

## SB336 INTRODUCED



1 SB336  
2 7BQ58EV-1  
3 By Senator Chambliss  
4 RFD: Education Policy  
5 First Read: 22-Apr-25

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4 SYNOPSIS:

5 Under existing law, the Alabama School Choice  
6 and Student Opportunity Act provides for the creation  
7 and operation of charter schools.

8 This bill would provide the means for a local  
9 school board to serve as authorizer for the conversion  
10 of two or more existing non-charter public schools  
11 under its purview into conversion public charter  
12 schools as part of a conversion public charter school  
13 district.

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15  
16 A BILL  
17 TO BE ENTITLED  
18 AN ACT  
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20 Relating to the Alabama School Choice and Student  
21 Opportunity Act; to amend Sections 16-6F-4, 16-6F-6, and  
22 16-6F-7, Code of Alabama 1975, and to add Section 16-6F-7.1 to  
23 the Code of Alabama 1975, to provide for the creation of  
24 conversion public charter school districts.

25 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

26 Section 1. Sections 16-6F-4, 16-6F-6, and 16-6F-7 of  
27 the Code of Alabama 1975, are amended to read as follows:

28 "§16-6F-4



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For the purposes of this chapter, the following terms shall have the following meanings:

(1) APPLICANT. Any group with 501(c)(3) tax-exempt status or that has submitted an application for 501(c)(3) tax-exempt status that develops and submits an application for a public charter school to an authorizer.

(2) APPLICATION. A proposal from an applicant to an authorizer to enter into a charter contract whereby the proposed school obtains public charter school status.

(3) AT-RISK STUDENT. A student who has an economic or academic disadvantage that requires special services and assistance to succeed in educational programs. The term includes, but is not limited to, students who are members of economically disadvantaged families, students who are identified as having special education needs, students who are limited in English proficiency, students who are at risk of dropping out of high school, and students who do not meet minimum standards of academic proficiency.

(4) AUTHORIZER. An entity authorized under this chapter 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.

(5) CHARTER CONTRACT. A fixed-term renewable contract between a public charter school and an authorizer that outlines the roles, powers, responsibilities, and quantitative and qualitative performance expectations for each party to the contract.



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(6) COMMISSION. The Alabama Public Charter School Commission created in ~~subsection (c) of~~ Section 16-6F-6 (c). The commission serves as an appellate body in specific circumstances outlined in ~~subsection (a) of~~ Section 16-6F-6 (a).

(7) 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.

(8) CONVERSION PUBLIC CHARTER SCHOOL DISTRICT. A group of two or more conversion public charter schools which existed together as a non-charter public school district under a local school board and, after conversion, exist together under and are governed by the same local school board serving as an authorizer.

~~(8)~~ (9) DEPARTMENT. The State Department of Education.

~~(9)~~ (10) EDUCATION SERVICE PROVIDER. An entity with which a public charter school intends to contract with for educational design, implementation, or comprehensive management. This relationship shall be articulated in the public charter school application.

~~(10)~~ (11) GOVERNING BOARD. The independent board of a public charter school that is party to the charter contract with the authorizer. A governing board shall have at least 20 percent of its membership be parents of students who attend or have attended the public charter school for at least one



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academic year. Before the first day of instruction, the 20 percent membership requirement may be satisfied by parents who intend to have their students attend the public charter school.

~~(11)~~ (12) LOCAL SCHOOL BOARD. A city or county board of education exercising management and control of a city or county local school system pursuant to state law.

~~(12)~~ (13) LOCAL SCHOOL SYSTEM. A public agency that establishes and supervises one or more public schools within its geographical limits pursuant to state law. A local school system includes a city or county school system.

~~(13)~~ (14) NATIONALLY RECOGNIZED AUTHORIZING STANDARDS. Standards for high quality public charter school authorizing collaboratively drafted and regularly updated by practitioners and policy makers from across the country who have experience and practice in the field of charter authorizing.

~~(14)~~ (15) NON-CHARTER PUBLIC SCHOOL. A public school other than a school formed pursuant to this chapter. A public school that is under the direct management, governance, and control of a local school board or the state.

