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Dear Members of the Kentucky Charter Schools Advisory Council,

The National Alliance for Public Charter Schools (“National Alliance”) is the leading national nonprofit organization committed to advancing the public charter school movement. Our mission is to lead public education to unprecedented levels of academic achievement for all students by fostering a strong charter school sector.

From 2011 to earlier this year, the National Alliance worked with a coalition of local and national partners to get a strong public charter school law enacted in Kentucky. We are now working with our partners to support the implementation of the law through the writing of regulations, the creation of charter application and contract documents, the training of authorizers, and helping founding groups.

The purpose of this letter is to express our serious concerns with the draft charter school application and contract. Each document needlessly places nonessential demands on a charter school applicant and a public charter school that severely curtail the autonomy and accountability the law specifically provides. In several areas, both documents stray far from the statutory requirements in the law. Furthermore, in the case of the draft contract, the document omits most of the statutorily (and nationally-benchmarked) requirements that will help assure accountability for both charter schools and authorizers.

The draft documents significantly undermine the overall quality of the state’s public charter school law. Our preliminary analysis of Kentucky’s law suggests it could rank within the top tier of charter school laws in the nation.¹ Specifically, Kentucky’s new law appears to rank high on the components of Transparent Charter Application, Review, and Decision-making Processes, Clear Processes for Renewal, Nonrenewal, and Revocation Decisions, Performance-Based Charter Contracts Required, and Fiscally and Legally Autonomous Schools with Independent Charter Public School Boards. The approaches taken in the draft documents would seriously diminish the high rankings in these critical areas.

We strongly recommend that the Kentucky Charter Schools Advisory Council thoroughly review and revise the draft charter application and contract to ensure their fidelity to the law and to achieve a fair balance between accountability and autonomy. Without such review and revision, we believe the policy environment for public charter schools will be severely compromised.

¹ Starting in January 2010, the National Alliance for Public Charter Schools has released an annual report that analyzes, scores, and ranks each state’s charter school law against the National Alliance’s model charter law. The eighth edition of the report, entitled *Measuring Up to the Model: A Ranking of State Charter School Laws*, was released in February 2017.

<http://www.publiccharters.org/publications/measuring-model-ranking-state-charter-public-school-laws/>

In short, these draft documents would severely hamper the ability of high-quality founding groups to create and sustain excellent schools for the students who need them the most. They must be significantly altered if Kentucky wants its strong charter school law to actually lead to strong charter schools for disadvantaged students.

The National Alliance is ready to support the efforts to review and revise these documents at any time, so please do not hesitate to contact me.

Thank you,
Lisa S. Grover, Ph.D.
Senior Director, State Advocacy and Support