

College Partnership Laboratory Schools

This Act defines a college partnership laboratory school as a public, nonsectarian, nonreligious school established by a public institution of higher education that operates a teacher education program approved by the state board of education. The Act authorizes college partnership laboratory schools to stimulate the development of innovative programs for preschool through grade 12 students and provide opportunities for innovative instruction and assessment.

Submitted as:

Virginia

[Chapter 871 of 2010](#)

Status: Enacted into law in 2010.

Suggested State Legislation

(Title, enacting clause, etc.)

1 Section 1. This Act shall be cited as “An Act to Establish College Partnership Laboratory
2 Schools.”

3
4 Section 2. [*Definitions.*] As used in this Act:

5 (1) “At-risk pupil” means a student having a physical, emotional, intellectual,
6 socioeconomic, or cultural risk factor, as defined in [Board of Education] criteria, which research
7 indicates may negatively influence educational success.

8 (2) “College partnership laboratory school” means a public, nonsectarian, nonreligious
9 school established by a public institution of higher education that operates a teacher education
10 program approved by the [board of education].

11 (3) “Governing board” means the board of a college partnership laboratory school that is
12 party to a contract with the [board of education], with the responsibility of creating, managing,
13 and operating the college partnership laboratory school, and whose members have been selected
14 by the institution of higher education establishing the college partnership laboratory school. The
15 governing board shall be under the control of the institution of higher education establishing the
16 college partnership laboratory school.

17
18 Section 3. [*Establishment and Operation of College Partnership Laboratory Schools;*
19 *Requirements.*]

20 (A) College partnership laboratory schools may be established in this state as provided in
21 this Act to stimulate the development of innovative programs for preschool through grade 12
22 students; provide opportunities for innovative instruction and assessment; provide teachers with
23 a vehicle for establishing schools with alternative innovative instruction and school scheduling,
24 management, and structure; encourage the use of performance-based educational programs;
25 establish high standards for both teachers and administrators; encourage greater collaboration
26 between education providers from preschool to the postsecondary level; and develop models for
27 replication in other public schools.

28 (B) A college partnership laboratory school shall be subject to all federal and state laws
29 and regulations and constitutional provisions prohibiting discrimination on the basis of disability,
30 race, creed, color, gender, national origin, religion, ancestry, or need for special education

31 services. Enrollment shall be open to any child who is deemed to reside within this state through
32 a lottery process on a space-available basis. A waiting list shall be established if adequate space
33 is not available to accommodate all students whose parents have requested to be entered in the
34 lottery process. Such waiting list shall also be prioritized through a lottery process and parents
35 shall be informed of their student's position on the list.

36 (C) A college partnership laboratory school shall be administered and managed by a
37 governing board. Pursuant to a contract and as specified in [insert citation], college partnership
38 laboratory schools shall be subject to the requirements of the [Standards of Quality, including the
39 Standards of Learning and the Standards of Accreditation], and such regulations as determined
40 by the [board of education].

41 (D) College partnership laboratory schools are encouraged to develop collaborative
42 partnerships with public school divisions for the purpose of building seamless education
43 opportunities for all such students in this state, from preschool to postsecondary education.

44 (E) Pursuant to a college partnership laboratory school agreement, a college partnership
45 laboratory school shall be responsible for its own operations, including, but not limited to, such
46 budget preparation, contracts for services, and personnel matters as are specified in the
47 agreement.

48 (F) A college partnership laboratory school may negotiate and contract with a school
49 board, the governing body of a public institution of higher education, or any third party for the
50 use of a school building and grounds, the operation and maintenance thereof, and the provision
51 of any service, activity, or undertaking that the college partnership laboratory school is required
52 to perform in order to carry out the educational program described in its contract. Any services
53 for which a college partnership laboratory school contracts with a school board or institution of
54 higher education shall not exceed the school division's or institution's costs to provide such
55 services.

56 (G) A college partnership laboratory school shall not charge tuition.

57 (H) An approved college partnership laboratory school shall be designated as a local
58 education agency, but shall not constitute a school division as defined under [insert citation].

59
60 Section 4. [*College Partnership Laboratory School Application and Contract.*]

61 (A) Any public institution of higher education operating within this state and having a
62 teacher education program approved by the [board of education] may submit an application for
63 formation of a college partnership laboratory school.

64 (B) Each college partnership laboratory school application shall provide or describe
65 thoroughly all of the following essential elements of the proposed school plan:

- 66 (1) An executive summary;
- 67 (2) The mission and vision of the proposed college partnership laboratory school,
68 including identification of the targeted student population;
- 69 (3) The proposed location of the school;
- 70 (4) The grades to be served each year for the full term of the contract;
- 71 (5) Minimum, planned, and maximum enrollment per grade per year for the term
72 of the contract;
- 73 (6) Background information on the proposed founding governing board members
74 and, if identified, the proposed school leadership and management team;
- 75 (7) The school's proposed calendar and sample daily schedule;
- 76 (8) A description of the academic program aligned with state standards;
- 77 (9) A description of the school's educational program, including the type of
78 learning environment (such as classroom-based or independent study), class size and structure,
79 curriculum overview, and teaching methods;

