

COMMITTEE ON EDUCATION

HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1193

(Reference to Senate engrossed bill)

1 Strike everything after the enacting clause and insert:

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 funds

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, application process and application time
10 frames shall be posted on the sponsor's website and shall include the
11 following, as specified in the application adopted by the sponsor:

- 12 1. A detailed educational plan.
- 13 2. A detailed business plan.
- 14 3. A detailed operational plan.
- 15 4. Any other materials required by the sponsor.

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

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

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

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

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

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

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

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

25 (f) Notwithstanding any other law, a school district governing board
26 shall not grant a charter to a new charter school that begins initial
27 operations after June 30, 2013 or convert an existing district public school
28 to a charter school that begins initial operations after June 30, 2013.

29 2. The applicant may submit the application to the state board of
30 education or the state board for charter schools. Notwithstanding any other
31 law, neither the state board for charter schools nor the state board of
32 education shall grant a charter to a school district governing board for a
33 new charter school that begins initial operations after June 30, 2013 or for
34 the conversion of an existing district public school to a charter school that
35 begins initial operations after June 30, 2013. The state board of education
36 or the state board for charter schools may approve the application if the
37 application meets the requirements of this article and may approve the
38 charter if the proposed sponsor determines, within its sole discretion, that
39 the applicant is sufficiently qualified to operate a charter school and that
40 the applicant is applying to operate as a separate charter holder by
41 considering factors such as whether:

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

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

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

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

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

6 (f) It is reconstituting an existing grade configuration from a prior
7 charter holder with at least one grade remaining on the original site with
8 the other grade or grades moving to a new site. The state board of education
9 or the state board for charter schools may approve any charter schools
10 transferring charters. The state board of education and the state board for
11 charter schools shall approve any charter schools transferring charters from
12 a school district that is determined to be out of compliance with the uniform
13 system of financial records pursuant to this section, but may require the
14 charter school to sign a new charter that is equivalent to the charter
15 awarded by the former sponsor. If the state board of education or the state
16 board for charter schools rejects the preliminary application, the state
17 board of education or the state board for charter schools shall notify the
18 applicant in writing of the reasons for the rejection and of suggestions for
19 improving the application. An applicant may submit a revised application for
20 reconsideration by the state board of education or the state board for
21 charter schools. The applicant may request, and the state board of education
22 or the state board for charter schools may provide, technical assistance to
23 improve the application.

24 3. The applicant may submit the application to a university under the
25 jurisdiction of the Arizona board of regents, a community college district or
26 a group of community college districts. A university, a community college
27 district or a group of community college districts shall not grant a charter
28 to a school district governing board for a new charter school that begins
29 initial operations after June 30, 2013 or for the conversion of an existing
30 district public school to a charter school that begins initial operations
31 after June 30, 2013. A university, a community college district or a group
32 of community college districts may approve the application if it meets the
33 requirements of this article and if the proposed sponsor determines, in its
34 sole discretion, that the applicant is sufficiently qualified to operate a
35 charter school.

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

45 5. All persons engaged in instructional work directly as a classroom,
46 laboratory or other teacher or indirectly as a supervisory teacher, speech
47 therapist or principal shall have a valid fingerprint clearance card that is
48 issued pursuant to title 41, chapter 12, article 3.1, unless the person is a

1 volunteer or guest speaker who is accompanied in the classroom by a person
2 with a valid fingerprint clearance card. A charter school shall not employ a
3 teacher whose certificate has been surrendered or revoked, unless the
4 teacher's certificate has been subsequently reinstated by the state board of
5 education. All other personnel shall be fingerprint checked pursuant to
6 section 15-512, or the charter school may require those personnel to obtain a
7 fingerprint clearance card issued pursuant to title 41, chapter 12,
8 article 3.1. Before employment, the charter school shall make documented,
9 good faith efforts to contact previous employers of a person to obtain
10 information and recommendations that may be relevant to a person's fitness
11 for employment as prescribed in section 15-512, subsection F. The charter
12 school shall notify the department of public safety if the charter school or
13 sponsor receives credible evidence that a person who possesses a valid
14 fingerprint clearance card is arrested for or is charged with an offense
15 listed in section 41-1758.03, subsection B. Charter schools may hire
16 personnel that have not yet received a fingerprint clearance card if proof is
17 provided of the submission of an application to the department of public
18 safety for a fingerprint clearance card and if the charter school that is
19 seeking to hire the applicant does all of the following:

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

22 (b) Ensures that the department of public safety completes a statewide
23 criminal records check on the applicant. A statewide criminal records check
24 shall be completed by the department of public safety every one hundred
25 twenty days until the date that the fingerprint check is completed or the
26 fingerprint clearance card is issued or denied.

