



STATE OF ALABAMA  
DEPARTMENT OF EDUCATION



Thomas R. Bice  
State Superintendent of Education

June 11, 2015

**MEMORANDUM**

**TO:** City and County Superintendents  
**FROM:** Thomas R. Bice *TRB*  
State Superintendent of Education  
**RE:** Registration as a Charter Authorizer

Alabama  
State Board  
of Education

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Secretary and  
Executive Officer

With passage of the *Alabama School Choice and Student Opportunity Act*, Act 2015-3, on March 19, 2015, public charter schools may be established in Alabama in accordance with the Act. Pursuant to the Act, local school boards may register as a public charter school authorizer.

Act 2015-3 states:

*A local school board may register with the department for chartering authority within the boundaries of the school system overseen by the local school board. The department 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 department shall provide information about the opportunity, including a registration deadline, to all local school boards.*

To register as a public charter school authorizer, your local school board must carefully read and then follow the attached instructions and accurately complete and submit the attached registration application form on or before September 1, 2015. If your local school board is not prepared to register as an authorizer at this time, a registration 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 Act 2015-3 and the National Association of Charter School Authorizers (NACSA) *Principles & Standards for Quality Charter School Authorizers*. Links for both are contained in the attached instructions. Additionally, please carefully review the attached document entitled "Local Boards of Education as Authorizers of Public Charter Schools."

If you have questions, contact Ms. Chris Wilson at [cwilson@alsde.edu](mailto:cwilson@alsde.edu) or 334-353-2154.

TRB/CEW/BAD  
Attachments

cc: Ms. Sally Howell, Alabama Association of School Boards  
Dr. Eric Mackey, School Superintendents of Alabama

FY15-1020

## **LOCAL BOARDS OF EDUCATION AS AUTHORIZERS OF PUBLIC CHARTER SCHOOLS**

Under the *Alabama School Choice and Student Opportunity Act* (the Act), a local board of education may register with the Alabama State Department of Education (department) for chartering authority within the boundaries of the school system overseen by the local school board. As an authorizer, the local board of education may approve the conversion of an existing school to a public charter school. An authorizer may also approve or deny an application to form a start-up public charter school within its boundaries.

A local board of education may not become an authorizer solely for the purpose of establishing a conversion public charter school. As an authorizer, a local school board must also publicize a request for proposals for start-up public charter school applications. The Act defines conversion public charter schools, non-charter public schools, and start-up public charter schools as follows:

- **CONVERSION PUBLIC CHARTER SCHOOL.** A public charter school that existed as a non-charter public school before becoming a public charter school. A conversion public charter school shall adopt and maintain a policy giving enrollment preference to students who reside within the former attendance zone of the public school.
- **NON-CHARTER PUBLIC SCHOOL.** A public school other than a school formed pursuant to the Act. A public school that is under the direct management, governance, and control of a local school board or the state.
- **START-UP PUBLIC CHARTER SCHOOL.** A public charter school that did not exist as a non-charter public school prior to becoming a public charter school.

The denial of a start-up public charter school application may be appealed by the applicant to the Alabama Public Charter School Commission and the decision by the local school board authorizer may be overruled by the commission. If the commission overrules the denial by a local school board authorizer, then the commission will become the authorizer of the public charter school. If a local school board elects not to register as an authorizer, any application to form a start-up public charter school within the boundaries of the school system overseen by the local school board would be submitted by the applicant directly to the commission.

The department will establish a deadline each year for any local school board that has not previously registered as an authorizer to register as an authorizer. Before registering as an authorizer the local school board and the local superintendent should be fully informed of the duties and responsibilities undertaken as a result of the decision to become an authorizer. In addition to the numerous obligations specifically set out in the Act, the authorizer is subject to and required under the Act to comply with nationally recognized principles and standards for charter school authorizing. These principles and standards are subject to change from time to time. The introduction in the National Association of Charter School Authorizers (NASCA) *Principles & Standards for Quality Charter School Authorizing* (2012) provides an overview of the responsibilities of a quality authorizer for maintaining high standards for public charter schools.

