

Research Department

Director
Carole Pagonis

Associate Director
Thomas M. Todd

Legal Services Coordinator
Joel T. Michael

Public Finance Coordinator
Alan R. Hopeman

Karen M. Baker
Maureen Bellis
Randall Chun
Martha Clark
James D. Cleary
Gary R. Currie

Minnesota House of Representatives

600 State Office Building, St. Paul, MN 55155
(612) 296-6753

Patricia Q. Dalton
Kerry Kinney Fine
John Helland
Stephen D. Hinze
Lisa F. Larson
Mary Jane Lehnertz
Nina M. Manzi
Deborah K. McKnight
Thomas R. Pender
Jayne Sprinthall Rankin
Samuel W. Rankin
Emily Shapiro
Mark Shepard
Timothy E. Strom
Linda S. Taylor
Susan Urahn
John Williams
Douglas S. Wilson

August 29, 1990

TO: Representative Ken Nelson
FROM: Lisa Larson, Legislative Analyst
RE: Bill draft establishing chartered schools

Enclosed, at your request, is the draft of a bill establishing chartered schools. The draft is similar to one prepared for, but never presented to the 1990 education conference committee. The current version of the bill draft contains the following provisions: a definition of chartered school; parameters for authorizing a charter; an application process and a description of the contents of an application; a process for notifying applicants; a basic organizational structure for operating a chartered school; an unspecified limit on the length of a charter's term; an ability to modify or dissolve a charter; an ability to revoke a charter; a requirement that a chartered school be accredited within three years; a requirement that a chartered school purchase liability insurance; an ability of the state board of education to waive rules; a mechanism for addressing teachers' collective bargaining agreements; a list of additional charter terms and restrictions; and a statement that general laws governing independent school districts may apply in certain circumstances. The bill is drafted to be effective upon enactment. The language is not codified.

Please let me know what changes you would like made to the bill draft and how I can be of additional help.

LL/re
Enclosure

cc: Bill Marx
Jim Hoskyn

The 8/29/90 bill

This bill would produce few if any new schools, and no dynamics. Basically it would protect existing districts against new schools.

<u>Subdiv.</u>	<u>Restriction</u>	<u>Comment</u>
1	Only the local board can start a school, and only within its own district.	We can do this today. What's needed is for the state to let 'somebody <u>else</u> ' sponsor a new school. Kids would then have a choice without having to travel.
	The program has to be one not now available in the community.	This is the restriction superintendents early tried to get put on the post-secondary option: Kids shouldn't be able to go elsewhere for courses offered at home, even if it's better taught. Same idea here: Can't let in a new school just because it might be better.
	Requires the school to follow all existing rules/standards.	This will keep the new school from being different and better. Offers nothing to at-risk kids, who have already failed in schools with all these rules.
	Limited to five sites.	
2	No charter to a nonpublic organization.	Both central cities now contract with nonpublic organizations for alternative school. Also, see below.
3	Prohibits ^{educators,} educators, parents or community groups alone from proposing a school; or even two of the three together.	
4	There is no appeal from a 'no' decision of the local board.	

5 No explanation of what status the 'team' proposing the school will have, legally. Some legal entity is required, given the powers conferred.

The school is to be a traditional school, controlled entirely by inputs: rules and procedures.

The Governing Body of the school is clearly overridden by the Coordinating Committee set up by the School Board.

6 The Coordinating Committee controls the decision about the renewal of the agreement.

8 The School Board may revoke for virtually any cause, after consulting only with its Coordinating Committee.

12 All the procedures re staff, etc. in existing school are imposed on the new school.

14 All the laws pertaining to school districts today are imposed on the new school.

(General) The bill contains no provision for financing the proposed new school/s.

If a Chapter 317 (non-profit) corporation, how square this with the prohibition against nonpublic?

Again: We have this sort of school now. We don't need a new law to create more of these. We need schools free of rules -- and without having to ask for waivers one at a time.

Nothing re: amount. Nothing re: responsibilities.