



STATE OF ALABAMA  
DEPARTMENT OF EDUCATION



Eric G. Mackey, Ed.D.  
State Superintendent of Education

August 28, 2023

**MEMORANDUM**

**TO:** City and County Superintendents of Education  
**FROM:** Eric G. Mackey *EGM*  
State Superintendent of Education  
**RE:** Changes in *Alabama School Choice and Student Opportunity Act*  
Charter Authorizer Registration - Retaining Charter Authority

This memo details legislative changes affecting public charter schools in the *Alabama School Choice and Student Opportunity Act* (Act #2023-420) beginning in Fiscal Year (FY) 2023-2024, including enrollment preference, funding, and appeals.

Additionally, information for applying to become a public charter school authorizer and information on retaining charter authority are included.

**Enrollment**

A public charter school may give enrollment preference to children living within a certain geographical boundary, so long as the overall enrollment of the public charter school includes a majority of at-risk students. The proposed boundary shall be approved by the authorizer.

**Funding**

A conversion public charter school shall be funded at the same level as the school was funded prior to its conversion to a conversion charter school. All federal, state, and local dollars allocated to support the conversion public charter school shall be directly appropriated by the local school board to the conversion charter school operator. Under no circumstances may the local school board withhold funds for services without mutual agreement from the conversion charter school operator. A charter school operator or education service provider is an entity that has a charter contract with the local authorizer to provide education services such as education design, implementation, or management.

In addition to the Foundation Program Fund allocation, all conversion public charter schools shall receive from the local school board a pro-rata share of other Education Trust Fund appropriations. These state funds will be forwarded to the conversion charter schools by the local school system on the same schedule as funds are forwarded to local school systems by the Alabama State Department of Education (ALSDE).

The state or local school board shall pay directly to a public charter school including conversion charter schools, any federal or state aid attributable to a student with a disability attending the school.

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### **Appeals**

At least 15 days prior to consideration of the application, the Alabama Public Charter School Commission will send a letter to the chair of the local school board that the Commission will hear the appeal pursuant to a public hearing and will provide the chair, or his or her designee, the opportunity to address the commission at the public hearing. This change replaces the 11th rotating commissioner for any appeals to the Commission.

### **Charter Authorizer Application**

A local school board may apply to the ALSDE for chartering authority within the boundaries of the school system overseen by the local school board. The ALSDE shall publicize to all local school boards the opportunity to register with the state for chartering authority within the school system they oversee. By June 1 of each year, the ALSDE shall provide information about the opportunity, including an application deadline, to all local school boards. Authorizer training must occur annually.<sup>1</sup>

To apply as a new public charter school authorizer, your local school board must carefully read and then follow the attached instructions and accurately complete the attached application form on or before **November 1, 2023**. If your local school board is not prepared to apply to be an authorizer at this time, an application may be submitted at a later date to be determined by the ALSDE for subsequent years.

I recommend that your local school board and you become familiar with the *Alabama School Choice and Opportunity Act*, as amended and the National Association of Charter School Authorizers (NACSA) Principles and Standards for Quality Charter School Authorizers. Please be prepared to participate in authorizer training upon approval of the application.

### **Retaining Charter Authority**

Once charter authority is granted, the local school board shall reapply to be an authorizer every five years if the local school board wishes to continue serving as an authorizer. Any charter authorizers wishing to retain charter authority and have been approved as authorizers for more than five years should reapply by **October 1, 2023**, using the attached authorizer application. After five years, if a Local School Board Authorizer chooses not to reapply for charter authority or its application is denied, any conversion charter schools will begin a transition period to revert to non-charter public schools. Any start-up charter schools whose Local Board Authorizer chooses not to reapply or whose application is denied will be transferred to an agreed-upon authorizer.

If you have questions, please contact Mrs. Logan Searcy by email at lsearcy@alsde.edu or by telephone at (334) 694-4908.