The Act defines an authorizer as, "An entity authorized under this act to review applications, approve or reject applications, enter into charter contracts with applicants, oversee public charter schools, and decide whether to renew, not renew, or revoke charter contracts." Under the Act, a public charter school, including a conversion public charter school, must satisfy all of the following:

- Has autonomy over key decisions including, but not limited to, decisions concerning finance, personnel, scheduling, curriculum, instruction, and procurement.
- Is governed by an independent governing board that is a 501 (c) (3) tax-exempt organization. No member of a governing board shall have a financial relationship to an education service provider or the staff of the authorizer.
- Is established and operated under the terms of a charter contract between the governing board and its authorizer, in accordance with the Act.
- Is a school to which parents choose to send their student.

**Local Boards of Education as Authorizers of Public Charter Schools  
(Continued)**

- Is a school that admits students on the basis of a random selection process if more students attempt to enroll for admission than can be accommodated.
- Provides an educational program that satisfies all of the following:
  - Includes any grade or grades from prekindergarten to 12th grade.
  - May include a specific academic approach or theme including, but not limited to, vocational and technical training; visual and performing arts; liberal arts and classical education; or science, mathematics, and technology.
  - Operates in pursuit of a specific set of educational objectives as defined in its charter contract, such as college or career readiness, or both.
  - Operates under the oversight of its authorizer in accordance with its charter contract.

Authorizers are responsible for executing the following essential powers and duties:

- Soliciting and evaluating charter applications based on nationally recognized standards.
- Approving quality charter applications that meet identified educational needs and promote a diversity of high-quality educational choices.
- Declining to approve weak or inadequate charter applications.
- Negotiating and executing charter contracts with each approved public charter school.
- Monitoring, in accordance with charter contract terms, the performance and legal compliance of public charter schools.
- Determining whether each charter contract merits renewal, nonrenewal, or revocation.

In its role as public charter school authorizer, a local school board is required by the Act to issue and broadly publicize a request for proposals for public charter school applications in order to solicit, encourage, and guide the development of quality public charter school applications. In evaluating and reviewing charter applications, authorizers shall employ procedures, practices, and criteria consistent with nationally recognized principles and standards for quality charter authorizing. The application review process shall include thorough evaluation of each written charter application, an in-person interview with the applicant group, and an opportunity in a public forum for local residents to learn about and provide input on each application.

In deciding whether to approve charter applications, authorizers shall do all of the following:

- Grant charters only to applicants that have demonstrated competence in each element of the authorizer's published approval criteria and are likely to open and operate a successful public charter school.
- Base decisions on documented evidence collected through the application review process.
- Follow charter-granting policies and practices that are transparent, based on merit, and avoid conflicts of interest or any appearance thereof.

An authorizer shall not approve a public charter school application that includes any of the following:

- Admissions requirements for entry, including, but not limited to academic proficiency, particular skills or competencies, or financial means.
- Any parochial or religious theme.

No later than 60 days after the filing of the charter application, the authorizer shall decide to approve or deny the charter application; however, an application submitted by a public historically black college or university (HBCU), in partnership with a national nonprofit public HBCU support organization, for a charter school to be operated on or near the campus of the HBCU may be considered for expedited approval by the authorizer. The authorizer shall adopt by resolution all charter approval or denial decisions in an open meeting. If no action is taken on the application within 60 days, the application shall be considered denied and the applicant may appeal the decision to the commission.

**Local Boards of Education as Authorizers of Public Charter Schools  
(Continued)**

An approval decision may include, if appropriate, reasonable conditions that the charter applicant must meet before a charter contract may be executed. For any charter denial, the authorizer shall clearly state, for public record, its reasons for denial. A denied applicant may subsequently reapply to that board the following year or appeal the denial to the commission.

Within 30 days of taking action to approve or deny a charter application, the authorizer shall report to the department the action it has taken. The authorizer shall provide a copy of the report to the charter applicant at the same time that the report is submitted to the department. The report shall include a copy of the authorizer's resolution setting forth the action taken and reasons for the decision and assurances as to compliance with all of the procedural requirements and application elements set forth in this section.

