

REFERENCE TITLE: charter schools; closure requirements

State of Arizona
Senate
Fiftieth Legislature
Second Regular Session
2012

SB 1223

Introduced by
Senators Landrum Taylor: Lopez

AN ACT

AMENDING SECTION 15-183, ARIZONA REVISED STATUTES; AMENDING TITLE 15, CHAPTER 1, ARTICLE 8, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-186; RELATING TO CHARTER SCHOOLS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 15-183, Arizona Revised Statutes, is amended to
3 read:

4 15-183. Charter schools; application; requirements; immunity;
5 exemptions; renewal of application; reprisal; fee;
6 fund

7 A. An applicant seeking to establish a charter school shall submit a
8 written application to a proposed sponsor as prescribed in subsection C of
9 this section. The application shall include a detailed business plan for the
10 charter school and may include a mission statement for the charter school, a
11 description of the charter school's organizational structure and the
12 governing body, a financial plan for the first three years of operation of
13 the charter school, a description of the charter school's hiring policy, the
14 name of the charter school's applicant or applicants and requested sponsor, a
15 description of the charter school's facility and the location of the school,
16 a description of the grades being served and an outline of criteria designed
17 to measure the effectiveness of the school.

18 B. The sponsor of a charter school may contract with a public body,
19 private person or private organization for the purpose of establishing a
20 charter school pursuant to this article.

21 C. The sponsor of a charter school may be either a school district
22 governing board, the state board of education, the state board for charter
23 schools, a university under the jurisdiction of the Arizona board of regents,
24 a community college district with enrollment of more than fifteen thousand
25 full-time equivalent students or a group of community college districts with
26 a combined enrollment of more than fifteen thousand full-time equivalent
27 students, subject to the following requirements:

28 1. For charter schools that submit an application for sponsorship to a
29 school district governing board:

30 (a) An applicant for a charter school may submit its application to a
31 school district governing board, which shall either accept or reject
32 sponsorship of the charter school within ninety days. An applicant may
33 submit a revised application for reconsideration by the governing board. If
34 the governing board rejects the application, the governing board shall notify
35 the applicant in writing of the reasons for the rejection. The applicant may
36 request, and the governing board may provide, technical assistance to improve
37 the application.

38 (b) In the first year that a school district is determined to be out
39 of compliance with the uniform system of financial records, within fifteen
40 days of the determination of noncompliance, the school district shall notify
41 by certified mail each charter school sponsored by the school district that
42 the school district is out of compliance with the uniform system of financial
43 records. The notification shall include a statement that if the school
44 district is determined to be out of compliance for a second consecutive year,

1 the charter school will be required to transfer sponsorship to another entity
2 pursuant to subdivision (c) of this paragraph.

3 (c) In the second consecutive year that a school district is
4 determined to be out of compliance with the uniform system of financial
5 records, within fifteen days of the determination of noncompliance, the
6 school district shall notify by certified mail each charter school sponsored
7 by the school district that the school district is out of compliance with the
8 uniform system of financial records. A charter school that receives a
9 notification of school district noncompliance pursuant to this subdivision
10 shall file a written sponsorship transfer application within forty-five days
11 with the state board of education, the state board for charter schools or the
12 school district governing board if the charter school is located within the
13 geographic boundaries of that school district. A charter school that
14 receives a notification of school district noncompliance may request an
15 extension of time to file a sponsorship transfer application, and the state
16 board of education, the state board for charter schools or a school district
17 governing board may grant an extension of not more than an additional thirty
18 days if good cause exists for the extension. The state board of education
19 and the state board for charter schools shall approve a sponsorship transfer
20 application pursuant to this paragraph.

21 (d) A school district governing board shall not grant a charter to a
22 charter school that is located outside the geographic boundaries of that
23 school district.

24 (e) A school district that has been determined to be out of compliance
25 with the uniform system of financial records during either of the previous
26 two fiscal years shall not sponsor a new or transferring charter school.