80 (10) The school’s plan for using internal and external assessments to measure and
81 report student progress in accordance with the [Standards of Learning] adopted under [insert
82 citation];

83 (11) The school’s plans for identifying and successfully serving students with
84 disabilities, students who are English language learners, students who are academically behind,
85 and gifted students, including but not limited to compliance with applicable laws and regulations;

86 (12) A description of co-curricular and extracurricular programs and how these
87 will be funded and delivered;

88 (13) Plans and timelines for student recruitment and enrollment, including lottery
89 procedures if sufficient space is unavailable;

90 (14) The school’s student disciplinary policies, including those for special
91 education students;

92 (15) An organization chart that clearly presents the school’s organizational
93 structure, including lines of authority and reporting between the governing board, staff, any
94 related bodies (such as advisory bodies or parent and teacher councils), [board of education], and
95 any external organizations that will play a role in managing the school;

96 (16) A clear description of the roles and responsibilities for the governing board,
97 the school’s leadership and management team, and any other entities shown in the organization
98 chart;

99 (17) A staffing chart for the school’s first year and a staffing plan for the term of
100 the contract;

101 (18) Plans for recruiting and developing school leadership and staff;

102 (19) The school’s leadership and teacher employment policies, including
103 performance evaluation plans;

104 (20) A plan for the placement of college partnership laboratory school pupils,
105 teachers, and employees upon termination or revocation of the contract;

106 (21) Explanation of any partnerships or contractual relationships central to the
107 school’s operations or mission;

108 (22) The school’s plans for providing transportation, food service, and all other
109 significant operational or ancillary services;

110 (23) Opportunities and expectations for parent involvement;

111 (24) A detailed school start-up plan, identifying tasks, timelines, and responsible
112 people;

113 (25) A description of the school’s financial plan and policies, including financial
114 controls and audit requirements;

115 (26) A description of the insurance coverage the school will obtain;

116 (27) Start-up and five-year budgets with clearly stated assumptions;

117 (28) Start-up and first-year cash-flow projections with clearly stated assumptions;

118 (29) Evidence of anticipated fundraising contributions, if claimed in the
119 application;

120 (30) A sound facilities plan, including backup or contingency plans if appropriate;
121 and

122 (31) Assurances that the college partnership laboratory school is nonreligious in
123 its programs, admission policies, employment practices, and all other operations and does not
124 charge tuition.

125 (C) The purposes of the college partnership laboratory school application are to present
126 the proposed school’s academic and operational vision and plans, demonstrate the applicant’s
127 capacities to execute the proposed vision and plans, and provide the [board of education] a clear

128 basis for assessing the applicant's plans and capacities. An approved college partnership
129 laboratory school application shall not serve as the school's contract.

130 (D) The [board of education] shall establish procedures for receiving, reviewing, and
131 ruling upon applications and shall make a copy of any such procedures available to all interested
132 parties upon request. If the [board] finds the application is incomplete, the [board] shall request
133 the necessary information from the applicant. The [board of education's] review procedures shall
134 establish a review committee that may include experts with the operation of similar schools
135 located in other states.

136 (E) To provide appropriate opportunity for input from parents, teachers, and other
137 interested parties and to obtain information to assist the [board of education] in its evaluation of a
138 college partnership laboratory school application, the [board of education] may establish a
139 procedure for public notice, comment, or hearings on such applications.

140 (F) The decision of the [board of education] to grant or deny a college partnership
141 laboratory school application or to revoke or fail to renew an agreement shall be final and not
142 subject to appeal.

143 (G) Within [90] days of approval of a college partnership laboratory school application,
144 the [board of education] and the governing board of the approved school shall execute a contract
145 that clearly sets forth the academic and operational performance expectations and measures by
146 which the college partnership laboratory school will be judged and the administrative
147 relationship between the [board of education] and the college partnership laboratory school,
148 including each party's rights and duties. The performance expectations and measures set forth in
149 the contract shall include but need not be limited to applicable federal and state accountability
150 requirements. The performance provisions may be refined or amended by mutual agreement after
151 the college partnership laboratory school is operating and has collected baseline achievement
152 data for its enrolled students.

153

154 Section 5. *[College Partnership Laboratory School Terms; Renewals And Revocations.]*

155 (A) A college partnership laboratory school may be approved or renewed for a period not
156 to exceed [five] school years. A college partnership laboratory school renewal application
157 submitted to the [board of education] shall contain:

158 (1) A report on the progress of the school in achieving the goals, objectives,
159 program and performance standards for students, and such other conditions and terms as the
160 Board of Education may require upon granting initial approval of the college partnership
161 laboratory school application; and

162 (2) A financial statement, on forms prescribed by the [board], that discloses the
163 costs of administration, instruction, and other spending categories for the school and that has
164 been concisely and clearly written to enable the [board of education] and the public to compare
165 such costs with those of other schools or comparable organizations.

