

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action:	Concur in the House Amendments dated 6/17 and Further Amend and Repass the Bill
Vote:	4 - 2 - 0
Yeas:	Dembrow, Gelser, Hass, Devlin
Nays:	Sprenger, Girod
Exc.:	0
Prepared By:	Dana Richardson, Administrator
Meeting Dates:	6/25, 6/26

WHAT THE MEASURE DOES: Specifies requirements for virtual public charter schools (virtual schools). Specifies applicability of 50 percent residency requirement to all public charter schools operating prior to, on or after effective date of the Act unless waiver has been granted by State Board of Education. Establishes Online Learning Task Force. Prohibits virtual school from increasing, based on number of students receiving online instruction on May 1, 2009, the number of students receiving online instruction. Specifies exceptions. Permits virtual school operating in violation of 50 percent requirement to continue to operate under terms and exceptions to prohibition on increasing the number of students. Prohibits State Board from granting waiver of 50 percent requirement. Defines virtual school. Declares an emergency; effective upon passage.

ISSUES DISCUSSED:

- Difficulties for new virtual school to expand enrollment
- Sponsor's intent to allow students to stay in their current school
- Eligibility for waivers of 50 percent requirement

EFFECT OF COMMITTEE AMENDMENT: Removes requirement that virtual school provide plan to provide students' lesson materials in English or the native language of the student under certain circumstances. Adds that task force report must address how to best serve students who are learning English as a second language.

Prohibits virtual school from increasing, based on number of students receiving online instruction on May 1, 2009, the number of students receiving online instruction. Applies prohibition to all virtual schools except those with 50 percent or more of students who are district students or those that have been granted a waiver by the State Board and are complying with terms of waiver. Permits virtual school that is restricted from increasing number of students receiving online education to enroll sibling of a student enrolled on May 1, 2009 under certain circumstances. Permits virtual school that had no students on May 1, 2009 to increase enrollment in accordance with 50 percent requirement.

Permits virtual school to increase number of students receiving online instruction if school had students enrolled on May 1, 2009, such enrollment was 120 or fewer students, and State Board provides waiver of 50 percent requirement. Specifies that waiver may only allow such virtual school to increase, prior to July 1, 2011, number of students receiving online instruction to 120 students. Requires additional students beyond 120 to comply with 50 percent requirement.

BACKGROUND: Current statute establishes requirements for enrollment of students in public charter schools. Public charter schools that offer any online courses are required to have at least 50 percent of their students reside in the district in which the school is located. The State Board of Education has considered waivers to this requirement, but has not standardized guidelines for determining when to grant a waiver.

Senate Bill 767C* generally prohibits a for-profit entity from being the employer of public charter school employees if virtual school or its sponsor contracts with a for-profit entity. Additional requirements of virtual schools include providing: an agreement to employ only licensed teachers who are highly qualified under federal law; an itemized budget for any third-party entity contracted with to provide educational services; a plan to address improving student learning and meeting academic content standards; performance criteria to measure progress in meeting academic performance goals; a plan to directly and significantly involve each schools' parents and guardians of students as well as professional employees; a budget, business plan and governance plan; an agreement that the school will use an interactive Internet-based technology platform that monitors and tracks student progress and attendance; a plan for maintaining student and school records at a designated central office; a plan to provide equitable access that ensures each student has computer and printer equipment and is offered an Internet service cost reimbursement arrangement; a plan to conduct educational events at least six times each year; a plan to conduct biweekly meetings between teachers and students either in person or through other means; and a plan to provide face-to-face meetings between teachers and students at least six times a year.