27 2. The applicant may submit the application to the state board of
28 education or the state board for charter schools. The state board of
29 education or the state board for charter schools may approve the application
30 if the application meets the requirements of this article and may approve the
31 charter if the proposed sponsor determines, within its sole discretion, that
32 the applicant is sufficiently qualified to operate a charter school and that
33 the applicant is applying to operate as a separate charter holder by
34 considering factors such as whether:

35 (a) The schools have separate governing bodies, governing body
36 membership, staff, facilities, and student population.

37 (b) Daily operations are carried out by different administrators.

38 (c) The applicant intends to have an affiliation agreement for the
39 purpose of providing enrollment preferences.

40 (d) The applicant's charter management organization has multiple
41 charter holders serving varied grade configurations on one physical site or
42 nearby sites serving one community.

43 (e) It is reconstituting an existing school site population at the
44 same or new site.

1 (f) It is reconstituting an existing grade configuration from a prior
2 charter holder with at least one grade remaining on the original site with
3 the other grade or grades moving to a new site.

4 The state board of education or the state board for charter schools may
5 approve any charter schools transferring charters. The state board of
6 education and the state board for charter schools shall approve any charter
7 schools transferring charters from a school district that is determined to be
8 out of compliance with the uniform system of financial records pursuant to
9 this section, but may require the charter school to sign a new charter that
10 is equivalent to the charter awarded by the former sponsor. If the state
11 board of education or the state board for charter schools rejects the
12 preliminary application, the state board of education or the state board for
13 charter schools shall notify the applicant in writing of the reasons for the
14 rejection and of suggestions for improving the application. An applicant may
15 submit a revised application for reconsideration by the state board of
16 education or the state board for charter schools. The applicant may request,
17 and the state board of education or the state board for charter schools may
18 provide, technical assistance to improve the application.

19 3. The applicant may submit the application to a university under the
20 jurisdiction of the Arizona board of regents, a community college district or
21 a group of community college districts. A university, a community college
22 district or a group of community college districts may approve the
23 application if it meets the requirements of this article and if the proposed
24 sponsor determines, in its sole discretion, that the applicant is
25 sufficiently qualified to operate a charter school.

26 4. Each applicant seeking to establish a charter school shall submit a
27 full set of fingerprints to the approving agency for the purpose of obtaining
28 a state and federal criminal records check pursuant to section 41-1750 and
29 Public Law 92-544. If an applicant will have direct contact with students,
30 the applicant shall possess a valid fingerprint clearance card that is issued
31 pursuant to title 41, chapter 12, article 3.1. The department of public
32 safety may exchange this fingerprint data with the federal bureau of
33 investigation. The criminal records check shall be completed before the
34 issuance of a charter.

35 5. All persons engaged in instructional work directly as a classroom,
36 laboratory or other teacher or indirectly as a supervisory teacher, speech
37 therapist or principal shall have a valid fingerprint clearance card that is
38 issued pursuant to title 41, chapter 12, article 3.1, unless the person is a
39 volunteer or guest speaker who is accompanied in the classroom by a person
40 with a valid fingerprint clearance card. A charter school shall not employ a
41 teacher whose certificate has been revoked for a violation of section 15-507
42 or 15-550 or for any offense that placed a pupil in danger. All other
43 personnel shall be fingerprint checked pursuant to section 15-512. Before
44 employment, the charter school shall make documented, good faith efforts to
45 contact previous employers of a person to obtain information and

1 recommendations that may be relevant to a person's fitness for employment as
2 prescribed in section 15-512, subsection F. The charter school shall notify
3 the department of public safety if the charter school or sponsor receives
4 credible evidence that a person who possesses a valid fingerprint clearance
5 card is arrested for or is charged with an offense listed in section
6 41-1758.03, subsection B. Charter schools may hire personnel that have not
7 yet received a fingerprint clearance card if proof is provided of the
8 submission of an application to the department of public safety for a
9 fingerprint clearance card and if the charter school that is seeking to hire
10 the applicant does all of the following:

11 (a) Documents in the applicant's file the necessity for hiring and
12 placement of the applicant before receiving a fingerprint clearance card.