An authorizer may become liable for the debts or obligations of the public charter school, or for claims arising from the performance of acts, errors, or omissions by the charter school, if the authorizer has not complied with all oversight responsibilities required by law, including, but not limited to, those required by the Act.



**APPLICATION FOR REGISTRATION AS A CHARTER AUTHORIZER**  
**JUNE 11, 2015**

**INSTRUCTIONS**

**1. Read and become familiar with the following documents:**

- [Alabama School Choice and Student Opportunity Act \(Act 2015-3\)](#)
  - Section 6 and Section 8 of Act 2015-3 are particularly important for successfully completing this application.
- [Principles & Standards for Quality Charter School Authorizing - 2012 Edition](#)
  - Taken from [National Association of Charter School Authorizers \(NACSA\)](#)

**NOTE: The content of your application must rely significantly on the information shown above.**

**2. Complete all text boxes for each section of the application as listed:**

I. General Information

II. Notice of Intent to Serve as a Charter Authorizer

III. Statement of Assurance

Signatures and dates must be applied for acceptance by the Alabama State Department of Education (ALSDE) for review.

IV. Capacity and Commitment

V. Strategic Vision

VI. Charter School Applicant Solicitation

VII. Performance Framework

VIII. Draft of Renewal, Revocation, Nonrenewal Process

**NOTE: Each section of this application must be accurately completed and submitted before the ALSDE will recognize your board as a registered charter authorizer.**

**3. Use a readable font and point size in each text box.**

**4. The original hard copy of the application must be received by the ALSDE no later than September 1, 2015. [Act 2015-3, Section 6 (d)]**

**5. Scan and electronically mail the completed application to [publiccharterschools@alsde.edu](mailto:publiccharterschools@alsde.edu) no later than September 1, 2015. [Act 2015-3, Section 6 (d)]. Mail or hand-deliver the completed hard copy with original signatures to:**

Alabama State Department of Education  
Office of Public Charter Schools  
Gordon Persons Building  
50 N. Ripley Street  
P. O. Box 302101  
Montgomery, AL 36130-2101

**6. The ALSDE will notify your board contact regarding your status as a registered charter school authorizer upon completion of a review of your application. [Act 2015-3, Section 6 (d)]**

**7. For technical assistance, contact Ms. Chris Wilson at [cwilson@alsde.edu](mailto:cwilson@alsde.edu) or 334-353-2154.**



# APPLICATION FOR REGISTRATION AS A CHARTER AUTHORIZER

## 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 E-Mail Address:

## II. NOTICE OF INTENT TO SERVE AS A CHARTER AUTHORIZER [ACT 2015-3, SECTION 6 (d) (1)]

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](#).

## III. STATEMENT OF ASSURANCE [ACT 2015-3, SECTION 6 (d) (7); NACSA PRINCIPLES & STANDARDS (pp. 8-9)]

The board commits to serving as a charter authorizer and agrees that it will fully participate in any authorizer training provided and/or required by the state.

### 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

_____ DATE RECEIVED _____ DATE REVIEWED _____ DATE STATUS NOTIFICATION SENT _____ DATE OF REGISTRATION
<i>Scan and electronically mail the completed application to <a href="mailto:publiccharterschools@alsde.edu">publiccharterschools@alsde.edu</a> no later than <b>September 1, 2015</b>.          Mail or hand-deliver the completed hard copy with original signatures to the Alabama State Department of Education, Office of Public Charter Schools, Gordon Persons Building, 50 N. Ripley Street, P. O. Box 302101, Montgomery, AL 36130-2101.</i>

