

**ALABAMA STATE DEPARTMENT OF EDUCATION  
OFFICE OF PUBLIC CHARTER SCHOOLS**



**OPPORTUNITIES – OBLIGATIONS – STATEWIDE TIMELINES**

**WORKING DOCUMENT**

**FALL 2015**

# Alabama Public Charter Schools

With the passage of the *Alabama School Choice and Student Opportunity Act (Act 2015-3)* in March 2015, local school systems and their communities will have another tool to create innovative options to serve the needs of their students. As the Alabama State Department of Education (ALSDE) and the Alabama State Board of Education (SBOE) move forward with the development of guidelines for implementation, the focus will be on the same three criteria that would be applied to any new option or program affecting public education:

- Meeting the needs of students that are currently unmet through existing public school options and internal innovative programs/choices—another option for innovation.
- Ensuring that the decision to create a public charter school originates at the local level based on the needs of its students and with broad community support.
- Ensuring that there is no negative financial impact on an existing school or school system as a result of the creation of a start-up or conversion public charter school since the state’s Foundation Program for public schools still remains only partially funded.

## Opportunities – Obligations – Statewide Timelines

Pursuant to *Act 2015-3*, this document includes ALSDE obligations and timelines and other selected obligations and timelines for local leaders, agencies, boards, and other entities.

- *The department shall provide information about the opportunity, including registration deadline, to all local school boards. Section 6(d)*
- *The department shall annually establish and disseminate a statewide timeline for charter approval or denial decisions, which shall apply to all authorizers in the state. Section 7(a)(3)*

## Working Document

**This is a working document that “highlights” key opportunities, obligations, and timelines for the ALSDE, SBOE, and local boards of education, but is not all inclusive. Pursuant to Act 2015-3, this document will be updated as the ALSDE develops and implements public charter school guidelines.**

## References

*Alabama School Choice and Student Opportunity Act (Act 2015-3)*  
*Principles & Standards for Quality Charter School Authorizing - 2012 Edition (Principles & Standards)*  
*House Resolution (HR 312) and Senate Resolution (SR 110)*

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## ALABAMA STATE DEPARTMENT OF EDUCATION (ALSDE)

OBLIGATIONS	REFERENCES <i>Act 2015-3 Principles &amp; Standards</i>	TIMELINES
<b>Unused School Facilities</b>		
1. Publish names and addresses of unused school facilities reported by local education agencies on ALSDE website.	Section 11(b)(3)	*Update at least once each year by May 1 *Timeline met
<b>Alabama Public Charter School Commission</b>		
1. *Receive member recommendations from the Governor, Lt. Governor, Speaker of the House of Representatives, and President Pro Tempore of the Senate and deliver to the Alabama State Board of Education. * <i>Implied</i>	Section 6(c)(3)	*Before June 1, 2015 *Timeline met
2. State Superintendent of Education recommends ALSDE staff to be utilized by the Commission.	Section 6(c)(11)a.	As requested
3. State Superintendent of Education receives any recommendations for rules and regulation changes from the Commission.	Section 6(c)(11)c.	At least once a year
4. Respond to Commission seeking and receiving state and federal funds for operational expenses.	Section 6(c)(11)e.	As required
5. Reimburse members' travel and per diem expenses at same rates and manner as state employees.	Section 6(c)(11)f.	As required
6. Receive the Commission's annual report.	Section 6(c)(11)g.	Annually
<b>Charter Authorizers - Registration</b>		
1. Provide information to all local school boards about the (a) opportunity, (b) registration deadline, and (c) registration format.	Section 6(d)	*By June 1 each year *Completed June 2, 2015 (State closed June 1, 2015) June 11, 2015 September 1, 2015, deadline established; registration packet disseminated
2. Provide information to all local boards about the House Resolution (HR 312) and Senate Resolution (SR 110) urging local boards of education to elect to become charter school authorizers by September 1, 2015.	*SR 110 and HR 312 *Passed June 4, 2015	