13 (b) Ensures that the department of public safety completes a statewide
14 criminal records check on the applicant. A statewide criminal records check
15 shall be completed by the department of public safety every one hundred
16 twenty days until the date that the fingerprint check is completed.

17 (c) Obtains references from the applicant's current employer and the
18 two most recent previous employers except for applicants who have been
19 employed for at least five years by the applicant's most recent employer.

20 (d) Provides general supervision of the applicant until the date that
21 the fingerprint card is obtained.

22 (e) Completes a search of criminal records in all local jurisdictions
23 outside of this state in which the applicant has lived in the previous five
24 years.

25 (f) Verifies the fingerprint status of the applicant with the
26 department of public safety.

27 6. A charter school that complies with the fingerprinting requirements
28 of this section shall be deemed to have complied with section 15-512 and is
29 entitled to the same rights and protections provided to school districts by
30 section 15-512.

31 7. If a charter school operator is not already subject to a public
32 meeting or hearing by the municipality in which the charter school is
33 located, the operator of a charter school shall conduct a public meeting at
34 least thirty days before the charter school operator opens a site or sites
35 for the charter school. The charter school operator shall post notices of
36 the public meeting in at least three different locations that are within
37 three hundred feet of the proposed charter school site.

38 8. A person who is employed by a charter school or who is an applicant
39 for employment with a charter school, who is arrested for or charged with a
40 nonappealable offense listed in section 41-1758.03, subsection B and who does
41 not immediately report the arrest or charge to the person's supervisor or
42 potential employer is guilty of unprofessional conduct and the person shall
43 be immediately dismissed from employment with the charter school or
44 immediately excluded from potential employment with the charter school.

1 9. A person who is employed by a charter school and who is convicted
2 of any nonappealable offense listed in section 41-1758.03, subsection B or is
3 convicted of any nonappealable offense that amounts to unprofessional conduct
4 under section 15-550 shall immediately do all of the following:

5 (a) Surrender any certificates issued by the department of education.

6 (b) Notify the person's employer or potential employer of the
7 conviction.

8 (c) Notify the department of public safety of the conviction.

9 (d) Surrender the person's fingerprint clearance card.

10 D. An entity that is authorized to sponsor charter schools pursuant to
11 this article has no legal authority over or responsibility for a charter
12 school sponsored by a different entity. This subsection does not apply to
13 the state board of education's duty to exercise general supervision over the
14 public school system pursuant to section 15-203, subsection A, paragraph 1.

15 E. The charter of a charter school shall ensure the following:

16 1. Compliance with federal, state and local rules, regulations and
17 statutes relating to health, safety, civil rights and insurance. The
18 department of education shall publish a list of relevant rules, regulations
19 and statutes to notify charter schools of their responsibilities under this
20 paragraph.

21 2. That it is nonsectarian in its programs, admission policies and
22 employment practices and all other operations.

23 3. That it provides a comprehensive program of instruction for at
24 least a kindergarten program or any grade between grades one and twelve,
25 except that a school may offer this curriculum with an emphasis on a specific
26 learning philosophy or style or certain subject areas such as mathematics,
27 science, fine arts, performance arts or foreign language.

28 4. That it designs a method to measure pupil progress toward the pupil
29 outcomes adopted by the state board of education pursuant to section
30 15-741.01, including participation in the Arizona instrument to measure
31 standards test and the nationally standardized norm-referenced achievement
32 test as designated by the state board and the completion and distribution of
33 an annual report card as prescribed in chapter 7, article 3 of this title.

34 5. That, except as provided in this article and in its charter, it is
35 exempt from all statutes and rules relating to schools, governing boards and
36 school districts.

37 6. That, except as provided in this article, it is subject to the same
38 financial and electronic data submission requirements as a school district,
39 including the uniform system of financial records as prescribed in chapter 2,
40 article 4 of this title, procurement rules as prescribed in section 15-213
41 and audit requirements. The auditor general shall conduct a comprehensive
42 review and revision of the uniform system of financial records to ensure that
43 the provisions of the uniform system of financial records that relate to
44 charter schools are in accordance with commonly accepted accounting
45 principles used by private business. A school's charter may include

1 exceptions to the requirements of this paragraph that are necessary as
2 determined by the district governing board, the state board of education or
3 the state board for charter schools. The department of education or the
4 office of the auditor general may conduct financial, program or compliance
5 audits.

