

Corrected**SB 767 A STAFF MEASURE SUMMARY****Carrier:** Rep. McIntire**House Committee On Education****Action Date:** 05/03/23**Action:** Do Pass the A-Eng bill.**Vote:** 6-1-0-0**Yeas:** 6 - Hudson, McIntire, Neron, Nguyen H, Valderrama, Wright**Nays:** 1 - Cramer**Fiscal:** Has minimal fiscal impact**Revenue:** No revenue impact**Prepared By:** Lisa Gezelter, LPRO Analyst**Meeting Dates:** 4/24, 5/3**WHAT THE MEASURE DOES:**

Establishes separate procedures for virtual and nonvirtual public charter schools to open facilities outside their sponsoring districts after obtaining written permission or providing written notification, dependent on specific circumstances. Authorizes Superintendent of Public Instruction to withhold State School Fund moneys from nonvirtual public charter school that violates provisions. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Loophole in current law
- Hold-harmless provisions for existing schools and facilities

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

In 1999, the Legislative Assembly enacted Senate Bill 100, creating laws regulating public charter schools. The law created a process for those wishing to open public charter schools to apply for sponsorship from a local school district and for local school boards to evaluate and approve applications. Current law requires specific elements to be included in a proposal for sponsorship, establishes requirements for the evaluation process and criteria, and allows the State Board of Education to both review local board decisions and to sponsor public charter schools itself.

Public charter schools receive public funding. Students enrolled in the public charter school are considered residents of the school district in which the public charter school is located. Money flows from the state to the district and then to the charter schools, with districts able to withhold up to 20 percent for public charter school students in grades K-8 and five percent for students enrolled in grades 9-12.

In 2001, the Legislative Assembly enacted House Bill 2291, allowing district school boards to operate schools in other districts with the written permission of the other school board. In 2015, this law was amended by House Bill 3044 to allow public charter schools to open schools in districts other than their sponsoring district by notifying the receiving district. Senate Bill 767 A provides for the ability of both virtual and nonvirtual charter schools to operate certain facilities outside their sponsoring district either by obtaining written permission or providing written notification, depending on specific circumstances.