

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill Number: HJM 45

50th Legislature, 1st Session, 2011

Tracking Number: .185377.1

Short Title: Study Charter School Governance

Sponsor(s): Representative James Smith and Others

Analyst: David Harrell

Date: February 28, 2011

Bill Summary:

HJM 45 requests that the Legislative Education Study Committee (LESC) name a work group to:

- study how charter school governing board members are selected;
- review the practices of other states in this matter; and
- study the efficacy of an election process for selecting members of charter school governing boards.

Among its other provisions, HJM 45 requests that the work group:

- determine a definition of the area of constituency for charter schools;
- include representatives of the Public Education Department (PED) and charter schools; and
- report to the LESL by November 1, 2011 with findings and recommendations, including necessary statutory changes.

Fiscal Impact:

As a memorial, HJM 45 does not contain an appropriation.

Substantive Issues:

The *Charter Schools Act* requires that a charter school application include a description of the governing body and operation of the charter school, specifically addressing:

- how the initial governing body will be selected;
- qualification and terms of members, how vacancies on the governing body will be filled, and procedures for changing governing body membership; and
- the nature and extent of parental, professional educator, and community involvement in the governance and operation of the charter school.

However, as the analysis by PED points out, current law “contains no provisions setting forth the manner by which charter school governing board members are to be selected.”

Background:

Because charter schools are public schools, they receive funding through the State Equalization Guarantee (SEG) distribution just as traditional public schools do, except that the chartering authority (the local school board or the Public Education Commission) may withhold up to 2.0 percent of the SEG funds for its administrative support of the charter school.

Among its other provisions, the *Charter Schools Act*:

- requires that the governing board include at least five members;
- prohibits a member of a governing body of a school approved or renewed on or after July 1, 2005 from serving on the governing body of another charter school; and
- requires members of charter school governing boards to attend a training course offered by PED that explains department rules and procedures, statutory powers and duties of governing board members, legal concepts, finance and budget, and other matters.

Related Bills:

SB 446a *Charter School Contracts*