6 7. Compliance with all federal and state laws relating to the
7 education of children with disabilities in the same manner as a school
8 district.

9 8. That it provides for a governing body for the charter school that
10 is responsible for the policy decisions of the charter school. **THE GOVERNING**
11 **BODY OF EACH CHARTER SCHOOL IS A PUBLIC BODY FOR PURPOSES OF SECTION 38-431**
12 **AND IS SUBJECT TO THE OPEN MEETING REQUIREMENTS PRESCRIBED IN TITLE 38,**
13 **CHAPTER 3, ARTICLE 3.1.** Notwithstanding section 1-216, if there is a vacancy
14 or vacancies on the governing body, a majority of the remaining members of
15 the governing body constitute a quorum for the transaction of business,
16 unless that quorum is prohibited by the charter school's operating agreement.

17 9. That it provides a minimum of one hundred seventy-five
18 instructional days before June 30 of each fiscal year unless it is operating
19 on an alternative calendar approved by its sponsor. The superintendent of
20 public instruction shall adjust the apportionment schedule accordingly to
21 accommodate a charter school utilizing an alternative calendar.

22 F. The charter of a charter school shall include a description of the
23 charter school's personnel policies, personnel qualifications and method of
24 school governance and the specific role and duties of the sponsor of the
25 charter school. A charter school shall keep on file the resumes of all
26 current and former employees who provide instruction to pupils at the charter
27 school. Resumes shall include an individual's educational and teaching
28 background and experience in a particular academic content subject area. A
29 charter school shall inform parents and guardians of the availability of the
30 resume information and shall make the resume information available for
31 inspection on request of parents and guardians of pupils enrolled at the
32 charter school. Nothing in this subsection shall be construed to require any
33 charter school to release personally identifiable information in relation to
34 any teacher or employee, including the teacher's or employee's address,
35 salary, social security number or telephone number.

36 G. The charter of a charter school may be amended at the request of
37 the governing body of the charter school and on the approval of the sponsor.

38 H. Charter schools may contract, sue and be sued.

39 I. An approved plan to establish a charter school is effective for
40 fifteen years from the first day of the fiscal year the charter school is in
41 operation, subject to the following:

42 1. At least eighteen months before the expiration of the approved
43 plan, the sponsor shall notify the charter school that the charter school may
44 apply for renewal. A charter school that elects to apply for renewal shall
45 file an application for renewal at least fifteen months before the expiration

1 of the approved plan. In addition to any other requirements, the application
2 for renewal shall include a detailed business plan for the charter school, a
3 review of fiscal audits and academic performance data for the charter school
4 that are annually collected by the sponsor and a review of the current
5 contract between the sponsor and the charter school. The sponsor may deny
6 the request for renewal if, in its judgment, the charter school has failed to
7 complete the obligations of the contract or has failed to comply with this
8 article. A sponsor shall give written notice of its intent not to renew the
9 charter school's request for renewal to the charter school at least twelve
10 months before the expiration of the approved plan to allow the charter school
11 an opportunity to apply to another sponsor to transfer the operation of the
12 charter school. If the operation of the charter school is transferred to
13 another sponsor, the fifteen year period of the current charter shall be
14 maintained.

15 2. A charter operator may apply for early renewal. At least nine
16 months before the charter school's intended renewal consideration, the
17 operator of the charter school shall submit a letter of intent to the sponsor
18 to apply for early renewal. The sponsor shall review fiscal audits and
19 academic performance data for the charter school that are annually collected
20 by the sponsor, review the current contract between the sponsor and the
21 charter school and provide the qualifying charter school with a renewal
22 application. On submission of a complete application, the sponsor shall give
23 written notice of its consideration of the renewal application.

