

# Previous Charter School Legislation



- Legislation approved by the 2014 General Assembly in [HB 157](#) and [SB 276](#) states that in the conversion of an existing public school, students who attend the school and the siblings of such students shall be given the opportunity to enroll in advance of the lottery process and the requirement that at least one-half of the public charter schools per divisions shall be designed for at-risk students does not apply.
- For a local school board intending to open a new charter school or to convert an existing school to a charter, the application could be designed by the local school board as long as it adheres to the Virginia Public Charter School Law. A local school board, however, may use the application that is presently used by the Virginia Board of Education as a guide in developing the local application, incorporating modifications in [HB 157](#) and [SB 276](#) as relates to conversions.
- Legislation approved by the 2013 General Assembly in [HB 2076](#) and [SB 1131](#) provides that charter school applications that are initiated by one or more local school boards are not subject to review by the Board of Education. A local school board intending to open a new charter school or convert an existing charter school would still be required to adhere to state charter school law. The division would submit a charter school application for each of the new or conversion schools to its local school board for approval.
- Legislation approved by the 2010 General Assembly increases the level of state support and guidance in the development of charter schools in Virginia to ensure that local school boards receive quality charter school proposals.

The legislation ([HB 1390](#) and [SB 737](#)):

- Requires charter school applicants to submit the application to the Board of Education for a determination as to whether the application meets the board's approval criteria prior to submitting the application to the local school board. (NOTE: 2013 General Assembly action does

not require charter school applications initiated by local school boards to be reviewed by the Board of Education.)

- Permits the applicant to petition the local school board for reconsideration of a decision to deny, revoke or fail to renew an application.
- Provides that prior to such reconsideration, the applicant may seek technical assistance from VDOE.
- Requires local school boards to give at least 14 days' notice of intent to receive public comment on a charter school application.
- Provides that if a local school board denies an application, it must provide the applicant with the reasons for the decision and post such reasons on its website.
- Requires local school boards to establish a process for reconsideration, including an opportunity for public comment.
- Allows an applicant to seek technical assistance from VDOE prior to reconsideration by the local school board.
- Provides that upon reconsideration, the decision of the local school board shall be final and not subject to appeal.
- Permits an applicant who has been denied approval to submit a new application.