EGM/LWS

Attachment: Authorizer Application

**FY23-3047**

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<sup>1</sup> [https://www.alabamaachieves.org/wp-content/uploads/2023/01/StateSuperIn\\_Memos\\_2023117\\_FY23-2020-Registration-as-a-Charter-School-Authorizer\\_V1.0.pdf](https://www.alabamaachieves.org/wp-content/uploads/2023/01/StateSuperIn_Memos_2023117_FY23-2020-Registration-as-a-Charter-School-Authorizer_V1.0.pdf)

# CHARTER SCHOOL AUTHORIZER APPLICATION

## I. GENERAL INFORMATION

Local Board of Education Name:	
Alabama State Board of Education District:	Congressional District:
Physical Address:	Mailing Address:
Board Contact Person:	Board Contact Title/Position:
Board Office Telephone Number:	Board Contact Telephone Number
Board Fax Number:	Board Contact Email Address:

## II. NOTICE OF INTENT TO SERVE AS A CHARTER AUTHORIZER

By its submission of this *Application for Registration as a Charter Authorizer*, the undersigned local board of education hereby notifies the Alabama State Department of Education (ALSDE) of its intent to serve as a charter authorizer in accordance with the *Alabama School Choice and Student Opportunity Act*, as amended

## III. STATEMENT OF ASSURANCE

The board commits to serving as a charter authorizer and agrees that it will fully participate in annual authorizer training provided and/or required by the state. Local authorizers must reapply every five years.

## REQUIRED SIGNATURE AND DATES

Date of Board Action to Become Authorizer:
Local Superintendent:
Local Superintendent's Signature:
Date of Local Superintendent's Signature:
Date of Submission:

### FOR ALSDE USE ONLY

<b>____ DATE RECEIVED ____ DATE REVIEWED ____ DATE STATUS NOTIFICATION SENT ____ DATE OF REGISTRATION</b>
<i>Scan and electronically mail the completed application to <a href="mailto:lsearcy@alsde.edu">lsearcy@alsde.edu</a> no later than <b>November 1, 2023</b>. Mail or hand-deliver the completed hard copy with original signatures to the Alabama State Department of Education, Public Charter Schools, Gordon Persons Building, 50 N. Ripley Street, P. O. Box 302101, Montgomery, AL 36130-2101.</i>