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

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

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

35 (f) Verifies the fingerprint status of the applicant with the
36 department of public safety.

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

41 7. If a charter school operator is not already subject to a public
42 meeting or hearing by the municipality in which the charter school is
43 located, the operator of a charter school shall conduct a public meeting at
44 least thirty days before the charter school operator opens a site or sites
45 for the charter school. The charter school operator shall post notices of
46 the public meeting in at least three different locations that are within
47 three hundred feet of the proposed charter school site.

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

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

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

13 (b) Notify the person's employer or potential employer of the
14 conviction.

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

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

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

22 E. The charter of a charter school shall do all of the following:

23 1. Ensure compliance with federal, state and local rules, regulations
24 and statutes relating to health, safety, civil rights and insurance. The
25 department of education shall publish a list of relevant rules, regulations
26 and statutes to notify charter schools of their responsibilities under this
27 paragraph.

28 2. Ensure that it is nonsectarian in its programs, admission policies
29 and employment practices and all other operations.

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

35 4. Ensure that it designs a method to measure pupil progress toward
36 the pupil outcomes adopted by the state board of education pursuant to
37 section 15-741.01, including participation in the Arizona instrument to
38 measure standards test and the nationally standardized norm-referenced
39 achievement test as designated by the state board and the completion and
40 distribution of an annual report card as prescribed in chapter 7, article 3
41 of this title.

42 5. Ensure that, except as provided in this article and in its charter,
43 it is exempt from all statutes and rules relating to schools, governing
44 boards and school districts.

45 6. Ensure that, except as provided in this article, it is subject to
46 the same financial and electronic data submission requirements as a school
47 district, including the uniform system of financial records as prescribed in
48 chapter 2, article 4 of this title, procurement rules as prescribed in

1 section 15-213 and audit requirements. The auditor general shall conduct a
2 comprehensive review and revision of the uniform system of financial records
3 to ensure that the provisions of the uniform system of financial records that
4 relate to charter schools are in accordance with commonly accepted accounting
5 principles used by private business. A school's charter may include
6 exceptions to the requirements of this paragraph that are necessary as
7 determined by the district governing board, the university, the community
8 college district, the group of community college districts, the state board
9 of education or the state board for charter schools. The department of
10 education or the office of the auditor general may conduct financial, program
11 or compliance audits.

12 7. Ensure compliance with all federal and state laws relating to the
13 education of children with disabilities in the same manner as a school
14 district.

15 8. Ensure that it provides for a governing body for the charter school
16 that is responsible for the policy decisions of the charter school.
17 Notwithstanding section 1-216, if there is a vacancy or vacancies on the
18 governing body, a majority of the remaining members of the governing body
19 constitute a quorum for the transaction of business, unless that quorum is
20 prohibited by the charter school's operating agreement.

21 9. Ensure that it provides a minimum of one hundred eighty
22 instructional days before June 30 of each fiscal year unless it is operating
23 on an alternative calendar approved by its sponsor. The superintendent of
24 public instruction shall adjust the apportionment schedule accordingly to
25 accommodate a charter school utilizing an alternative calendar.

26 F. A charter school shall keep on file the resumes of all current and
27 former employees who provide instruction to pupils at the charter school.
28 Resumes shall include an individual's educational and teaching background and
29 experience in a particular academic content subject area. A charter school
30 shall inform parents and guardians of the availability of the resume
31 information and shall make the resume information available for inspection on
32 request of parents and guardians of pupils enrolled at the charter school.
33 This subsection does not require any charter school to release personally
34 identifiable information in relation to any teacher or employee, including
35 the teacher's or employee's address, salary, social security number or
36 telephone number.