(16) NON-CHARTER PUBLIC SCHOOL DISTRICT. Two or more non-charter public schools that serve students living in a geographical area smaller than the county and under the management and control of the county local school board. The term generally includes a city local school system that is not under the management and control of a city local school board.

~~(15)~~ (17) PARENT. A parent, guardian, or other person or entity having legal custody of a child.



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~~(16)~~ (18) PUBLIC CHARTER SCHOOL. A public school formed pursuant to this chapter that satisfies all of the following:

a. Has autonomy over key decisions including, but not limited to, decisions concerning finance, personnel, scheduling, curriculum, instruction, and procurement.

b. ~~Is~~ Unless otherwise provided in Section 16-6F-7.1, 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.

c. Is established and operated under the terms of a charter contract between the governing board and its authorizer, in accordance with this chapter.

d. Is a school to which parents choose to send their student.

e. 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.

f. Provides an educational program that satisfies all of the following:

1. Includes any grade or grades from prekindergarten to 12th grade.

2. 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.

3. Operates in pursuit of a specific set of educational objectives as defined in its charter contract, such as college



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or career readiness, or both.

4. Operates under the oversight of its authorizer in accordance with its charter contract.

~~(17)~~ (19) 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.

~~(18)~~ (20) STUDENT. Any child who is eligible for attendance in public schools in the state."

"§16-6F-6

(a) Eligible authorizing entities.

(1) A public charter school shall not be established in this state unless its establishment is authorized by this section. No governmental entity or other entity, other than an entity expressly granted chartering authority as set forth in this section, may assume any authorizing function or duty in any form. The following entities shall be authorizers of public charter schools:

a. A local school board, for chartering of schools within the boundaries of the school system under its jurisdiction, pursuant to state law.

b. The Alabama Public Charter School Commission, pursuant to this section.

(2) A local school board that registers as an authorizer may approve or deny an application to form a public charter school within the boundaries of the local school system overseen by the local school board.

(3) All authorizing entities shall prioritize those applications that are focused on serving at-risk students.



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(4) A decision made by a local school board shall be subject to appeal to the commission. The commission may hear an application for the formation of a public charter school by an applicant only if one of the following factors is met:

a. An application to form a public charter school is denied by the local school board overseeing that system and the applicant chooses to appeal the decision of the local school board to the commission.

b. The applicant wishes to open a start-up public charter school in a public school system that has chosen not to register as an authorizer.

(b) Public charter school cap.

(1) Authorizers may not approve more than 10 start-up public charter schools in a fiscal year.

(2) Upon receiving notice of approval of the tenth start-up public charter school to be approved in a fiscal year, the department shall provide notice to all authorizers that the cap has been reached and no new start-up public charter schools may be approved in that fiscal year.

(3) The cap expires on April 1 immediately following the conclusion of the fiscal year beginning October 1, 2020.

(4) At the conclusion of the fiscal year beginning October 1, 2020, the department shall submit a report to the Legislature outlining the performance of both start-up and conversion public charter schools. This report shall include, at a minimum, academic performance of all public charter schools in the state, a detailed update on the authorizing process, and recommendations for adjustments to public charter





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197 school governance and oversight.

198 (5) There is no limit on the number of conversion  
199 public charter schools that may be approved.

200 (c) The Alabama Public Charter School Commission.

201 (1) The commission is established as an independent  
202 state entity.

203 (2) The mission of the commission is to authorize high  
204 quality public charter schools, in accordance with the powers  
205 expressly conferred on the commission in this chapter.

206 (3)a. The initial membership of the commission shall  
207 consist of the following: The State Board of Education shall  
208 appoint 10 members, made up of four appointees recommended by  
209 the Governor, one appointee recommended by the Lieutenant  
210 Governor, two appointees recommended by the President Pro  
211 Tempore of the Senate, and three appointees recommended by the  
212 Speaker of the House of Representatives. The Governor, the  
213 Lieutenant Governor, the President Pro Tempore of the Senate,  
214 and the Speaker of the House of Representatives shall each  
215 recommend a list of no fewer than two nominees for each  
216 initial appointment to the commission. One recommended initial  
217 appointee of the President Pro Tempore of the Senate and one  
218 recommended initial appointee of the Speaker of the House of  
219 Representatives shall be an appointee recommended by members  
220 of the Senate minority party and members of the House minority  
221 party, respectively. No commission member can be appointed  
222 unless he or she has been recommended by the Governor,  
223 Lieutenant Governor, President Pro Tempore of the Senate, or  
224 the Speaker of the House of Representatives.