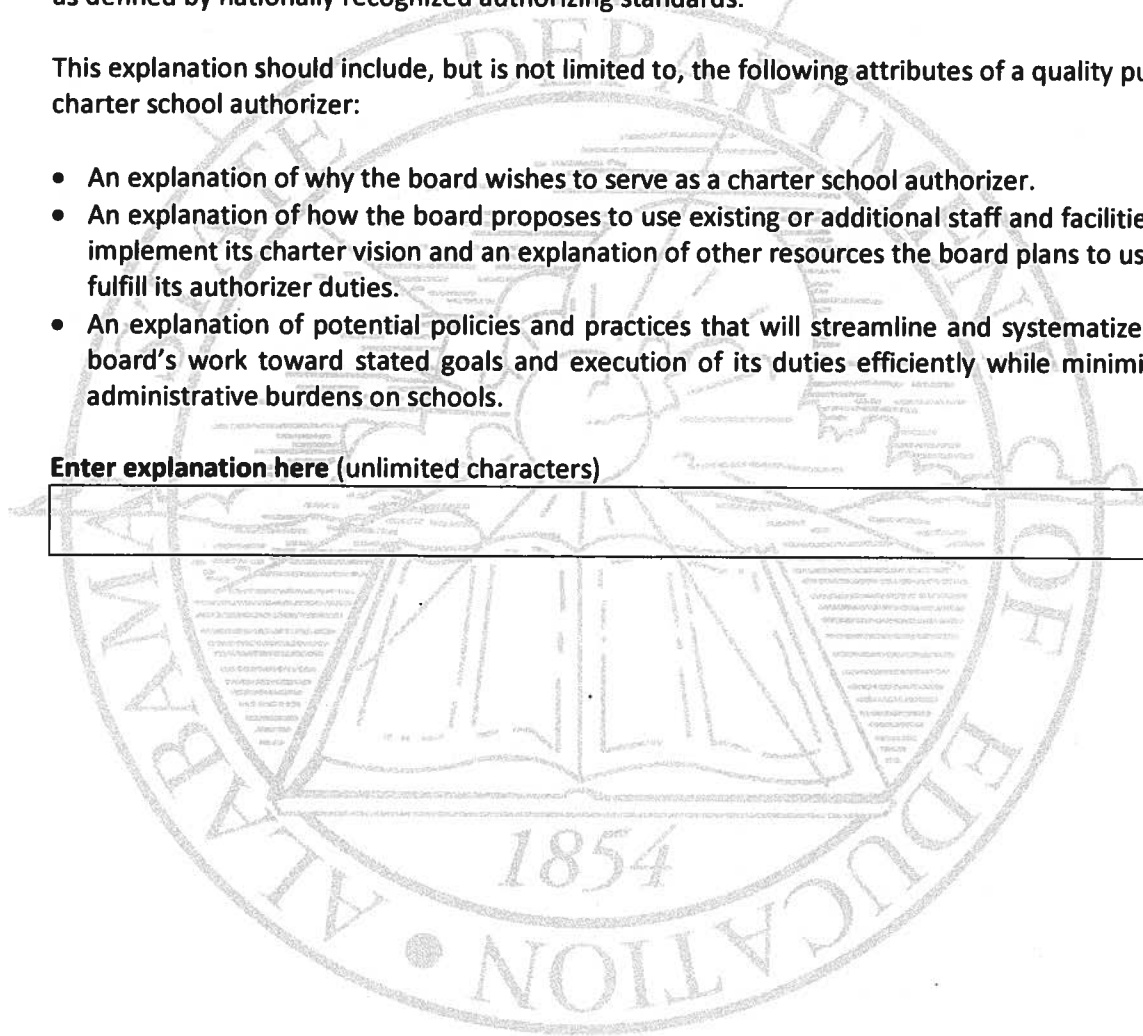
**IV. CAPACITY AND COMMITMENT [ACT 2015-3, SECTION 6 (d) (2)]; NACSA PRINCIPLES & STANDARDS (pp. 8-10)**