24 3. A sponsor shall review a charter at five year intervals and may
25 revoke a charter at any time if the charter school breaches one or more
26 provisions of its charter. At least ninety days before the effective date of
27 the proposed revocation the sponsor shall give written notice to the operator
28 of the charter school of its intent to revoke the charter. Notice of the
29 sponsor's intent to revoke the charter shall be delivered personally to the
30 operator of the charter school or sent by certified mail, return receipt
31 requested, to the address of the charter school. The notice shall
32 incorporate a statement of reasons for the proposed revocation of the
33 charter. The sponsor shall allow the charter school at least ninety days to
34 correct the problems associated with the reasons for the proposed revocation
35 of the charter. The final determination of whether to revoke the charter
36 shall be made at a public hearing called for such purpose.

37 J. The charter may be renewed for successive periods of twenty years
38 if the sponsor deems that the school is in compliance with its own charter
39 and this article.

40 K. A charter school that is sponsored by the state board of education,
41 the state board for charter schools, a university, a community college
42 district or a group of community college districts may not be located on the
43 property of a school district unless the district governing board grants this
44 authority.

1 L. A governing board or a school district employee who has control
2 over personnel actions shall not take unlawful reprisal against another
3 employee of the school district because the employee is directly or
4 indirectly involved in an application to establish a charter school. A
5 governing board or a school district employee shall not take unlawful
6 reprisal against an educational program of the school or the school district
7 because an application to establish a charter school proposes the conversion
8 of all or a portion of the educational program to a charter school. For the
9 purposes of this subsection, "unlawful reprisal" means an action that is
10 taken by a governing board or a school district employee as a direct result
11 of a lawful application to establish a charter school and that is adverse to
12 another employee or an education program and:

13 1. With respect to a school district employee, results in one or more
14 of the following:

- 15 (a) Disciplinary or corrective action.
- 16 (b) Detail, transfer or reassignment.
- 17 (c) Suspension, demotion or dismissal.
- 18 (d) An unfavorable performance evaluation.
- 19 (e) A reduction in pay, benefits or awards.
- 20 (f) Elimination of the employee's position without a reduction in
21 force by reason of lack of monies or work.
- 22 (g) Other significant changes in duties or responsibilities that are
23 inconsistent with the employee's salary or employment classification.

24 2. With respect to an educational program, results in one or more of
25 the following:

- 26 (a) Suspension or termination of the program.
- 27 (b) Transfer or reassignment of the program to a less favorable
28 department.
- 29 (c) Relocation of the program to a less favorable site within the
30 school or school district.
- 31 (d) Significant reduction or termination of funding for the program.

32 M. Charter schools shall secure insurance for liability and property
33 loss. The governing body of a charter school that is sponsored by the state
34 board of education or the state board for charter schools may enter into an
35 intergovernmental agreement or otherwise contract to participate in an
36 insurance program offered by a risk retention pool established pursuant to
37 section 11-952.01 or 41-621.01 or the charter school may secure its own
38 insurance coverage. The pool may charge the requesting charter school
39 reasonable fees for any services it performs in connection with the insurance
40 program.

41 N. Charter schools do not have the authority to acquire property by
42 eminent domain.

43 O. A sponsor, including members, officers and employees of the
44 sponsor, is immune from personal liability for all acts done and actions
45 taken in good faith within the scope of its authority.

1 P. Charter school sponsors and this state are not liable for the debts
2 or financial obligations of a charter school or persons who operate charter
3 schools.

4 Q. The sponsor of a charter school shall establish procedures to
5 conduct administrative hearings on determination by the sponsor that grounds
6 exist to revoke a charter. Procedures for administrative hearings shall be
7 similar to procedures prescribed for adjudicative proceedings in title 41,
8 chapter 6, article 10. Except as provided in section 41-1092.08, subsection
9 H, final decisions of the state board of education and the state board for
10 charter schools from hearings conducted pursuant to this subsection are
11 subject to judicial review pursuant to title 12, chapter 7, article 6.

12 R. The sponsoring entity of a charter school shall have oversight and
13 administrative responsibility for the charter schools that it sponsors.