**ALABAMA STATE DEPARTMENT OF EDUCATION (ALSDE) (Continued)**

<b>OBLIGATIONS</b>	<b>REFERENCES</b> Act 2015-3 SR 110 and HR 312 Principles & Standards	<b>TIMELINES</b>
<b>Charter Authorizers - Oversight</b>		
1. Oversee performance and effectiveness of all authorizers; possible special review of authorizers demonstrating persistently unsatisfactory performance; and written notification to authorizer not in compliance with contract or Act 2015-3.	Section 6(l) Principles & Standards	Ongoing
2. Establish and disseminate statewide timeline for charter approval and denial decisions.	Section 7(a)(3)	*Annually *June 23, 2015 Posted on ALSDE website
3. *Notify all authorizers that the cap has been reached for start-up public charter schools in fiscal year. *Cap expires April 1 immediately following conclusion of the 5 <sup>th</sup> fiscal year after effective date of Act 2015-3.	Section 6(b)(2) *Section 6(b)(3)	When cap is reached *April 1 following end of the 5 <sup>th</sup> fiscal year
4. Receive authorizer approval or denial of charter application, with expedited review of charter applications submitted by a public historically black college or university (HBCU), in partnership with a national nonprofit public HBCU support organization, for a public charter school to be operated on or near the campus of the HBCU.	Section 7(b)(4)	Within 60 days after the filing of the application
5. Receive authorizer reports of action taken to approve or deny applications.	Section 7(b)(7)	Within 30 days of action
6. Receive written notification from authorizers of execution of charter contract.	Section 7(e)(2)	Within 10 days of execution
7. Receive from authorizers: (1) annual report and (2) performance report for each public charter school overseen in accordance with performance framework in charter contract.	Section 8(b)(2)	Annually
8. Receive authorizer reports on action taken to renew, not renew, or revoke charter.	Section 8(c)(12)	Within 15 days of action
9. Accept and review special petitions from public charter school or authorizer to transfer contract and oversight of that school from one authorizer to another authorizer.	Section 8(e)	Before expiration of charter contract
10. Notify local school board authorizer of intent to revoke chartering authority if the authorizer is persistently violating charter contract and fails to demonstrate timely, satisfactory remedy for violation or deficiencies after due notice is served.	Section 6(m)	Within 60 days after due notice is served

**ALABAMA STATE DEPARTMENT OF EDUCATION (ALSDE) (Continued)**

<b>OBLIGATIONS</b>	<b>REFERENCES</b> Act 2015-3 Principles & Standards	<b>TIMELINES</b>
<p>11. (a) Notify Commission of intent to notify Governor, Speaker of the House of Representatives, and President Pro Tempore of the Senate if Commission violates a material provision of a charter contract or fails to remedy any other authorizing problem after due notice from the ALSDE.</p> <p>(b) Publicly request in writing that Governor, Speaker of the House of Representatives, and President Pro Tempore of the Senate comply with the ALSDE requests or face revocation of their appointment(s) to the Commission.</p>	Section 6(n)	Within 60 days after due notice is served
<p>12. In the event of revocation of chartering authority of authorizer, the ALSDE will manage the timely, orderly transfer of each charter contract held by that authorizer to another authorizer.</p>	Section 6(o)	As required
<b>Reports</b>		
<p>1. Report to Governor, Legislature, and public to include (a) comparison of performance of public charter school students with comparable non-charter public school students; (b) assessment of successes, challenges, areas for improvement in meeting <i>Act 2015-3</i>; and (c) recommendations for any suggested changes to state law or policy necessary to strengthen public charter schools.</p>	Section 8(f)	On or before November 1 each year, after state has public charter schools operating one full school year
<p>2. Report to the Legislature outlining (a) performance of start-up and conversion public charter schools, (b) update on authorizing process, and (c) recommendations for adjustments to public charter school governance and oversight.</p>	Section 6(b)(4)	Conclusion of 5 <sup>th</sup> fiscal year
<b>Funding</b>		
<p>1. Receive local school system reports of all public charter school student enrollment, attendance, and other student data required by the ALSDE.</p>	Section 10(a)	As required by ALSDE
<p>2. Promulgate processes and procedures to determine specific local revenue allocations according to Foundation Program for each public charter school.</p>	Section 10(b)(1)c.	As determined by ALSDE
<p>3. Forward funds from Education Trust Fund (ETF) as described in Section 10(b)(1)a., which provides:</p> <ul style="list-style-type: none"> <li>• In initial year and subsequent years to accommodate growth, public charter school funding provided from the ETF in Foundation Program appropriation for current units.</li> </ul>	Section 10(b)(1)d.	At least Quarterly
<p>4. Forward funds from Education Trust Fund (ETF) as described in Section 10(b)(1)a., which provides:</p> <ul style="list-style-type: none"> <li>• Subsequent year funding based on Foundation Program allocation and other ETF appropriations in Foundation Program.</li> <li>• Adopt rules governing calculation and distribution of per-student allocations.</li> </ul>	Section 10(b)(1)d. Section 10(b)(1)g.	As determined by the ALSDE

