

1 AN ACT relating to public charter schools and declaring an emergency.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 160.1591 is amended to read as follows:

- 4 (1) The General Assembly hereby finds and declares that:
- 5 (a) Reducing achievement gaps in Kentucky is necessary for the state to realize its
6 workforce and economic development potential;
- 7 (b) Past and current measures have been insufficient for making progress toward
8 reducing the state's achievement gaps;
- 9 (c) Additional public school options are necessary to help reduce socioeconomic,
10 racial, and ethnic achievement gaps; and
- 11 (d) The demand exists for high-quality public charter schools in the
12 Commonwealth.
- 13 (2) The General Assembly hereby establishes a public charter school project to benefit
14 parents, teachers, and community members by creating new, innovative, and more
15 flexible ways of educating all children within the public school system and by
16 advancing a renewed commitment to the mission, goals, and diversity of public
17 education. The purposes of the public charter school initiative are to:
- 18 (a) Improve student learning outcomes by creating additional high-performing
19 schools with high standards for student performance;
- 20 (b) Encourage the use of different, high-quality models of teaching, governing,
21 scheduling, or other aspects of schooling that meet a variety of student needs;
- 22 (c) Close achievement gaps between high-performing and low-performing groups
23 of public school students;
- 24 (d) Allow schools freedom and flexibility in exchange for exceptional levels of
25 results-driven accountability;
- 26 (e) Increase high-quality educational opportunities within the public education
27 system for all students, especially those at risk of academic failure; and

- 1 (f) Provide students, parents, community members, and local entities with
2 expanded opportunities for involvement in the public education system.
- 3 (3) **Notwithstanding any charter application submitted or approved prior to the**
4 **effective date of this Act, beginning July 1, 2020**~~[in academic year 2017-2018]~~, any
5 authorizer may authorize an unlimited number of public charter schools within the
6 boundary of the local school district. **No public charter school shall begin**
7 **operating before this date.**
- 8 (4) A public charter school shall not be a virtual public charter school.
- 9 (5) (a) A public charter school authorized by a local school board or collaborative
10 may enroll students who reside within the boundaries of the district or districts
11 represented by the local school board or collaborative.
- 12 (b) Enrollment preference for a conversion public charter school shall be given to
13 students who attended the school the previous school year. If the number of
14 students enrolled does not exceed the capacity of the school, secondary
15 preference shall be given to students who reside within the district boundary
16 in which the public charter school is located.
- 17 (c) Enrollment preference for public charter schools shall be given to students
18 enrolled in the public charter school the previous year and to siblings of
19 students already enrolled in the school. An enrollment preference for returning
20 students shall exclude those students from entering into a lottery, as identified
21 in paragraph (f) of this subsection.
- 22 (d) Enrollment preference may be given to the children of the public charter
23 school's board of directors and full-time employees of the public charter
24 school provided they constitute no more than ten percent (10%) of the total
25 student population.
- 26 (e) A public charter school may allow an enrollment preference for students who
27 meet federal eligibility requirements for free or reduced-price meals and

1 students who attend persistently low-achieving noncharter public schools.

2 (f) If capacity is insufficient to enroll all students who wish to attend any specific
3 grade level or program at a public charter school, the school shall select
4 students through a randomized and transparent lottery.

5 (6) (a) A public charter school established within the boundaries of a regional
6 achievement zone shall be a regional achievement academy.

7 (b) 1. A regional achievement academy may be authorized by a single local
8 school board within the regional achievement zone or by a collaborative
9 of local school boards within the regional achievement zone.

10 2. A regional achievement academy authorized by a single local school
11 board shall be located within the boundaries of the authorizing local
12 school district.

13 3. A regional achievement academy authorized by a collaborative of local
14 school boards shall be located within the regional achievement zone.

15 (c) A regional achievement academy may only enroll students who reside within
16 the boundaries of its regional achievement zone.

17 (d) Enrollment preference in a regional achievement academy may be given to
18 students who reside within the boundaries of the local school district where
19 the regional achievement academy is located.

20 (7) Consistent with the requirements of KRS 160.1590 to 160.1599 and 161.141, the
21 state board shall promulgate administrative regulations to guide student application,
22 lottery, and enrollment in public charter schools.

23 ➔Section 2. Whereas the financial cost of the public charter school project will
24 worsen the budgetary difficulties school districts face, an emergency is declared to exist,
25 and this Act takes effect upon its passage and approval by the Governor or upon its
26 otherwise becoming a law.