

### **160.1590 Definitions for KRS 160.1590 to 160.1599.**

As used in KRS 160.1590 to 160.1599:

- (1) "Achievement gap" means the difference between performance goals and actual performance on state standardized examinations and other academic performance measures for subgroups of students, especially groups defined by socioeconomic status, race, and ethnicity;
- (2) "Applicant" means an eligible person or persons, organization, or entity that seeks approval from a charter school authorizer to establish a public charter school;
- (3) "Charter application" means a proposal from an applicant to an authorizer to enter into a charter contract whereby the proposed school obtains public charter school status;
- (4) "Charter contract" or "contract" means a fixed-term, renewable contract between a charter school and an authorizer that identifies the roles, powers, responsibilities, and performance expectations for each party to the contract pursuant to KRS 160.1596;
- (5) "Charter school board of directors" means the independent board of a public charter school that is party to the charter contract with the authorizer and whose members have been elected or selected pursuant to the school's application;
- (6) "Conversion public charter school" means a public charter school that existed as a noncharter public school prior to becoming a public charter school;
- (7) "District of location" means the public school district in which a public charter school is physically located;
- (8) "Education service provider" means an education management organization, school design provider, or any other partner entity with which a public charter school contracts for educational design, implementation, or comprehensive management;
- (9) "Local school board" or "local board" means a school board exercising management and control of a local school district;
- (10) "Local school district" means a county or independent school district as identified in KRS 160.010 and 160.020;
- (11) "Parent" means a parent, guardian, or other person or entity having legal custody of a child;
- (12) "Proportionate per pupil basis" means multiplying an amount of funds by a fraction, with the numerator being the average daily attendance of the public charter school, and the denominator being the average daily attendance of the school district of location;
- (13) "Proportionate per pupil transported basis" means multiplying an amount of funds by a fraction, with the numerator being the aggregate daily attendance of students transported by a public charter school, and the denominator being the aggregate daily attendance of students transported by the school district of location;
- (14) "Public charter school" means a public school that:
  - (a) Is a public body corporate and politic, exercising public power, including the power in name to contract and be contracted with, sue and be sued, and adopt

bylaws not inconsistent with this section;

- (b) Has autonomy over decisions, including but not limited to matters concerning finance, personnel, scheduling, curriculum, and instruction;
  - (c) Is governed by an independent board of directors;
  - (d) Is established and operating under the terms of a charter contract between the public charter school's board of directors and its authorizer;
  - (e) Is a public school to which parents choose to send their children;
  - (f) Is a public school that admits students on the basis of a random and open lottery if more students apply for admission than can be accommodated;
  - (g) Offers a comprehensive instructional program to enrolled students;
  - (h) Operates in pursuit of a specific set of educational objectives as defined in its charter contract; and
  - (i) Operates under the oversight of its authorizer in accordance with its charter contract;
- (15) "Public charter school authorizer" or "authorizer" means an entity or body that reviews, approves, or denies charter applications, enters into charter contracts with applicants, oversees public charter schools, and renews, does not renew, or revokes charter contracts. Authorizers shall include:
- (a) A local school board of a local school district, which shall only have authority to approve charter applications within the boundaries of its district;
  - (b) A collaborative among local school boards that forms to set up a regional public charter school to be located within the area managed and controlled by those local school boards;
  - (c) The mayor of a consolidated local government, who shall be considered an authorizer governing board for the purposes of KRS 160.1590 to 160.1599 and who may only authorize public charter schools to be physically located within the county in which the city is located and who has submitted a written notice to the state board that he or she intends to serve as an authorizer; and
  - (d) The chief executive officer of an urban-county government, who shall be considered an authorizer governing board for the purposes of KRS 160.1590 to 160.1599 and who may only authorize public charter schools to be physically located within the county in which the city is located and who has submitted a written notice to the state board that he or she intends to serve as an authorizer;
- (16) "Qualified teacher" means a person certified by the Education Professional Standards Board pursuant to KRS 161.028, 161.030, 161.046, or 161.048;
- (17) "State board" means the Kentucky Board of Education;
- (18) "Student" means any child who is eligible for attendance in a public school in Kentucky;
- (19) "Urban academy" means a public charter school that includes an enrollment preference for students who live in close proximity to the school as defined in the charter contract; and

(20) "Virtual public charter school" means a public charter school that offers educational services primarily or completely through an online program.

**Effective:** July 14, 2022

**History:** Amended 2022 Ky. Acts ch. 213, sec. 1, effective July 14, 2022. -- Amended 2020 Ky. Acts ch. 112, sec. 9, effective July 15, 2020. -- Created 2017 Ky. Acts ch. 102, sec. 1, effective June 29, 2017.