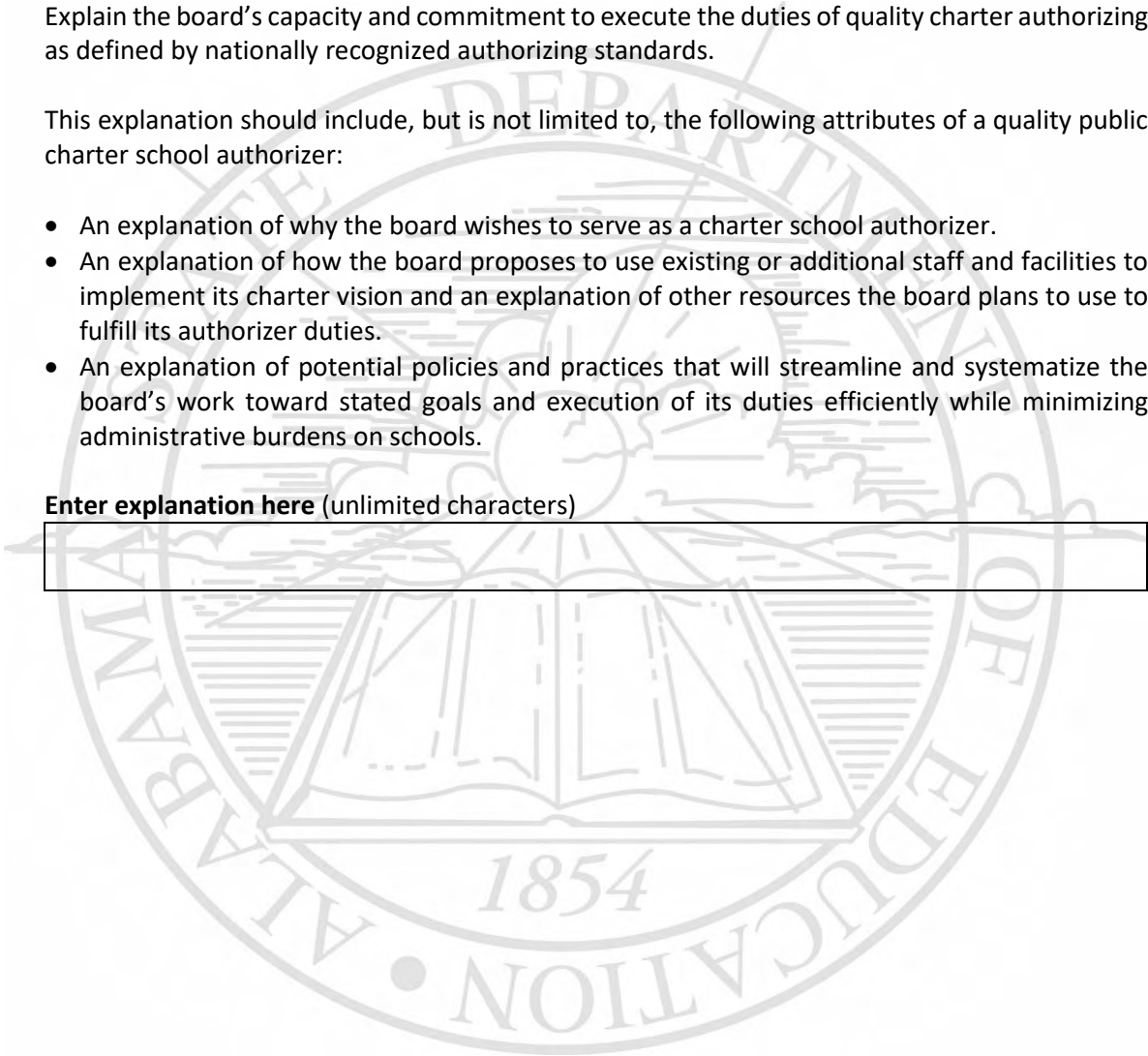
**IV. CAPACITY AND COMMITMENT**

Explain the board’s capacity and commitment to execute the duties of quality charter authorizing as defined by nationally recognized authorizing standards.

This explanation should include, but is not limited to, the following attributes of a quality public charter school authorizer:

- An explanation of why the board wishes to serve as a charter school authorizer.
- An explanation of how the board proposes to use existing or additional staff and facilities to implement its charter vision and an explanation of other resources the board plans to use to fulfill its authorizer duties.
- An explanation of potential policies and practices that will streamline and systematize the board’s work toward stated goals and execution of its duties efficiently while minimizing administrative burdens on schools.