14 S. Charter schools may pledge, assign or encumber their assets to be
15 used as collateral for loans or extensions of credit.

16 T. All property accumulated by a charter school shall remain the
17 property of the charter school.

18 U. Charter schools may not locate a school on property that is less
19 than one-fourth mile from agricultural land regulated pursuant to section
20 3-365, except that the owner of the agricultural land may agree to comply
21 with the buffer zone requirements of section 3-365. If the owner agrees in
22 writing to comply with the buffer zone requirements and records the agreement
23 in the office of the county recorder as a restrictive covenant running with
24 the title to the land, the charter school may locate a school within the
25 affected buffer zone. The agreement may include any stipulations regarding
26 the charter school, including conditions for future expansion of the school
27 and changes in the operational status of the school that will result in a
28 breach of the agreement.

29 V. A transfer of a charter to another sponsor, a transfer of a charter
30 school site to another sponsor or a transfer of a charter school site to a
31 different charter shall be completed before the beginning of the fiscal year
32 that the transfer is scheduled to become effective. An entity that sponsors
33 charter schools may accept a transferring school after the beginning of the
34 fiscal year if the transfer is approved by the superintendent of public
35 instruction. The superintendent of public instruction shall have the
36 discretion to consider each transfer during the fiscal year on a case by case
37 basis. If a charter school is sponsored by a school district that is
38 determined to be out of compliance with this title, the uniform system of
39 financial records or any other state or federal law, the charter school may
40 transfer to another sponsoring entity at any time during the fiscal year.

41 W. Notwithstanding subsection X of this section, the state board for
42 charter schools shall charge a processing fee to any charter school that
43 amends its contract to participate in Arizona online instruction pursuant to
44 section 15-808. The charter Arizona online instruction processing fund is
45 established consisting of fees collected and administered by the state board

1 for charter schools. The state board for charter schools shall use monies in
2 the fund only for the processing of contract amendments for charter schools
3 participating in Arizona online instruction. Monies in the fund are
4 continuously appropriated.

5 X. The sponsoring entity may not charge any fees to a charter school
6 that it sponsors unless the sponsor has provided services to the charter
7 school and the fees represent the full value of those services provided by
8 the sponsor. On request, the value of the services provided by the sponsor
9 to the charter school shall be demonstrated to the department of education.

10 Y. Charter schools may enter into an intergovernmental agreement with
11 a presiding judge of the juvenile court to implement a law related education
12 program as defined in section 15-154. The presiding judge of the juvenile
13 court may assign juvenile probation officers to participate in a law related
14 education program in any charter school in the county. The cost of juvenile
15 probation officers who participate in the program implemented pursuant to
16 this subsection shall be funded by the charter school.

17 Z. The sponsor of a charter school shall modify previously approved
18 curriculum requirements for a charter school that wishes to participate in
19 the board examination system prescribed in chapter 7, article 6 of this
20 title.

21 AA. If a charter school decides not to participate in the board
22 examination system prescribed in chapter 7, article 6 of this title, pupils
23 enrolled at that charter school may earn a Grand Canyon diploma by obtaining
24 a passing score on the same board examinations.

25 BB. A charter school shall contract with a different auditor at least
26 once every six years to conduct the annual audits required by this section.

27 Sec. 2. Title 15, chapter 1, article 8, Arizona Revised Statutes, is
28 amended by adding section 15-186, to read:

29 15-186. Closure of charter school; notice requirements

30 A. THE GOVERNING BODY OF A CHARTER SCHOOL SHALL MAIL WRITTEN NOTICE TO
31 THE PARENTS OR GUARDIANS OF ALL PUPILS ENROLLED AT THE CHARTER SCHOOL AT
32 LEAST NINETY DAYS BEFORE A PUBLIC MEETING TO DISCUSS CLOSING THE CHARTER
33 SCHOOL. THE NOTICE SHALL ALSO BE POSTED IN AT LEAST ONE PROMINENT LOCATION
34 AT THE AFFECTED CHARTER SCHOOL AND ON THE OFFICIAL WEBSITE OF THE CHARTER
35 SCHOOL IF THE CHARTER SCHOOL MAINTAINS A WEBSITE. THE NOTICE SHALL INCLUDE
36 THE REASONS FOR THE PROPOSED CLOSURE AND THE TIME AND PLACE OF THE PUBLIC
37 MEETING. AT THE TIME AND PLACE DESIGNATED IN THE NOTICE, THE GOVERNING BODY
38 SHALL DISCUSS THE REASONS FOR THE PROPOSED CLOSURE AND ALLOW PUBLIC TESTIMONY
39 REGARDING THE PROPOSED CLOSURE.