**ALABAMA STATE DEPARTMENT OF EDUCATION (ALSDE) (Continued)**

<b>OBLIGATIONS</b>	<b>REFERENCES</b> Act 2015-3 Principles & Standards	<b>TIMELINES</b>
5. Students participating in gifted, talented, vocational, technical, career technical programs: <ul style="list-style-type: none"> <li>• Adopt rules governing calculation and distribution of per-student allocations and cost-sharing.</li> </ul>	Section 10(b)(1)g.	As necessary
6. Categorical funding: <ul style="list-style-type: none"> <li>• Direct proportionate share of moneys generated under federal and state categorical aids to public charter schools serving eligible students.</li> <li>• Ensure public charter schools with rapidly expanding enrollments are treated equitably in calculation and disbursement of all federal and state categorical aid program dollars.</li> </ul>	Section 10(b)(2)	Not specified
7. Special education funding: <ul style="list-style-type: none"> <li>• Pay directly to public charter school any federal or state aid attributable to student with disability attending the school.</li> </ul>	Section 10(b)(3)	Not specified
8. Transportation funding: <ul style="list-style-type: none"> <li>• If a public charter school provides reimbursable transportation services, disbursement of state transportation funding to public charter school will be made on the same basis and in same manner as paid to public school systems.</li> </ul>	Section 10(b)(5)	Same timeline for public school systems
9. Alabama Public School and College Authority (PSCA) funds: <ul style="list-style-type: none"> <li>• Adopt and maintain policy ensuring public charter schools receive equitable access to facilities funding.</li> </ul>	Section 11(a)(2)	Not specified PSCA follows same mandate

## ALABAMA STATE BOARD OF EDUCATION (SBOE)

OBLIGATIONS	REFERENCES Act 2015-3 Principles & Standards	TIMELINES
<b>Alabama Public Charter School Commission</b>		
1. Appoint 10 members to the Commission, made up of four appointees recommended by the Governor, one appointee recommended by the Lieutenant Governor, two appointees recommended by the President Pro Tempore of the Senate, and three appointees recommended by the Speaker of the House of Representatives.	Section 6(c)(3) and (7)	*No later than June 1, 2015 *Timeline met
2. Appoint new members to the Commission when a vacancy exists.	Section 6(c)(8)	As required
<b>Charter Authorizers</b>		
1. Receive a publicly accessible report from charter authorizers summarizing the authorizer's (1) strategic vision; (2) academic and financial performance; (3) status of the public charter school portfolio; (4) oversight and services; (5) authorizing functions provided by the authorizer to public charter schools under its jurisdiction; and (6) all use of taxpayer dollars including expenditures, contracts, and revenues.	Section 6(g)	Within 60 days after the end of each school fiscal year
<b>Rules and Regulations (<i>Alabama Administrative Code [AAC]</i>)</b>		
1. Promulgate reasonable rules and regulations to effectuate Section 6 within 90 days after the effective date of Act 2015-3.	Section 6(r)(l)	Within 90 days (by June 17, 2015) after the effective date of Act 2015-3 (March 19, 2015) *Timeline met