**Enter explanation here** (unlimited characters)

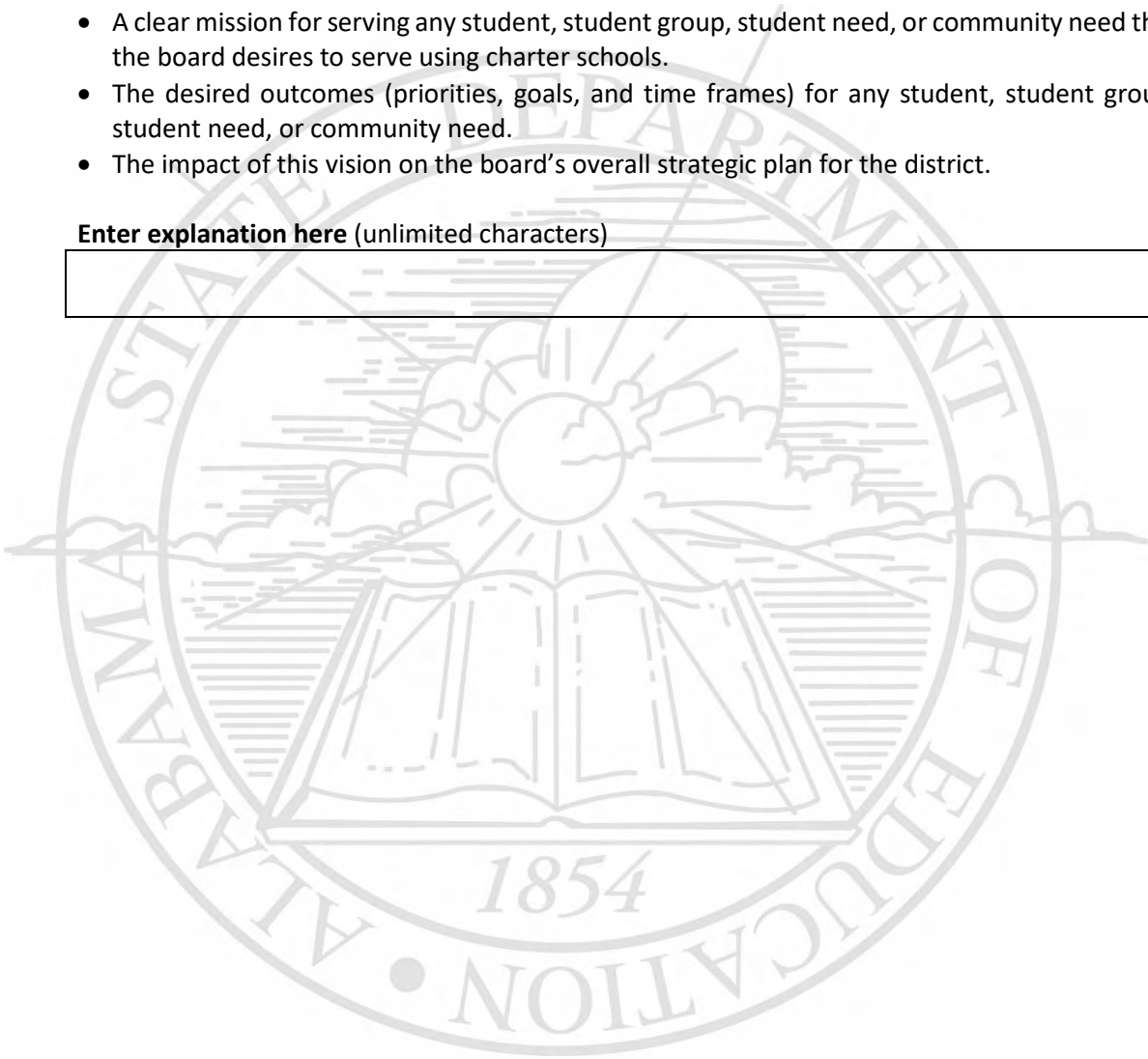


**V. STRATEGIC VISION**

Explain the board’s strategic vision for chartering, including, but not limited to, the following:

- A clear mission for serving any student, student group, student need, or community need that the board desires to serve using charter schools.
- The desired outcomes (priorities, goals, and time frames) for any student, student group, student need, or community need.
- The impact of this vision on the board’s overall strategic plan for the district.