166 (B) The [board of education] may revoke a contract if the college partnership laboratory
167 school does any of the following or otherwise fails to comply with the provisions of this Act:

168 (1) Commits a material and substantial violation of any of the terms, conditions,
169 standards, or procedures required under this chapter or the contract;

170 (2) Fails to meet or make sufficient progress toward the performance expectations
171 set forth in the contract;

172 (3) Fails to meet generally accepted standards of fiscal management; or

173 (4) Substantially violates any material provision of law from which the college
174 partnership laboratory school was not exempted.

175 (C) If the [board of education] revokes or does not renew a college partnership laboratory
176 school contract, it shall clearly state, in a resolution, the reasons for the revocation or
177 nonrenewal.

178
179 Section 6. [*Employment of Professional, Licensed Personnel.*]

180 (A) College partnership laboratory school personnel shall be employees of the institution
181 of higher education establishing the school.

182 (B) Teachers working in a college partnership laboratory school shall hold a license
183 issued by the [board of education] or, in the case of an instructor in the higher education
184 institution's board-approved teacher education program, be eligible to hold a state teaching
185 license. Teachers working in a college partnership laboratory school shall be subject to the
186 requirements of [insert citation] applicable to teachers employed by a local school board.

187 (C) Professional, [licensed personnel] of a college partnership laboratory school shall be
188 granted the same employment benefits given to professional, [licensed personnel] in public
189 schools in accordance with the agreement between the college partnership laboratory school and
190 the [board of education].

191
192 Section 7. [*Funding of College Partnership Laboratory Schools.*]

193 (A) There is hereby created in the [state treasury] a special nonreverting fund to be known
194 as the College Partnership Laboratory School Fund, hereafter referred to as "the Fund." The
195 Fund shall be established on the books of the [comptroller]. All funds appropriated in accordance
196 with the [Appropriation Act] and any gifts, grants, bequests, or donations from public or private
197 sources shall be paid into the [state treasury] and credited to the Fund. Interest earned on moneys
198 in the Fund shall remain in the Fund and be credited to the Fund. Any moneys remaining in the
199 Fund, including interest thereon, at the end of each fiscal year shall not revert to the [General
200 Fund] but shall remain in the Fund. Moneys in the Fund shall be used solely for the purposes of
201 establishing or supporting college partnership laboratory schools in this state that stimulate the
202 development of alternative education programs for preschool through grade 12 students by
203 providing opportunities for innovative instruction and greater cooperation and coordination
204 between institutions of higher education and preschool through grade 12 education systems.
205 Expenditures and disbursements from the Fund shall be made by the [state treasurer] on warrants
206 issued by the [comptroller] upon written request signed by the [superintendent of public
207 instruction]. The [board of education] shall establish criteria for making distributions from the
208 Fund to a college partnership laboratory school requesting moneys from the Fund and may issue
209 guidelines governing the Fund as it deems necessary and appropriate.

210 (B) Each college partnership laboratory school shall receive such funds as may be
211 appropriated by the [general assembly] in accordance with the [Appropriation Act].

212 (C) The governing board of a college partnership laboratory school is authorized to
213 accept gifts, donations, or grants of any kind and to spend such funds in accordance with the
214 conditions prescribed by the donor. However, no gift, donation, or grant shall be accepted by the
215 governing board of a college partnership laboratory school if the conditions for such funds are
216 contrary to law or the terms of the agreement between the [board of education] and the college
217 partnership laboratory school.

218 (D) Notwithstanding any other provision of law, the proportionate share of state and
219 federal resources allocated for students with disabilities and school personnel assigned to special
220 education programs shall be directed to college partnership laboratory schools enrolling such
221 students. The proportionate share of moneys allocated under other federal or state categorical aid
222 programs shall be directed to college partnership laboratory schools serving students eligible for
223 such aid.

224 (E) College partnership laboratory schools shall be eligible to apply for and receive any
225 federal or state funds otherwise allocated for college partnership laboratory schools in this state.

226 (F) Any educational and related fees collected from students enrolled at a college
227 partnership laboratory school shall comply with [board of education] regulations and shall be
228 credited to the account of such school.

229 (G) Each college partnership laboratory school shall be eligible to apply for and receive
230 available funds from the College Partnership Laboratory School Fund and the establishing
231 institution of higher education.

232

233 Section 8. [*Immunity.*]

234 (A) A college partnership laboratory school shall be immune from liability to the same
235 extent as the public institution of higher education that established the school, and the employees
236 and volunteers in a college partnership laboratory school are immune from liability to the same
237 extent as the employees of the establishing institution of higher education.

238 (B) The contract between the college partnership laboratory school and the [board of
239 education] shall reflect all agreements regarding the release of the college partnership laboratory
240 school from state regulations, consistent with the requirements of [insert citation]. If the college
241 partnership laboratory school application proposes a program to increase the educational
242 opportunities for at-risk students, the [board of education] may approve an [Individual School
243 Accreditation Plan] as authorized under [insert citation] for the evaluation of the performance of
244 the school. Any material revision of the terms of the contract may be made only with the
245 approval of the [board of education] and the governing board of the college partnership
246 laboratory school.

247

248 Section 9. [*Severability.*] [Insert severability clause.]

249

250 Section 10. [*Repealer.*] [Insert repealer clause.]

251

252 Section 11. [*Effective Date.*] [Insert effective date.]