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b. Commencing on June 8, 2023, as the terms of the then serving members expire, the nominating authority for that respective serving member shall become the appointing authority for his or her successor on the commission so that the Governor shall appoint four members to the commission, the Lieutenant Governor shall appoint one member to the commission, the President Pro Tempore of the Senate shall appoint two members to the commission, and the Speaker of the House of Representatives shall appoint three members to the commission. Commencing on June 8, 2023, one additional member shall be appointed by the Minority Leader of the Senate and one additional member shall be appointed by the Minority Leader of the House of Representatives for four-year terms of office as provided in subdivision (6).

(4) The appointing authorities of the commission members shall strive to select individuals that collectively possess strong experience and expertise in public and nonprofit governance, strategic planning, management and finance, public school leadership, assessment, curriculum and instruction, and public education law. Each member of the commission shall have demonstrated understanding of and commitment to charter schooling as a tool for strengthening public education and shall sign an agreement to hear the appeal and review documents in a fair and impartial manner.

(5) Membership of the commission shall be inclusive and reflect the racial, gender, geographic, urban, rural, and economic diversity of the state.

(6) The initial appointments to the commission shall be



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made no later than June 1, 2015. Two recommended initial appointees of the Governor, one recommended initial appointee of the Lieutenant Governor, one recommended initial appointee of the Speaker of the House of Representatives, and one recommended initial appointee of the President Pro Tempore of the Senate shall serve an initial term of one year and two recommended initial appointees of the Governor, two recommended initial appointees of the Speaker of the House of Representatives, and one recommended initial appointee of the President Pro Tempore of the Senate shall serve an initial term of two years. Thereafter, all appointees shall serve four-year terms of office. All appointments shall be eligible for reappointment as determined by the appointing authority, not to exceed a total of eight years of service, unless the member was initially appointed to serve a one-year term of office. If the initial term of office of an appointee was one year, he or she may serve a total of five nine years of service on the commission.

(7) A member of the commission may be removed for failure to perform the duties of the appointment. Whenever a vacancy on the commission exists, the appointing authority, within 60 days after the vacancy occurs, shall appoint a member for the remaining portion of the term in the same manner as the original appointment was made. A member of the commission shall abstain from any vote that involves a local school system of which he or she is an employee or which he or she oversees as a member of a local school board.

(8) Six members of the commission constitute a quorum,



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and a quorum shall be necessary to transact business. Actions of the commission shall be by a majority vote of the commission. The commission, in all respects, shall comply with the Alabama Open Meetings Act and state record laws. Notwithstanding the preceding sentence, members of the commission may participate in a meeting of the commission by means of telephone conference, video conference, or similar communications equipment by means of which all persons participating in the meeting may hear each other at the same time. Participation by such means shall constitute presence in person at a meeting for all purposes, including the establishment of a quorum. Telephone or video conference or similar communications equipment shall also allow members of the public the opportunity to simultaneously listen to or observe meetings of the commission.

(9) If the commission overrules the decision of a local school board and chooses to authorize the establishment of a public charter school in that local school system, the commission shall serve as the authorizer for that public charter school, pursuant to this chapter.

(10) Each member of the commission, upon assuming office, shall complete an orientation program and an annual training program thereafter, as developed by the commission. The orientation program shall focus on roles and responsibilities of charter school authorizers, laws impacting commissioners as public officials, general education laws, and best practices. In developing and implementing the programs, the commission may consult national or state organizations



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with training expertise. Before the start of each regular legislative session, the commission shall provide a report to each appointing authority regarding the implementation and effectiveness of the programs. Failure to attend and complete a required orientation or annual training program may constitute grounds for removal from the commission by the appointing authority.

