

SB45: The Alabama School Choice and Student Opportunity Act

This document shares information about the recently enacted charter school law in Alabama.

Types of Public Charter Schools Allowed

SB45 authorizes two types of public charter schools: conversion public charter schools and start-up public charter schools.

Public Charter School Growth

- Authorizers may not approve more than 10 start-up public charter schools in a fiscal year. The annual cap sunsets after five years. But before the cap sunsets, the Legislature will receive a report on the performance of public charter schools.
- There is no limit on the number of conversion public charter schools that may be approved.

Authorizers

- All local school boards can serve as authorizers of public charter schools. In addition to local school boards, the newly created Alabama Public Charter School Commission can authorize schools via appeals from applicants who were denied by the local school system.
- An applicant wishing to open a public charter school must first apply to the local school board of the system where they wish to physically locate the public charter school. If the applicant is denied by the local school system, the applicant may apply to the Commission.
- The Commission must adhere to stringent authorizing standards when hearing an appeal from a public charter school applicant.
- The Commission will be composed of a total of eleven members appointed by the State Board of Education.
 - Four appointees will be recommended by the Governor
 - One appointee will be recommended by the Lieutenant Governor
 - Two appointees will be recommended by the President Pro Tem of the Senate
 - Three appointees will be recommended by the Speaker of the House
 - One appointee will be a rotating member appointed by the local school system where the application was denied
- A local school system may choose to pay for its authorizing functions by expending its own resources or charging up to 3% of annual per student allocations received by each public charter school it authorizes.

Application Process

- All authorizers will be required to release a request for proposals for public charter school applicants.
- Applications must include a detailed and thorough operations, education, and implementation plan for opening and operating a public charter school.

Accountability

- Once an applicant is approved, the applicant and authorizer will negotiate a charter contract that will set performance expectations for the public charter school, as well as the roles and responsibilities of the authorizer.
- Charter contracts must include academic and operational performance indicators, measures, and metrics that will guide the authorizer's evaluations of each public charter school. These items must cover, at a minimum, student academic proficiency, student academic growth, achievement gaps, attendance, enrollment, postsecondary readiness, financial performance and sustainability, and board performance and stewardship.
- Public charter schools are required to administer the same statewide standardized assessments as non-charter public schools.
- At the end of five years, every public charter school must go through a charter renewal process.
- An authorizer cannot renew a charter contract if the school failed to meet the performance expectations set forth in its charter contract or failed to attain the minimum state standard for public charter schools in each year of their operation and over the charter term, unless the school demonstrates and the authorizer affirms, through formal action of its board, that other indicators of strength and exceptional circumstances justify the continued operation of the school. Any public charter school that receives a grade of "D" or "F" on the statewide accountability system for all public schools for two consecutive years or for two of the three most recent years shall be considered to fall below the minimum state standard.
- As part of an annual report to the State Department of Education, every authorizer must publish a report for each public charter school it oversees. This report should include a summary of each school's performance and progress relative to its charter contract.
- The State Department of Education has the authority to revoke any authorizer's authorizing ability for chronic under performance of schools in its portfolio.

Operations and Autonomy

A public charter school is not subject to the state's education statutes or any state or local rule, regulation, policy, or procedure related to non-charter public schools. A public charter school is subject to all federal laws and authorities related to safety, health, and civil rights.

Funding

- Public charter schools will receive 100% of federal funds, 100% of state funds, and up to 10 mills of local funds associated with each child enrolled at the public charter school. All local money above and beyond the 10-mill match will remain with the local school system.

- The State Department of Education will distribute funding to public charter schools for transportation in the same manner as transportation funding is distributed to local school systems.
- The State Department of Education will distribute all funding directly to the public charter school. The public charter school will operate as its own Local Education Agency.