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

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

40 I. The charter is effective for fifteen years from the first day of
41 the fiscal year as specified in the charter, subject to the following:

42 1. At least eighteen months before the expiration of the charter, the
43 sponsor shall notify the charter school that the charter school may apply for
44 renewal and shall make the renewal application available to the charter
45 school. A charter school that elects to apply for renewal shall file a
46 complete renewal application at least fifteen months before the expiration of
47 the charter. A sponsor shall give written notice of its intent not to renew
48 the charter school's request for renewal to the charter school at least

1 twelve months before the expiration of the charter. The sponsor shall make
2 data used in making renewal decisions available to the school and the public
3 and shall provide a public report summarizing the evidence basis for each
4 decision. The sponsor may deny the request for renewal if, in its judgment,
5 the charter holder has failed to do any of the following:

6 (a) Meet or make sufficient progress toward the academic performance
7 expectations set forth in the performance framework.

8 (b) Meet the operational performance expectations set forth in the
9 performance framework or any improvement plans.

10 (c) Complete the obligations of the contract.

11 (d) Comply with this article or any provision of law from which the
12 charter school is not exempt.

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

24 (a) Meet or make sufficient progress toward the academic performance
25 expectations set forth in the performance framework.

26 (b) Meet the operational performance expectations set forth in the
27 performance framework or any improvement plans.

28 (c) Complete the obligations of the contract.

29 (d) Comply with this article or any provision of law from which the
30 charter school is not exempt.

31 3. A sponsor shall review a charter at five-year intervals using a
32 performance framework adopted by the sponsor and may revoke a charter at any
33 time if the charter school breaches one or more provisions of its charter or
34 if the sponsor determines that the charter holder has failed to do any of the
35 following:

36 (a) Meet or make sufficient progress toward the academic performance
37 expectations set forth in the performance framework.

38 (b) Meet the operational performance expectations set forth in the
39 performance framework or any improvement plans.

40 (c) Comply with this article or any provision of law from which the
41 charter school is not exempt.

42 4. IN DETERMINING WHETHER TO RENEW OR REVOKE A CHARTER HOLDER, THE
43 SPONSOR MUST CONSIDER MAKING SUFFICIENT PROGRESS TOWARD THE ACADEMIC
44 PERFORMANCE EXPECTATIONS SET FORTH IN THE SPONSOR'S PERFORMANCE FRAMEWORK AS
45 ONE OF THE MOST IMPORTANT FACTORS.

46 ~~4.~~ 5. At least sixty days before the effective date of the proposed
47 revocation, the sponsor shall give written notice to the operator of the
48 charter school of its intent to revoke the charter. Notice of the sponsor's

1 intent to revoke the charter shall be delivered personally to the operator of
2 the charter school or sent by certified mail, return receipt requested, to
3 the address of the charter school. The notice shall incorporate a statement
4 of reasons for the proposed revocation of the charter. The sponsor shall
5 allow the charter school at least sixty days to correct the problems
6 associated with the reasons for the proposed revocation of the charter. The
7 final determination of whether to revoke the charter shall be made at a
8 public hearing called for such purpose.

9 J. The charter may be renewed for successive periods of twenty years.

10 K. A charter school that is sponsored by the state board of education,
11 the state board for charter schools, a university, a community college
12 district or a group of community college districts may not be located on the
13 property of a school district unless the district governing board grants this
14 authority.

15 L. A governing board or a school district employee who has control
16 over personnel actions shall not take unlawful reprisal against another
17 employee of the school district because the employee is directly or
18 indirectly involved in an application to establish a charter school. A
19 governing board or a school district employee shall not take unlawful
20 reprisal against an educational program of the school or the school district
21 because an application to establish a charter school proposes the conversion
22 of all or a portion of the educational program to a charter school. For the
23 purposes of this subsection, "unlawful reprisal" means an action that is
24 taken by a governing board or a school district employee as a direct result
25 of a lawful application to establish a charter school and that is adverse to
26 another employee or an education program and:

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

29 (a) Disciplinary or corrective action.

30 (b) Detail, transfer or reassignment.

31 (c) Suspension, demotion or dismissal.

32 (d) An unfavorable performance evaluation.

33 (e) A reduction in pay, benefits or awards.

34 (f) Elimination of the employee's position without a reduction in
35 force by reason of lack of monies or work.

36 (g) Other significant changes in duties or responsibilities that are
37 inconsistent with the employee's salary or employment classification.

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

40 (a) Suspension or termination of the program.

41 (b) Transfer or reassignment of the program to a less favorable
42 department.

43 (c) Relocation of the program to a less favorable site within the
44 school or school district.

45 (d) Significant reduction or termination of funding for the program.