40 B. NOTICE OF ANY MEETINGS OF THE CHARTER SCHOOL GOVERNING BODY OR THE
41 SPONSOR OF THE CHARTER SCHOOL THAT TAKE PLACE AFTER THE ISSUANCE OF A WRITTEN
42 NOTICE PURSUANT TO SUBSECTION A OF THIS SECTION BUT BEFORE THE PUBLIC MEETING
43 TO DISCUSS THE CLOSURE OF THE CHARTER SCHOOL SHALL BE POSTED IN AT LEAST ONE
44 PROMINENT LOCATION AT THE AFFECTED CHARTER SCHOOL AND ON THE OFFICIAL WEBSITE
45 OF THE CHARTER SCHOOL IF THE CHARTER SCHOOL MAINTAINS A WEBSITE.

1 C. NOTWITHSTANDING SUBSECTIONS A AND B OF THIS SECTION, IF THE CHARTER
2 SCHOOL GOVERNING BODY NOTIFIES THE STATE BOARD FOR CHARTER SCHOOLS THAT THE
3 CHARTER SCHOOL MUST BE CLOSED BECAUSE OF AN UNAVOIDABLE EMERGENCY, THE STATE
4 BOARD FOR CHARTER SCHOOLS SHALL PROVIDE NOTICE TO THE PUBLIC THAT THE CLOSURE
5 OF THAT PARTICULAR CHARTER SCHOOL WILL BE DISCUSSED AT A SPECIFIED DATE AND
6 TIME AT A PUBLIC MEETING OF THE STATE BOARD FOR CHARTER SCHOOLS. AT THE TIME
7 AND PLACE DESIGNATED IN THE NOTICE, THE STATE BOARD FOR CHARTER SCHOOLS SHALL
8 DISCUSS AND APPROVE A PLAN FOR THE ORDERLY CLOSURE OF THE CHARTER SCHOOL.

9 D. IF THE STATE BOARD FOR CHARTER SCHOOLS DETERMINES THAT A CHARTER
10 SCHOOL CLOSED WITHOUT COMPLYING WITH THE NOTICE REQUIREMENTS OF THIS SECTION:

11 1. IF THE CLOSED CHARTER SCHOOL WAS OPERATED BY A PERSON OR ENTITY
12 THAT DOES NOT CURRENTLY OPERATE ANY OTHER CHARTER SCHOOLS IN THIS STATE, THE
13 STATE BOARD FOR CHARTER SCHOOLS SHALL NOTIFY THE OTHER ENTITIES THAT MAY
14 SPONSOR CHARTER SCHOOLS IN THIS STATE THAT THE OPERATOR OF THE CLOSED CHARTER
15 SCHOOL IS PROHIBITED FROM OPERATING ANY OTHER CHARTER SCHOOLS IN THIS STATE.

16 2. IF THE CLOSED CHARTER SCHOOL WAS OPERATED BY A PERSON OR ENTITY
17 THAT CURRENTLY OPERATES OTHER CHARTER SCHOOLS IN THIS STATE, THE SPONSOR OR
18 SPONSORS OF THE OTHER CHARTER SCHOOLS, AT THE SPONSOR'S OR SPONSORS' NEXT
19 REGULAR PUBLIC MEETING, SHALL DISCUSS AND VOTE WHETHER TO REVOKE THE CHARTER
20 OR CHARTERS ISSUED BY THAT SPONSOR FOR ANY OTHER CHARTER SCHOOLS OPERATED BY
21 THAT PERSON OR ENTITY.