**Enter explanation here** (unlimited characters)

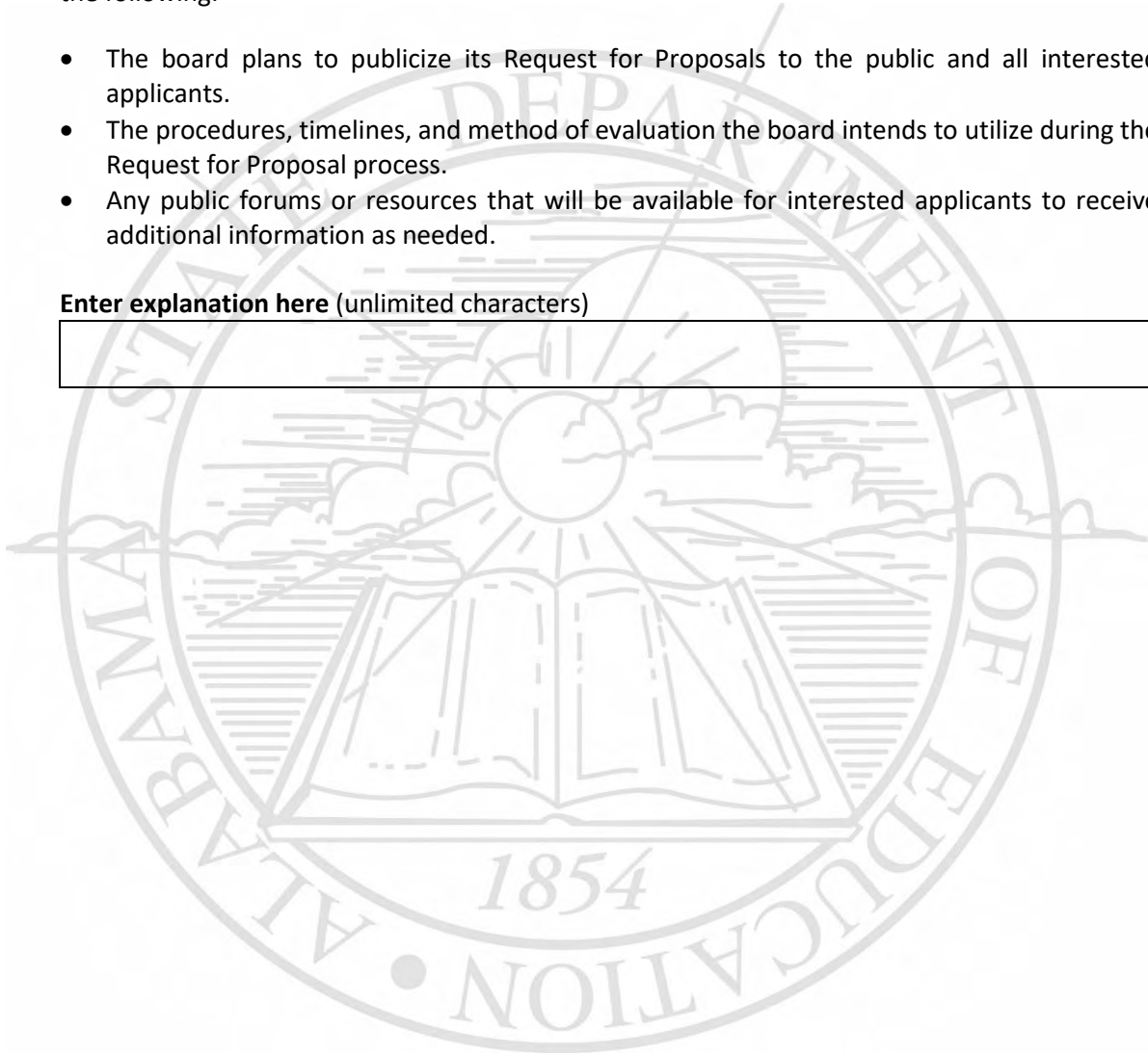


**VI. CHARTER SCHOOL APPLICANT SOLICITATION**

Explain the board’s plans to solicit public charter school applicants including, but not limited to, the following:

- The board plans to publicize its Request for Proposals to the public and all interested applicants.
- The procedures, timelines, and method of evaluation the board intends to utilize during the Request for Proposal process.
- Any public forums or resources that will be available for interested applicants to receive additional information as needed.