(11) The commission may do any of the following:

a. Upon evaluation and agreement, share services, facilities, supplies, and related costs with the department.

b. Adopt rules for the operation and organization of the commission.

c. Review, at least once per year, department rules concerning public charter schools and, if needed, recommend to the State Superintendent of Education any rule changes deemed necessary.

d. Convene stakeholder groups and engage experts.

e. Seek and receive state, federal, and private funds for operational expenses.

f. Employ professional, administrative, technical, and clerical staff, without regard to the state Merit System, who shall serve at the pleasure of the commission. Staff employed pursuant to this paragraph shall receive compensation and benefits established by the commission, payable in the same manner as state employees.

(12) A commission member may not receive compensation, but shall be reimbursed by the department for travel and per diem expenses at the same rates and in the same manner as



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state employees.

(13) The commission shall submit an annual report to the department pursuant to subsection (g).

(14) In order to overrule the decision of a local school board and authorize a public charter school, the commission, in its own consideration of the application, shall do all of the following:

a. Find evidence of a thorough and high-quality public charter school application from the applicant based on the authorizing standards in Section 16-6F-7(a)(8).

b. Hold an open community hearing opportunity for public comment within the local school system where the application was denied.

c. Find that the local board's denial of an original charter application is not supported by the then current application and exhibits.

d. Take into consideration all of the following:

1. Other existing charter school applications.

2. The quality of school options existing in the affected community.

3. The existence of other charter schools.

4. Any other factors considered relevant to ensure the establishment of high-quality charter schools in accordance with the intent of this chapter.

e. At least 15 days prior to consideration of the application, send a letter to the chair of the local school board where the denial originated informing the local school board that the commission will hear the appeal pursuant to a



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public hearing and will provide the chair, or his or her designee, the opportunity to address the commission at that public hearing.

(d) (1) A local school board may apply to 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 apply to 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 an application deadline, to all local school boards. To apply as a charter authorizer in its school system, each interested local school board shall submit the following information in a format to be established by the department:

a. Written notification of intent to serve as a charter authorizer in accordance with this chapter.

b. An explanation of the local school board's capacity and commitment to execute the duties of quality charter authorizing, as defined by nationally recognized authorizing standards.

c. An explanation of the local school board's strategic vision for chartering.

d. An explanation of how the local school board plans to solicit public charter school applicants, in accordance with this chapter.

e. A description or outline of the performance framework the local school board will use to guide the establishment of a charter contract and for ongoing oversight



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and evaluation of public charter schools, consistent with the requirements of this chapter.

f. A draft of the local school board's renewal, revocation, and nonrenewal processes, consistent with Section 16-6F-8(c).

g. A statement of assurance that the local school board commits to serving as a charter authorizer and shall fully participate in annual authorizer training approved by the department.

(2) Once chartering authority is granted, the registered local school board shall reapply to be an authorizer every five years if the local school board wishes to continue serving as an authorizer.

(e) If a local school board chooses not to register as an authorizer, all applications seeking to open a start-up public charter school within that local school board's boundaries shall be denied. Applicants wishing to open a public charter school physically located in that local school system may apply directly to the commission.

(f) An authorizer may do all of the following:

(1) Solicit, invite, receive, and evaluate applications from organizers of proposed public charter schools.

(2) Approve applications that meet identified educational needs.

(3) Deny applications that do not meet identified educational needs.

(4) Create a framework to guide the development of charter contracts.





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(5) Negotiate and execute charter contracts with each approved public charter school.

(6) Monitor the academic, fiscal, and organizational performance and compliance of public charter schools.

(7) Determine whether each charter contract merits renewal or revocation.

(g) ~~An~~ A local school board authorizer shall submit to the State Board of Education a publicly accessible annual report within 60 days after the end of each school fiscal year summarizing all of the following:

(1) The authorizer's strategic vision for chartering and progress toward achieving that vision.

(2) The academic and financial performance of all operating public charter schools overseen by the authorizer, according to the performance measures and expectations specified in the charter contracts.

(3) The status of the public charter school portfolio of the authorizer, identifying all public charter schools within that portfolio as one of the following:

a. Approved, but not yet open.

b. Open and operating.

c. Terminated.

d. Closed, including year closed and reason for closing.

e. Never opened.

(4) The oversight and services, if any, provided by the authorizer to the public charter schools under the purview of the authorizer.