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)**

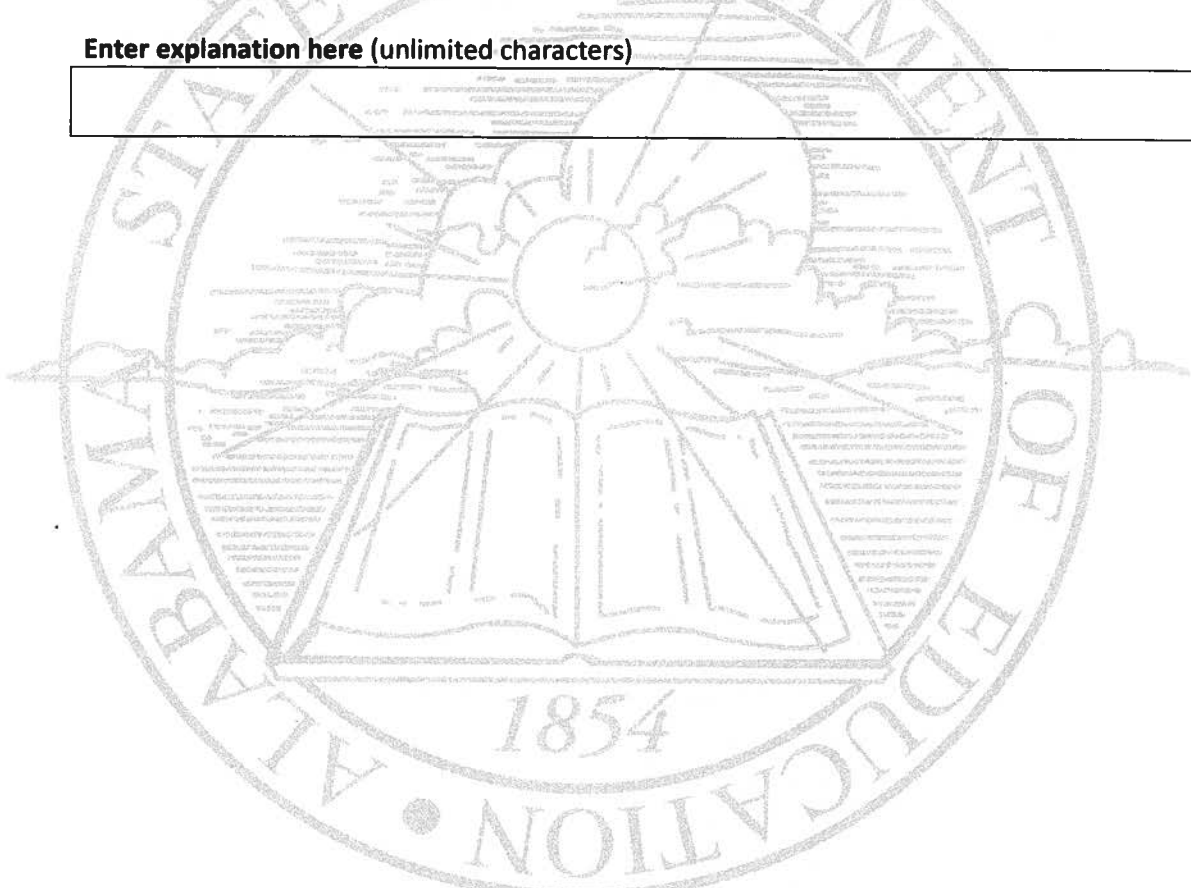


**V. STRATEGIC VISION [ACT 2015-3, SECTION 6 (d) (3)]; NACSA PRINCIPLES & STANDARDS (p. 10)**

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)



