

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action: Do Pass as Amended and be printed C-Engrossed

Vote: 6-4-0

Yeas: Bailey, Gelser, Kahl, Read, Riley, Barnhart

Nays: Bentz, Berger, Bruun, Sprenger

Exc.: 0

Prepared By: Steve Meyer

Meeting Dates: 6/15/09

WHAT THE MEASURE DOES: Defines virtual public charter school (virtual school) as a charter school that provides online courses that are at least 50% of the instruction program. Requires virtual school plans including performance criteria and an agreement to employ only highly qualified licensed teachers. Requires a virtual school to have on file itemized budget for any third-party entity contracted with to provide educational services. Prohibits a for-profit entity providing contract services for a virtual school from employing virtual school employees unless already employed under contract or a waiver is granted by the State Board of Education. Specifies applicability of 50 percent student residency requirement to all public charter schools operating prior to, on or after effective date of the Act unless a waiver has been granted by the State Board of Education or a charter was granted prior to July 1, 2005. Requires virtual and other charter school applicants to provide plans for having financial management systems in place. Permits failure to maintain sound financial management systems for two consecutive years to be used as grounds to terminate a charter. Establishes Online Learning Task Force. Specifies 17 member task force. Directs task force to prepare report on academic and operational issues for online education and legislation for first special session of the Legislative Assembly occurring in 2010. Sunsets task force upon convening of next regular legislative session. Imposes moratorium on: (1) approval of charters for virtual schools that would be established on or after the effective date of the Act, (2) the number of students in a virtual school as of May 1, 2009 unless below 50% provision or under waiver and (3) State Board waiver of any provision of public charter school statute for virtual schools. Repeals moratorium as of March 1, 2010. Declares an emergency; effective upon passage.

ISSUES DISCUSSED:

Quality, access, accountability and governance of charter schools

Legislating a task force and make up of the task force members

Rules for virtual charter schools compared to other education methods

Transfer of state dollars to virtual schools from other schools

Letting the State Board of Education adopt rules or make recommendations for legislation

Parents having a choice about how to educate their students

Potential jeopardy of federal grants

AG's opinion on the statute requiring 50% in-district students

EFFECT OF COMMITTEE AMENDMENT:

The Minority Report changes the definition of virtual school, exceptions to 50% students in-district provision, task force membership and report and repeal date of moratorium.

BACKGROUND:

Current statute establishes requirements for enrollment of students in public charter schools. Public charter schools that offer any online courses are required to have at least 50 percent of their students reside in the district in which the school is located. The State Board of Education has considered waivers to this requirement, but has not standardized guidelines for determining when to grant a waiver.