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(5) The authorizing functions provided by the authorizer to the public charter schools under its jurisdiction, including the operating costs and expenses of the authorizer detailed in annual audited financial statements that conform to generally accepted accounting principles.

(6) All use of taxpayer dollars including expenditures, contracts, and revenues.

(h) To cover costs for overseeing and authorizing public charter schools in accordance with this chapter, a local school board serving as an authorizer may do all of the following:

(1) Expend its own resources, seek grant funds, and establish partnerships to support its public charter school authorizing activities.

(2) Charge a portion of annual per student state allocations received by each public charter school it authorizes based on the following schedule:

a. If the local school board has oversight over one to three, inclusive, public charter schools: Three percent of annual per student state allocations.

b. If the local school board has oversight over four to five, inclusive, public charter schools: Two percent of annual per student state allocations.

c. If the local school board has oversight over six to 10, inclusive, public charter schools: One percent of annual per student state allocations.

d. These funds shall be used to cover the costs for a local school board to provide authorizing services to its



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public charter schools.

(i) An employee, agent, or representative of an authorizer may not simultaneously serve as an employee, agent, representative, vendor, or contractor of a start-up public charter school of that authorizer.

(j) With the exception of charges for oversight services as required in subsection (h), a public charter school may not be required to purchase services from its authorizer as a condition of charter approval or of a charter contract, nor may any such condition be implied.

(k) A start-up public charter school authorized by a local school system may choose to purchase services, such as transportation-related or lunchroom-related services, from its authorizer. In such event, the public charter school and authorizer shall execute an annual service contract, separate from the charter contract, stating the mutual agreement of the parties concerning any service fees to be charged to the public charter school. A start-up public charter school authorized by the commission may not purchase services from the commission, but consistent with this section, may purchase services from the local school system where the public charter school is located.

(l) The department shall oversee the performance and effectiveness of all authorizers that are local school boards established under this chapter. Persistently unsatisfactory performance of the portfolio of the public charter schools of an authorizer, a pattern of well-founded complaints about the authorizer or its public charter schools, or other objective



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circumstances may trigger a special review by the department. In reviewing and evaluating the performance of an authorizer, the department shall apply nationally recognized standards for quality in charter authorizing. If, at any time, the department finds that an authorizer is not in compliance with an existing charter contract or the requirements of all authorizers under this chapter, the department shall notify the authorizer in writing of any identified problem, and the authorizer shall have reasonable opportunity to respond and remedy the problem.

(m) If a local school board acting as an authorizer persists in violating a material provision of a charter contract or fails to remedy any other authorizing problem after due notice from the department, the department shall notify the local school board, within 60 days, that it intends to revoke the chartering authority of the local school board unless the local school board demonstrates a timely and satisfactory remedy for the violation or deficiencies.

(n) If the commission violates a material provision of a charter contract or fails to remedy any other authorizing problems after due notice from the department, the department shall notify the commission, within 60 days, that it intends to notify the Governor, the Speaker of the House of Representatives, and the President Pro Tempore of the Senate of the actions of the commission unless the commission demonstrates a timely and satisfactory remedy for the violation of the deficiencies. Along with this notification, the department shall publicly request in writing that the



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Governor, the Speaker of the House of Representatives, and the President Pro Tempore appointees comply with the requests of the department or face a revocation of their appointment to the commission.

(o) In the event of revocation of the chartering authority of an authorizer, the department shall manage the timely and orderly transfer of each start-up public charter contract held by that authorizer to another authorizer in the state, with the mutual agreement of each affected start-up public charter school and proposed new authorizer. The new authorizer shall assume the existing charter contract for the remainder of the charter term.

(p) Authorizer power, duties, and liabilities. Authorizers are responsible for executing, in accordance with this chapter, the following essential powers and duties:

(1) Soliciting and evaluating charter applications based on nationally recognized standards.

(2) Approving quality charter applications that meet identified educational needs and promote a diversity of high-quality educational choices.

(3) Declining to approve weak or inadequate charter applications.

(4) Negotiating and executing charter contracts with each approved public charter school.

(5) Monitoring, in accordance with charter contract terms, the performance and legal compliance of public charter schools.

(6) Determining whether each charter contract merits



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renewal, nonrenewal, or revocation.