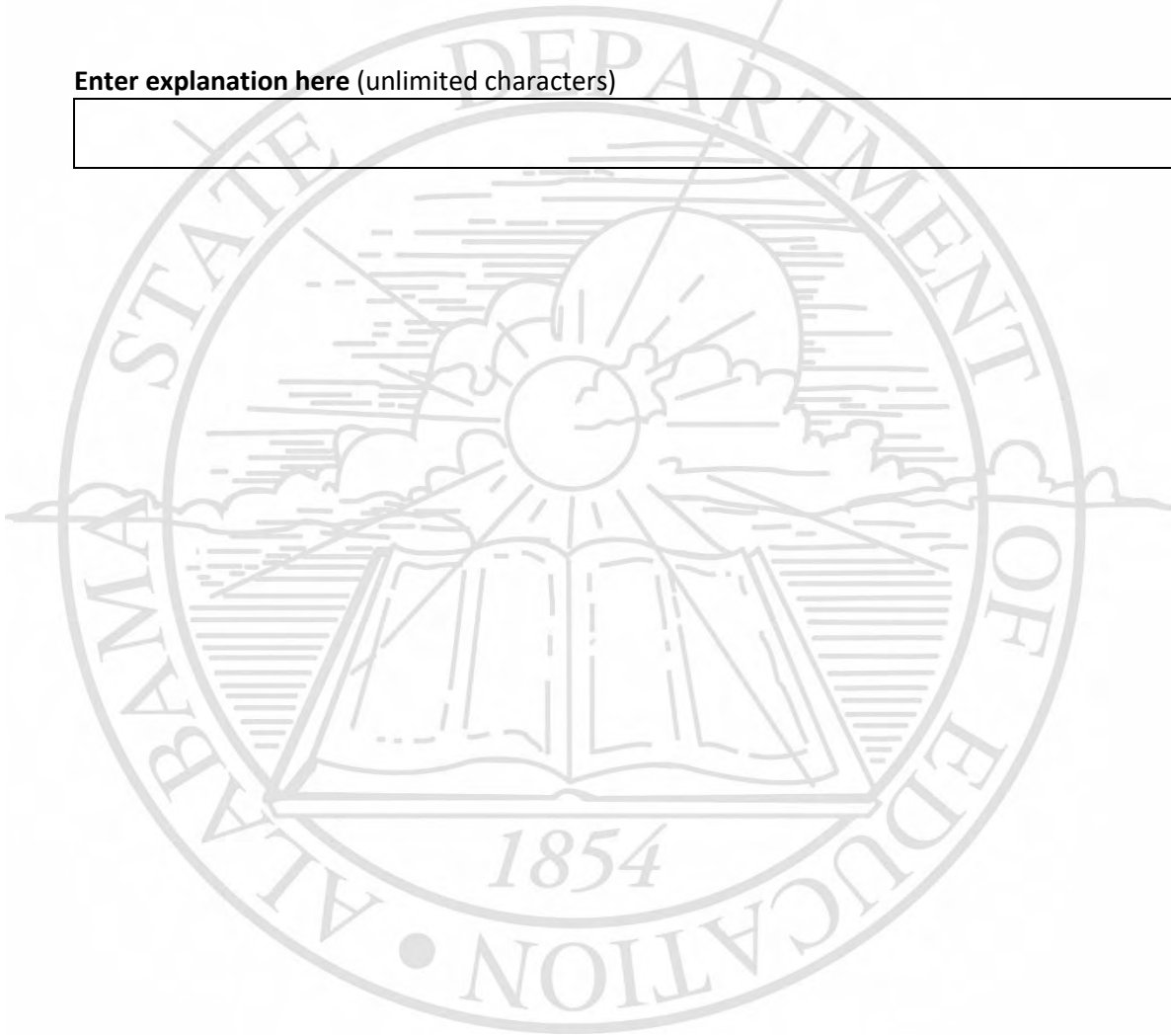
**Enter explanation here** (unlimited characters)



**VII. PERFORMANCE FRAMEWORK**

Describe or outline the performance framework the board will use to guide the establishment of a charter contract and for ongoing oversight and evaluation of public charter schools consistent with the requirements of the Act.

Enter explanation here (unlimited characters)



**VIII. DRAFT OF RENEWAL, REVOCATION, NONRENEWAL PROCESS**

Provide a draft of the board's renewal, revocation, and nonrenewal processes consistent with the Act.

Enter explanation here (unlimited characters)