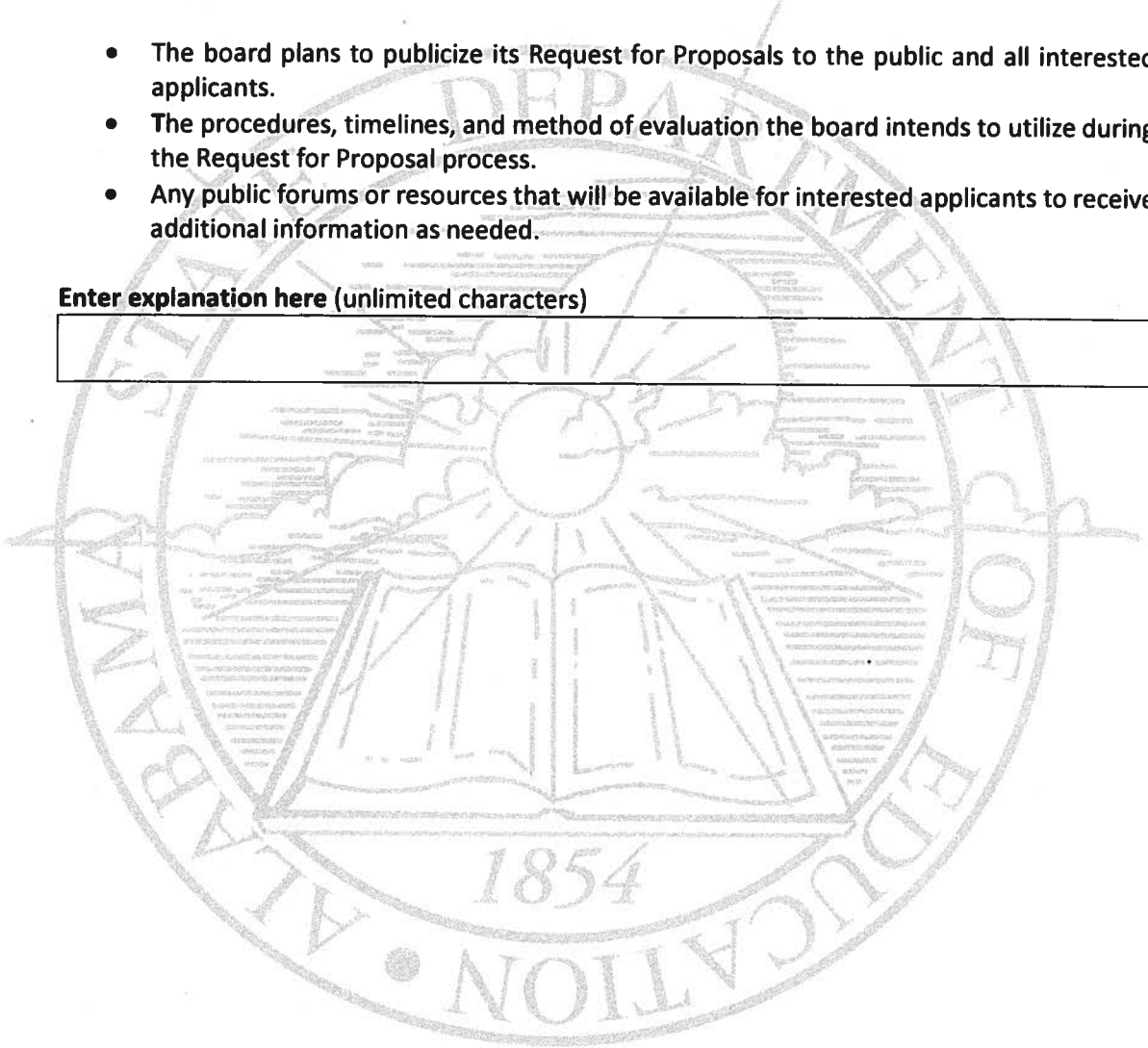


**VI. CHARTER SCHOOL APPLICANT SOLICITATION [ACT 2015-3, SECTION 6 (d) (4)]; NACSA PRINCIPLES & STANDARDS (pp. 12-13)**

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.