(q) An authorizer that grants a charter to a 501(c)(3) tax-exempt organization for the purpose of opening and operating a public charter school is not 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 complied with all oversight responsibilities required by law, including, but not limited to, those required by this chapter.

(r) Principles and standards for charter authorizing.

(1) All authorizers shall be required to develop and maintain chartering policies and practices consistent with nationally recognized principles and standards for quality charter authorizing in all major areas of authorizing responsibility including: Organizational capacity and infrastructure; soliciting and evaluating charter applications; performance contracting; ongoing public charter school oversight and evaluation; and charter renewal decision-making. The State Board of Education shall adopt reasonable rules to effectuate this section by June 17, 2015.

(2) Authorizers shall carry out all of their duties under this chapter in a manner consistent with such nationally recognized principles and standards and with the spirit and intent of this chapter. Evidence of material or persistent failure to do so shall constitute grounds for losing charter authorizing powers."

"§16-6F-7

(a) Request for proposals.



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(1) To solicit, encourage, and guide the development of quality start-up public charter school applications, every local school board, in its role as public charter school authorizer, shall issue and broadly publicize a request for proposals for public charter school applications by ~~July 17, 2015, and by~~ November 1 ~~in~~ each ~~subsequent~~ year. The content and dissemination of the request for proposals shall be consistent with the purposes and requirements of this ~~act~~ chapter. Authorizers that are local school boards developing multiple conversion public charter schools shall issue and broadly publicize a request for proposals for education service providers.

(2) ~~Public~~ Start-up public charter school applicants may submit a proposal for a particular public charter school to no more than one local school board at a time.

(3) The department shall annually establish and disseminate a statewide timeline for start-up charter approval or denial decisions, which shall apply to all authorizers in the state that are local school boards.

(4) Each local school board's request for proposals shall present the board's strategic vision for chartering, including a clear statement of any preferences the board wishes to grant to applications that help at-risk students.

(5) The request for proposals shall include or otherwise direct applicants to the performance framework that the authorizer has developed for public charter school oversight and evaluation in accordance with this chapter.

(6) The request for proposals shall include the



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criteria that will guide the authorizer's decision to approve or deny a start-up charter application.

(7) The request for proposals shall state clear, appropriately detailed questions as well as guidelines concerning the format and content essential for applicants to demonstrate the capacities necessary to establish and operate a successful start-up public charter school.

(8) The request for proposals shall require charter applications to provide or describe thoroughly all of the following essential elements of the proposed school plan:

a. An executive summary.

b. The mission and vision of the proposed start-up public charter school, including identification of the targeted student population and the community the school hopes to serve.

c. The location or geographic area proposed for the school.

d. The grades to be served each year for the full term of the charter contract.

e. Minimum, planned, and maximum enrollment per grade per year for the term of the charter contract.

f. Evidence of need and community support for the proposed start-up public charter school.

g. A brief biography regarding the expertise and background on the proposed founding governing members and the proposed school leadership and management team.

h. The school's proposed calendar and sample daily schedule.





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i. A description of the academic program.

j. A description of the school's instructional design, including the type of learning environment, such as classroom-based or independent study, class size and structure, curriculum overview, and teaching methods.

k. The school's plan for using internal and external assessments to measure and report student progress.

l. The school's plan for identifying and successfully serving students with disabilities, students who are English language learners, students who are academically behind, and gifted students, including, but not limited to, compliance with applicable laws and regulations.

m. A description of cocurricular or extracurricular programs and how they will be funded and delivered.

n. Plans and timelines for student recruitment and enrollment, including random selection procedures in the event that interest exceeds capacity.

o. The school's student discipline policies, including those for special education students.

p. An organization chart that clearly presents the school's organizational structure, including lines of authority and reporting between the governing board, staff, any related bodies, such as advisory bodies or parent and teacher councils, and any external organizations that will play a role in managing the school.

q. A clear description of the roles and responsibilities for the governing board, the school's leadership and management team, and any other entities shown



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673 in the organization chart.

674 r. A staffing chart for the school's first year, and a  
675 staffing plan for the term of the charter.

676 s. Plans for recruiting and developing school  
677 leadership and staff.

678 t. The school's leadership and teacher employment  
679 policies, including performance evaluation plans.

