

students, in an effort to remove barriers that tend to inhibit school success. These opportunities include but are not limited to, extended learning times, summer programs, tutoring programs, mentoring efforts, behavioral support, parenting efforts and other services that meet identified critical needs of at-risk students.

These funds are earned based on the unique qualities of a particular group of students at a particular school and are required to be spent on those students and cannot be transferred or used for other activities or other schools within the LEA.

(F)(2) Ensuring successful conditions for high-performing charter schools and other innovative schools (40 points)

The extent to which—

- (i) The State has a charter school law that does not prohibit or effectively inhibit increasing the number of high-performing charter schools (as defined in this notice) in the State, measured (as set forth in Appendix B) by the percentage of total schools in the State that are allowed to be charter schools or otherwise restrict student enrollment in charter schools;
- (ii) The State has laws, statutes, regulations, or guidelines regarding how charter school authorizers approve, monitor, hold accountable, reauthorize, and close charter schools; in particular, whether authorizers require that student achievement (as defined in this notice) be one significant factor, among others, in authorization or renewal; encourage charter schools that serve student populations that are similar to local district student populations, especially relative to high-need students (as defined in this notice); and have closed or not renewed ineffective charter schools;
- (iii) The State's charter schools receive (as set forth in Appendix B) equitable funding compared to traditional public schools, and a commensurate share of local, State, and Federal revenues;
- (iv) The State provides charter schools with funding for facilities (for leasing facilities, purchasing facilities, or making tenant improvements), assistance with facilities acquisition, access to public facilities, the ability to share in bonds and mill levies, or other

supports; and the extent to which the State does not impose any facility-related requirements on charter schools that are stricter than those applied to traditional public schools; and

(v) The State enables LEAs to operate innovative, autonomous public schools (as defined in this notice) other than charter schools.

In the text box below, the State shall describe its current status in meeting the criterion. The narrative or attachments shall also include, at a minimum, the evidence listed below, and how each piece of evidence demonstrates the State's success in meeting the criterion. The narrative and attachments may also include any additional information the State believes will be helpful to peer reviewers. For attachments included in the Appendix, note in the narrative the location where the attachments can be found.

Evidence for (F)(2)(i):

- A description of the State's applicable laws, statutes, regulations, or other relevant legal documents.
- The number of charter schools allowed under State law and the percentage this represents of the total number of schools in the State.
- The number and types of charter schools currently operating in the State.

Evidence for (F)(2)(ii):

- A description of the State's approach to charter school accountability and authorization, and a description of the State's applicable laws, statutes, regulations, or other relevant legal documents.
- For each of the last five years:
 - The number of charter school applications made in the State.
 - The number of charter school applications approved.
 - The number of charter school applications denied and reasons for the denials (academic, financial, low enrollment, other).
 - The number of charter schools closed (including charter schools that were not reauthorized to operate).

Evidence for (F)(2)(iii):

- A description of the State's applicable statutes, regulations, or other relevant legal documents.
- A description of the State's approach to charter school funding, the amount of funding passed through to charter schools per student, and how those amounts compare with traditional public school per-student funding allocations.

Evidence for (F)(2)(iv):

- A description of the State's applicable statutes, regulations, or other relevant legal documents.

- A description of the statewide facilities supports provided to charter schools, if any.

Evidence for (F)(2)(v):

- A description of how the State enables LEAs to operate innovative, autonomous public schools (as defined in this notice) other than charter schools.

Recommended maximum response length: Six pages

Section F (2)(i)(ii)(iii)(iv) Alabama is one of the 11 states without legislation through which charter schools may be established. Through the leadership of Governor Bob Riley and State Superintendent Joe Morton, a bill was developed and introduced in the 2010 Regular Session of the Alabama Legislature to create Charter Schools in Alabama. The bill was sponsored by Senator Steve French and Representative Mary Sue McClurkin (Appendix ___). Regrettably the bill was defeated by an intensive lobbying effort by the predominant teacher union in Alabama, the Alabama Education Association. Senator French and Representative McClurkin have vowed to pursue it again in 2011.

While unsuccessful in passing legislation for the establishment of charter schools, the efforts of the Governor Riley, State Superintendent Morton, Senator French and Representative McClurkin, along with the support of a number of legislators, valuable attention was brought to the public of Alabama identifying why there must be more options for school systems who have persistently low-achieving schools, but most importantly options for the students these schools serve, or in the extreme under-serve. An outgrowth of this effort has been the creation of an Innovation System category for local school systems desiring many of the options found in charter schools but under the authority of the State Board of Education. The Innovative System category will be described in the following section.

Section F(2)(v) Alabama believes that the flexibility for innovation is key to meeting the needs of today's students. In response, Alabama has created the Innovation School Systems option for systems desiring to move student achievement along an accelerated trajectory (Appendix ___). Through this contractual agreement between the local school system and the state board of education,

school systems can receive much of the same regulatory and policy waiver options as charter schools.

In addition, Alabama has created an environment of flexibility, through FIRST CHOICE, whereby local school systems may be granted options for student scheduling that is not dependent on the traditional Carnegie Unit. Through this innovative approach to meeting student need many high schools have created schedules that include high interest, non-credit bearing learning opportunities for students that is having significant impact on their academic progress. This flexibility of time versus learning has also given our rural schools a method of providing interventions, accelerations and co-curricular opportunities to all students during the school day which was previously impossible with a majority of our public school students transported by school bus.

Alabama is also fortunate to have a system of ___ Community Colleges where many of our students participate in Dual Enrollment or Early College Enrollment programs. Through a partnership with the Governor's Office of Workforce Development, the tuition fees for most participating students are paid creating opportunities for many students that would have otherwise been financially impossible.

As Alabama continues to look at new and more effective and efficient ways to deliver quality education an environment of innovation has been created through the actions of our State Board and State Superintendent, Joe Morton, where student learning is the primary focus and how that occurs is open for innovation. There is a renewed sense of urgency and commitment in the air in Alabama regarding a spirit to do everything humanly possible to enable every student to succeed academically. This application reflects that urgency, commitment of spirit by putting forth a plan to ensure the civil right to a quality education to every child.

(F)(3) Demonstrating other significant reform conditions (5 points)

The extent to which the State, in addition to information provided under other State Reform Conditions Criteria, has created, through law, regulation, or policy, other conditions favorable to education reform or innovation that have increased student