

160.1599 Conversion of public noncharter school to public charter school -- Establishment requirements -- Administrative regulations -- Governance -- Enrollment requirements -- Employees -- Collective bargaining -- School facilities.

- (1) An existing public school not scheduled for closure may be converted into a public charter school and be identified to become a conversion public charter school if an applicant indicates to a valid authorizer the intent to convert an existing public school into a conversion public charter school.
- (2) A conversion public charter school may only be established if:
 - (a) A school has been identified by the Kentucky Department of Education as performing in the lowest five percent (5%) of its level and sixty percent (60%) of the parents or guardians of students who attend the school have signed a petition requesting the conversion, which shall be completed and submitted to a valid authorizer no later than ninety (90) days after the date of the first signature;
 - (b) A school has been identified by the Kentucky Department of Education as not performing in the lowest five percent (5%) of its level and sixty percent (60%) of the parents or guardians of students who attend the school have signed a petition requesting the conversion, which is approved by a majority vote of the local school board. If approved the completed petition shall be submitted to a valid authorizer no later than ninety (90) days after the date of the first signature; or
 - (c) The local school board votes to convert an existing public school over which it has authority.
- (3) For each conversion option identified in subsection (2) of this section, the Kentucky Board of Education shall promulgate administrative regulations to govern the processes and procedures for the petition, the conversion, and the operation of a conversion public charter school.
- (4) A conversion public charter school shall be governed by a board of directors constituted and empowered as provided in KRS 160.1592.
- (5) A conversion public charter school shall continue to comply with all federal and state requirements concerning the treatment of children with special needs and accept all students who attended the school prior to its conversion who wish to attend.
- (6) A conversion public charter school shall hire its own employees.
- (7) An employee who works in a conversion public charter school shall be an employee of the public charter school.
- (8)
 - (a) For any collective bargaining agreement entered into on or after June 29, 2017, a governing board shall not be bound by its collective bargaining agreement for employees of a conversion public charter school.
 - (b) Employees of a conversion public charter school may organize and collectively bargain only as a unit separate from other school employees.

- (9) A conversion public charter school shall continue to be housed in the same public school facility and shall have the option of using the existing assets of the school.

Effective: July 14, 2022

History: Amended 2022 Ky. Acts ch. 213, sec. 10, effective July 14, 2022. -- Created 2017 Ky. Acts ch. 102, sec. 10, effective June 29, 2017.