680 u. Proposed governing bylaws.

681 v. Explanations of any partnerships or contractual  
682 relationships central to the school's operations or mission.

683 w. The school's plans for providing transportation,  
684 food service, and all other significant operational or  
685 ancillary services.

686 x. Opportunities and expectations for parental  
687 involvement.

688 y. A detailed school start-up plan, identifying tasks,  
689 timelines, and responsible individuals.

690 z. Description of the school's financial plan and  
691 policies, including financial controls and audit requirements.  
692 This plan shall include a disclosure of all donations of  
693 private funding, if any, including, but not limited to, gifts  
694 received from foreign governments, foreign legal entities,  
695 and, when reasonably known, domestic entities affiliated with  
696 either foreign governments or foreign legal entities.

697 aa. A description of the insurance coverage the school  
698 will obtain.

699 bb. Start-up and five-year budgets with clearly stated  
700 assumptions.



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cc. Evidence of anticipated fundraising contributions, if claimed in the application.

dd. A sound facilities plan, including backup or contingency plans, if appropriate.

ee. In the case of an applicant who has submitted an application for 501(c)(3) tax-exempt status, but has not yet been approved for 501(c)(3) tax-exempt status, the applicant shall submit a copy of the application for 501(c)(3) tax-exempt status.

ff. Any other item that the authorizer deems appropriate to assess the applicant's ability to successfully open and operate a public charter school.

(9) Conversion public charter schools. A local school board may convert ~~a~~ one or more non-charter public ~~school~~ schools to a conversion public charter school or conversion public charter school district as provided in Section 16-6F-7.1.

a. Any local school board's decision to convert a school or multiple schools is not appealable to the commission.

1. After identifying the non-charter public school ~~it~~ or schools the local school board authorizer has decided to convert to ~~a~~ conversion public charter ~~school~~ schools, an authorizer that is a local school board shall release a request for proposals, allowing education service providers the opportunity to submit applications to manage the specific ~~school~~ schools as ~~a~~ public charter ~~school~~ schools under the terms of this chapter. If no qualified education service



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provider submits an application, the authorizer may employ individuals with expertise to manage the conversion public charter schools.

2. The conversion must occur at the beginning of an academic school year and shall be subject to compliance with this chapter.

3. At the time of conversion to a public charter school, any teacher or administrator in the newly converted public charter school shall have the opportunity to interview for a position in the public charter school. The public charter school is under no obligation to hire any teacher or administrator.

4. At the time of conversion to a public charter school, any teacher or administrator in the public charter school may be allowed to transfer into vacant positions for which they are both certified and qualified in other schools in the school system prior to the hiring of new personnel for those vacant positions.

5. If personnel reductions are contemplated as the result of a conversion to a charter model, that shall be clearly stated in the application. An approved conversion shall constitute decreased student enrollment or a shortage of revenues, or both, for the purposes of the local school board implementing a reduction in force pursuant to Section 16-1-33.

b. After an education service provider ~~has~~ or other qualified individuals have been identified to manage the ~~non-charter~~ approved conversion public charter school, the local school board shall negotiate a performance contract with



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the selected education service provider or qualified  
individuals as set forth in subdivision (e) (1) ~~of subsection~~  
~~(e)~~.

(10) In the case of a proposed start-up public charter school that intends to contract with an education service provider for substantial education services, management services, or both types of services, the request for proposals shall additionally require the applicants to do all of the following:

a. Provide evidence of the education service provider's success in serving student populations similar to the targeted population, including demonstrated academic achievement as well as successful management of nonacademic school functions, if applicable.

b. Provide a term sheet setting forth the proposed duration of the service contract; roles and responsibilities of the governing board; the school staff; and the education service provider; scope of services and resources to be provided by the education service provider; performance evaluation measures and timelines; compensation structure, including clear identification of all fees to be paid to the education service provider; methods of contract oversight and enforcement; investment disclosure; and conditions for renewal and termination of the contract.

c. Disclose and explain any existing or potential conflicts of interest between the school governing board and proposed education service provider or any affiliated business entities.



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(11) In the case of a public charter school proposal from an applicant that currently operates one or more schools inside or outside of Alabama, the request for proposals shall additionally require the applicant to provide evidence of past performance and current ability to manage for growth.