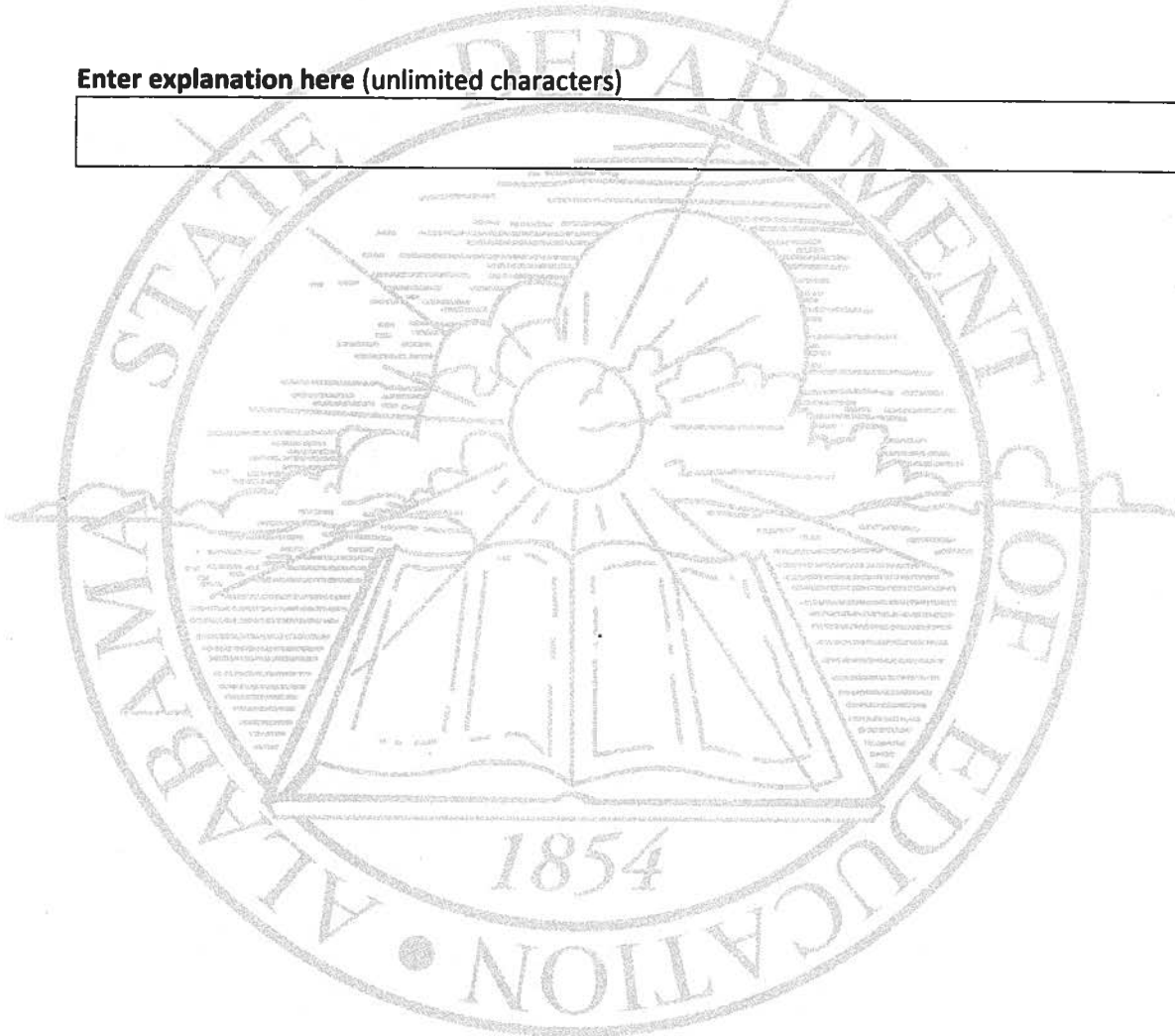
**Enter explanation here (unlimited characters)**



**VII. PERFORMANCE FRAMEWORK [ACT 2015-3, SECTION 6 (d) (5); SECTION 8 (a) AND (b)]; NACSA PRINCIPLES & STANDARDS (pp. 14-19)**

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 [ACT 2015-3, SECTION 6 (d) (6); SECTION 8 (c); NACSA PRINCIPLES & STANDARDS (pp. 20-21)]**

Provide a draft of the board's renewal, revocation, and nonrenewal processes consistent with Act 2015-3, Section 8 (c).

Enter explanation here (unlimited characters)