46 M. Charter schools shall secure insurance for liability and property
47 loss. The governing body of a charter school that is sponsored by the state
48 board of education or the state board for charter schools may enter into an

1 intergovernmental agreement or otherwise contract to participate in an
2 insurance program offered by a risk retention pool established pursuant to
3 section 11-952.01 or 41-621.01 or the charter school may secure its own
4 insurance coverage. The pool may charge the requesting charter school
5 reasonable fees for any services it performs in connection with the insurance
6 program.

7 N. Charter schools do not have the authority to acquire property by
8 eminent domain.

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

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

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

23 R. The sponsoring entity of a charter school shall have oversight and
24 administrative responsibility for the charter schools that it sponsors. In
25 implementing its oversight and administrative responsibilities, the sponsor
26 shall ground its actions in evidence of the charter holder's performance in
27 accordance with the performance framework adopted by the sponsor. The
28 performance framework shall be publicly available, shall be placed on the
29 sponsoring entity's website and shall include:

30 1. The academic performance expectations of the charter school and the
31 measurement of sufficient progress toward the academic performance
32 expectations.

33 2. The operational expectations of the charter school, including
34 adherence to all applicable laws and obligations of the charter contract.

35 3. Intervention and improvement policies.

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

38 T. All property accumulated by a charter school shall remain the
39 property of the charter school.

40 U. Charter schools may not locate a school on property that is less
41 than one-fourth mile from agricultural land regulated pursuant to section
42 3-365, except that the owner of the agricultural land may agree to comply
43 with the buffer zone requirements of section 3-365. If the owner agrees in
44 writing to comply with the buffer zone requirements and records the agreement
45 in the office of the county recorder as a restrictive covenant running with
46 the title to the land, the charter school may locate a school within the
47 affected buffer zone. The agreement may include any stipulations regarding
48 the charter school, including conditions for future expansion of the school

1 and changes in the operational status of the school that will result in a
2 breach of the agreement.

3 V. A transfer of a charter to another sponsor, a transfer of a charter
4 school site to another sponsor or a transfer of a charter school site to a
5 different charter shall be completed before the beginning of the fiscal year
6 that the transfer is scheduled to become effective. An entity that sponsors
7 charter schools may accept a transferring school after the beginning of the
8 fiscal year if the transfer is approved by the superintendent of public
9 instruction. The superintendent of public instruction shall have the
10 discretion to consider each transfer during the fiscal year on a case by case
11 basis. If a charter school is sponsored by a school district that is
12 determined to be out of compliance with this title, the uniform system of
13 financial records or any other state or federal law, the charter school may
14 transfer to another sponsoring entity at any time during the fiscal year. A
15 charter holder seeking to transfer sponsors shall comply with the current
16 charter terms regarding assignment of the charter. A charter holder
17 transferring sponsors shall notify the current sponsor that the transfer has
18 been approved by the new sponsor.

19 W. Notwithstanding subsection V of this section, a charter holder on
20 an improvement plan must notify parents or guardians of registered students
21 of the intent to transfer the charter and the timing of the proposed
22 transfer. On the approved transfer, the new sponsor shall enforce the
23 improvement plan but may modify the plan based on performance.

24 X. Notwithstanding subsection Y of this section, the state board for
25 charter schools shall charge a processing fee to any charter school that
26 amends its contract to participate in Arizona online instruction pursuant to
27 section 15-808. The charter Arizona online instruction processing fund is
28 established consisting of fees collected and administered by the state board
29 for charter schools. The state board for charter schools shall use monies in
30 the fund only for the processing of contract amendments for charter schools
31 participating in Arizona online instruction. Monies in the fund are
32 continuously appropriated.

33 Y. The sponsoring entity may not charge any fees to a charter school
34 that it sponsors unless the sponsor has provided services to the charter
35 school and the fees represent the full value of those services provided by
36 the sponsor. On request, the value of the services provided by the sponsor
37 to the charter school shall be demonstrated to the department of education.

38 Z. Charter schools may enter into an intergovernmental agreement with
39 a presiding judge of the juvenile court to implement a law related education
40 program as defined in section 15-154. The presiding judge of the juvenile
41 court may assign juvenile probation officers to participate in a law related
42 education program in any charter school in the county. The cost of juvenile
43 probation officers who participate in the program implemented pursuant to
44 this subsection shall be funded by the charter school.