(b) Application decision-making process.

(1) 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.

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

a. 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.

b. Base decisions on documented evidence collected through the application review process.

c. Follow charter-granting policies and practices that are transparent, based on merit, and avoid conflicts of interest or any appearance thereof.

d. In the case of the commission, require significant and objective evidence of interest for the public charter



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813 school from the community the public charter school wishes to  
814 serve.

815 (3) An authorizer shall not approve a public charter  
816 school application that includes any of the following:

817 a. Admissions requirements for entry, including, but  
818 not limited to, academic proficiency, particular skills or  
819 competencies, or financial means.

820 b. Any parochial or religious theme.

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

833 (5) An approval decision may include, if appropriate,  
834 reasonable conditions that the charter applicant must meet  
835 before a charter contract may be executed pursuant to this  
836 section.

837 (6) For any charter denial, the authorizer shall  
838 clearly state, for public record, its reasons for denial. A  
839 denied applicant may subsequently reapply to that board the  
840 following year or appeal the denial to the commission.



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(7) 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.

(c) (1) The applicant for a public charter school, the local school board for the district in which a public charter school is proposed to be located, and the authorizer shall carefully review the potential impact of an application for a public charter school on the efforts of the local school system to comply with court orders and statutory obligations for creating and maintaining a unitary system of desegregated public schools.

(2) The authorizer shall attempt to measure the likely impact of a proposed public charter school on the efforts of local school systems to achieve and maintain a unitary system.

(3) The authorizer shall not approve any public charter school under this chapter that hampers, delays, or in any manner negatively affects the desegregation efforts of a local school system.

(d) Initial charter term. An initial charter shall be granted for a term of five operating years. The charter term shall commence on the public charter school's first day of





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operation. An approved public charter school may delay its opening for one school year in order to plan and prepare for the school's opening. If the school requires an opening delay of more than one year, the school shall request an extension from its authorizer. The authorizer may grant or deny the extension depending on the particular school's circumstances.

(e) Charter contracts.

(1) Within 60 days of approval of a charter application, the authorizer and the governing board of the approved public charter school shall execute a charter contract that clearly sets forth the academic and operational performance expectations and measures by which the public charter school will be judged and the administrative relationship between the authorizer and the public charter school, including each party's rights and duties. The performance expectations and measures set forth in the charter contract shall include, but need not be limited to, applicable federal and state accountability requirements. The performance provisions may be refined or amended by mutual agreement after the public charter school is operating and has collected baseline achievement data for its enrolled students. A governing board shall have received 501(c)(3) tax exempt status before beginning charter contract negotiations.

(2) The charter contract shall be signed by the president of the authorizer's board and the president of the public charter school's governing body. Within 10 days of executing a charter contract, the authorizer shall submit to the department written notification of the executed charter



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897 contract and any attachments.

898 (3) No public charter school may commence operations  
899 without a charter contract executed in accordance with this  
900 chapter and approved in an open meeting of the authorizer's  
901 governing board.

902 (f) Preopening requirements or conditions. Authorizers  
903 may establish reasonable preopening requirements or conditions  
904 to monitor the start-up progress of newly approved public  
905 charter schools and ensure that they are prepared to open  
906 smoothly on the date agreed, and to ensure that each school  
907 meets all building, health, safety, insurance, and other legal  
908 requirements for school opening."

909 Section 2. Section 16-6F-7.1 is added to the Code of  
910 Alabama 1975, to read as follows:

911 §16-6F-7.1

912 (a) An authorizer that is a local school board may  
913 create a conversion public charter school district by granting  
914 conversion public charter school status to each existing  
915 non-charter public school located within a non-charter public  
916 school district within the boundaries of the local school  
917 system under its management and control. The number of  
918 conversion public charter schools approved within the  
919 boundaries of the local school system shall be less than the  
920 number of non-charter public schools that exist within that  
921 local school system.

922 (b) Any provision of this chapter to the contrary  
923 notwithstanding, the local school board shall serve as the  
924 governing board of each conversion public charter school



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925      located within the conversion public charter school district.  
926              Section 3. This act shall become effective on October  
927      1, 2025.