## LOCAL BOARDS OF EDUCATION (LOCAL BOARDS) AS AUTHORIZERS

SELECTED OPPORTUNITIES/OBLIGATIONS	REFERENCES <i>Act 2015-3 SR 110 and HR 312 Principles &amp; Standards</i>	TIMELINES
<b>Charter Authorizers - Registration</b>		
1. May register with the ALSDE for chartering authority within the boundaries of the school system overseen by the local board based on information provided by the ALSDE about: (1) the opportunity to register; (2) registration deadline; and (3) submitting specific information required by Act 2015-3 in a format established by the ALSDE.	Section 6(d)	*By deadline established each year by the ALSDE *September 1, 2015, deadline established for 2015-2016
2. Consider House Resolution (HR 312) and Senate Resolution (SR 110) urging local boards of education to elect to become charter school authorizers <u>by September 1, 2015</u> .	*SR 110 and HR 312 *passed June 4, 2015	By September 1, 2015, ALSDE deadline
<b>Charter Authorizers - Oversight</b>		
1. *Receive notification from the ALSDE to all authorizers that the cap (10 public charter schools) has been reached for start-up public charter schools in fiscal year. *Cap expires April 1 immediately following conclusion of the 5 <sup>th</sup> fiscal year after effective date of Act 2015-3.	Section 6(b)(2) *Section 6(b)(3)	When cap is reached *April 1 following end of the 5 <sup>th</sup> fiscal year
2. Submit a publicly accessible report to the SBOE summarizing the authorizer's (1) strategic vision; (2) academic and financial performance; (3) status of the public charter school portfolio; (4) oversight and services; (5) authorizing functions provided by the authorizer to public charter schools under its jurisdiction; and (6) all use of taxpayer dollars including expenditures, contracts, and revenues.	Section 6(g)	Within 60 days after the end of each school fiscal year
3. Respond to the ALSDE's written notification of any identified problem demonstrating an authorizer's persistently unsatisfactory performance found during a special review and utilize the reasonable opportunity provided to remedy the problem.	Section 6(l) Principles & Standards	Ongoing
4. Execute essential powers and duties in accordance with Act 2015-3.	Section 6(p)	Upon becoming an authorizer
5. Develop and maintain chartering policies and practices consistent with nationally recognized principals and standards for quality charter authorizing in all major areas of authorizing responsibility	Section 6(r)	Upon becoming an authorizer
6. Issue and broadly publicize a request for proposals for public charter school applications, with content and dissemination of the request for proposals consistent with the purposes and requirements of Act 2015-3.	Section 7(a)(1) through (8)	By November 1 in each year after the adoption of Act 2015-3
7. Review the statewide timeline established and disseminated by the ALSDE for charter approval and denial decisions.	Section 7(a)(3)	*Annually *June 23, 2015 Posted on ALSDE website

## LOCAL BOARDS OF EDUCATION (LOCAL BOARDS) AS AUTHORIZERS *(Continued)*

SELECTED OPPORTUNITIES/OBLIGATIONS	REFERENCES <i>Act 2015-3 Principles &amp; Standards</i>	TIMELINES
8. Decide to approve or deny charter application(s). Consider expedited approval of charter applications submitted by a public historically black college or university (HBCU), in partnership with a national nonprofit public HBCU support organization, for a public charter school to be operated on or near the campus of the HBCU.	Section 7(b)(4)	Within 60 days after the filing of the application
9. Report to the ALSDE on action taken to approve or deny a charter application, simultaneously providing a copy of the report to the charter applicant.	Section 7(b)(7)	Within 30 days of taking action to approve or deny application
10. Execute a charter contract with the governing board of the approved public charter school.	Section 7(e)(1)	Within 60 days of approving application
11. Submit written notification of the executed charter contract and any attachments to the ALSDE.	Section 7(e)(2)	Within 10 days after executing contract
12. Continually monitor the performance and legal compliance of the public charter schools it oversees.	Section 8(b)	Ongoing
13. Determine student capacity of public charter school in conjunction with governing board of the school.	Section 5(c)	Annually
14. Deliver to the ALSDE (1) an annual report and (2) a performance report for each public charter school overseen in accordance with performance framework in charter contract.	Section 8(b)(2)	Annually
15. Issue a public charter school performance report and charter renewal application guidance to any public charter school whose charter is scheduled to expire the following year.	Section 8(c)(2)	No later than July 15 of year prior to expiration date
16. Receive a renewal application from the governing board seeking renewal pursuant to the renewal application guidance issued by the authorizer.	Section 8(c)(5)	No later than October 1
17. Rule by resolution on the renewal application.	Section 8(c)(5)	No later than 30 days after the filing the renewal application
18. Revoke a charter contract if the authorizer determines the public charter school did any of the things listed or otherwise failed to comply with Act 2015-3.	Section 8(c)(7)	At any time
19. Report to the ALSDE on action taken to renew, not renew, or revoke charter and simultaneously provide a copy of the report to the public charter school.	Section 8(c)(12)	Within 15 days of action
20. Deliver special petitions to the ALSDE to transfer contract and oversight of that school from one authorizer to another authorizer.	Section 8(e)	Before expiration of charter contract