45 AA. The sponsor of a charter school shall modify previously approved
46 curriculum requirements for a charter school that wishes to participate in
47 the board examination system prescribed in chapter 7, article 6 of this
48 title.

1 BB. If a charter school decides not to participate in the board
2 examination system prescribed in chapter 7, article 6 of this title, pupils
3 enrolled at that charter school may earn a Grand Canyon diploma by obtaining
4 a passing score on the same board examinations.

5 CC. Notwithstanding subsection Y of this section, a sponsor of charter
6 schools may charge a new charter application processing fee to any applicant.
7 The application fee shall fully cover the cost of application review and any
8 needed technical assistance. Authorizers may approve policies that allow a
9 portion of the fee to be returned to the applicant whose charter is approved.

10 DD. A charter school may choose to provide a preschool program for
11 children with disabilities pursuant to section 15-771.

12 EE. Pursuant to the prescribed graduation requirements adopted by the
13 state board of education, the governing body of a charter school operating a
14 high school may approve a rigorous computer science course that would fulfill
15 a mathematics course required for graduation from high school. The governing
16 body may approve a rigorous computer science course only if the rigorous
17 computer science course includes significant mathematics content and the
18 governing body determines the high school where the rigorous computer science
19 course is offered has sufficient capacity, infrastructure and qualified
20 staff, including competent teachers of computer science.

21 FF. A charter school may permit the use of school property, including
22 school buildings, grounds, buses and equipment, by any person, group or
23 organization for any lawful purpose, including A recreational, educational,
24 political, economic, artistic, moral, scientific, social, religious or other
25 civic or governmental purpose. The charter school may charge a reasonable
26 fee for the use of the school property.

27 GG. A charter school and its employees, including the governing body,
28 or chief administrative officer, are immune from civil liability with respect
29 to all decisions made and actions taken to allow the use of school property,
30 unless the charter school or its employees are guilty of gross negligence or
31 intentional misconduct. This subsection does not limit any other immunity
32 provisions that are prescribed by law.

33 HH. SPONSORS AUTHORIZED PURSUANT TO THIS SECTION SHALL MAKE AN ANNUAL
34 REPORT TO THE AUDITOR GENERAL ON OR BEFORE OCTOBER 1 OF EACH YEAR. THE REPORT
35 SHALL INCLUDE:

36 1. THE CURRENT NUMBER OF CHARTERS AUTHORIZED AND THE NUMBER OF SCHOOLS
37 OPERATED BY AUTHORIZED CHARTER HOLDERS.

38 2. THE ACADEMIC AND OPERATIONAL PERFORMANCE OF THE SPONSOR'S CHARTER
39 PORTFOLIO AS MEASURED BY THE SPONSOR'S ADOPTED PERFORMANCE FRAMEWORK.

40 3. THE NUMBER OF NEW CHARTERS APPROVED AND THE NUMBER OF CHARTER
41 SCHOOLS CLOSED AND REASON FOR THE CLOSURE IN THE PRIOR YEAR.

42 4. THE SPONSOR'S APPLICATION, AMENDMENT, RENEWAL AND REVOCATION
43 PROCESSES, CHARTER CONTRACT TEMPLATE AND CURRENT PERFORMANCE FRAMEWORK AS
44 REQUIRED BY THIS SECTION.

45 II. THE AUDITOR GENERAL SHALL REVIEW THE SUBMITTED ANNUAL REPORT
46 REQUIRED IN SUBSECTION HH FOR COMPLIANCE. THE AUDITOR GENERAL SHALL PROVIDE
47 THE SPONSORS' REPORTS WITH ITS FINDINGS TO THE GOVERNOR, LEGISLATURE AND THE
48 SECRETARY OF STATE AND MAKE IT PUBLICLY AVAILABLE ON OR BEFORE DECEMBER 31 OF

- 1 EACH YEAR. IF THE AUDITOR GENERAL FINDS SIGNIFICANT NON-COMPLIANCE OR REPORTS
- 2 A SPONSOR'S FAILURE TO SUBMIT, THE LEGISLATURE SHALL CONSIDER REVOKING THE
- 3 SPONSOR'S AUTHORITY TO SPONSOR CHARTER SCHOOLS."
- 4 Amend title to conform

and, as so amended, it do pass

JAY LAWRENCE
Vice-Chairman

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3/18/15
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