairness.

- Appeals Commission - Applications
- Administrative Law Judge - Renewals

These processes work.

# Florida State Policy Trends



## SB 758 - Renewals

- Specifies that a charter school sponsor **may impose additional reporting requirements only** if a charter school has been identified as having a **deteriorating financial condition or financial emergency**.
- Modifies the **criteria for nonrenewal or termination** of a charter to:
  - Specify that a charter school must be under a deteriorating financial condition or financial emergency in order for a sponsor to not renew or terminate a charter for fiscal management.
  - Remove “other good cause shown” as a ground for the termination or nonrenewal of a charter school.
- Specifies requirements relating to charter school renewal terms, specifically the bill:
  - Charter school must be renewed for no less than a five-year term if it meets the existing requirements for renewal and has received a school grade lower than a “B” in the most recent graded school year, except as provided in law for grades of “F.”
  - Requires that a 15-year charter renewal be granted if a charter school has received a school grade of “A” or “B” in the most recent graded school year, rather than in 3 of the past 4 years, and is not in a state of financial emergency.

# Florida State Policy Trends

---

## **HB 5101** – Virtual Charter Schools

Revises provisions relating to charter schools & virtual charter schools, certain scholarship programs, virtual instruction programs & FEFP:

- Requires the creation of a standard virtual charter contract that will reflect the organization and funding of a virtual
- Aligns funding with other virtual programs so only students from the district where the virtual charter is sponsored will receive local dollars.
- Requires an approved virtual instruction program provider receive a district grade based upon the aggregated assessment scores of all students served by the provider statewide and a separate school grade for each school district with which it contracts based on the assessment scores of only the students served from the home school district (i.e., if the virtual charter is housed in Santa Rosa, the school grade for their school in that district will only be based on students who are from Santa Rosa that attend the charter).