## LOCAL BOARDS OF EDUCATION (LOCAL BOARDS) AS AUTHORIZERS *(Continued)*

SELECTED OPPORTUNITIES/OBLIGATIONS	REFERENCES <i>Act 2015-3 Principles &amp; Standards</i>	TIMELINES
21. Respond to the ALSDE’s written notification of any identified problem demonstrating an authorizer’s persistently unsatisfactory performance found during a special review and utilize the reasonable opportunity provided to remedy the problem.	Section 6(l) Principles & Standards	Ongoing
22. Receive ALSDE notification of intent to revoke chartering authority if the authorizer persists in violating charter contract and fails to demonstrate timely, satisfactory remedy for violation or deficiencies after due notice is served.	Section 6(m)	Within 60 days after due notice is served
<b>Funding</b>		
1. Deliver required local school system reports of all public charter school student enrollment, attendance, and other student data to the ALSDE.	Section 10(a)	As required by ALSDE
2. Review processes and procedures promulgated by the ALSDE to determine specific local revenue allocations according to Foundation Program for each public charter school.	Section 10(b)(1)c.	As determined by ALSDE
3. Receive and utilize funds from Education Trust Fund (ETF) as described in Section 10(b)(1)a., which provides: <ul style="list-style-type: none"> <li>• In initial year and subsequent years to accommodate growth, public charter school funding provided from the ETF in Foundation Program appropriation for current units.</li> </ul>	Section 10(b)(1)d.	At least Quarterly
4. Receive and utilize funds from Education Trust Fund (ETF) as described in Section 10(b)(1)a., which provides: <ul style="list-style-type: none"> <li>• Subsequent year funding based on Foundation Program allocation and other ETF appropriations.</li> </ul>	Section 10(b)(1)d.	As determined by the ALSDE
5. Review and implement ALSDE-adopted rules governing calculation and distribution of per-student allocations.	Section 10(b)(1)g.	As determined by the ALSDE
6. Review and implement ALSDE-adopted rules governing calculation and distribution of per-student allocations and cost-sharing for students participating in gifted, talented, vocational, technical, career technical programs.	Section 10(b)(1)g.	As determined by the ALSDE
7. Be aware and knowledgeable of the following related to categorical funding: <ul style="list-style-type: none"> <li>• Direct proportionate share of moneys generated under federal and state categorical aids to public charter schools serving eligible students.</li> <li>• Ensure public charter schools with rapidly expanding enrollments are treated equitably in calculation and disbursement of all federal and state categorical aid program dollars.</li> </ul>	Section 10(b)(2)	Not specified

**LOCAL BOARDS OF EDUCATION (LOCAL BOARDS) AS AUTHORIZERS** *(Continued)*

<b>SELECTED OPPORTUNITIES/OBLIGATIONS</b>	<b>REFERENCES</b> <i>Act 2015-3 Principles &amp; Standards</i>	<b>TIMELINES</b>
8. Be aware and knowledgeable of the following related to special education funding: <ul style="list-style-type: none"> <li>• Payment directly to public charter school of any federal or state aid attributable to student with disability attending the school.</li> </ul>	Section 10(b)(3)	Not specified
9. Be aware and knowledgeable of the following related to transportation funding: <ul style="list-style-type: none"> <li>• If a public charter school provides reimbursable transportation services, disbursement of state transportation funding to public charter school will be made on the same basis and in same manner as paid to public school systems.</li> </ul>	Section 10(b)(5)	Same timeline for public school systems
10. Be aware and knowledgeable of the following related to Alabama Public School and College Authority (PSCA) funds: <ul style="list-style-type: none"> <li>• Adoption and maintenance of a policy ensuring public charter schools receive equitable access to facilities funding.</li> </ul>	Section 11(a)(2)	Not specified PSCA follows same mandate

**Please remember that this working document “highlights” key opportunities, obligations, and timelines, but does not reflect all requirements for local boards that are approved as authorizers of public charter schools as stipulated in Act 2015-3.**