

REFERENCE TITLE: charter schools; closure; property transfer

State of Arizona
House of Representatives
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2018

HB 2142

Introduced by
Representatives Friese: Blanc, Butler, Clark, Descheenie, Engel,
Espinoza, Fernandez, Gabaldón, Gonzales, Peten, Powers Hannley, Rios,
Salman

AN ACT

AMENDING SECTION 15-183, ARIZONA REVISED STATUTES; 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 funds; annual reports
7 A. An applicant seeking to establish a charter school shall submit
8 a written application to a proposed sponsor as prescribed in subsection C
9 of this section. The application, application process and application
10 time 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 the state board of
20 education, the state board for charter schools, a university under the
21 jurisdiction of the Arizona board of regents, a community college district
22 or a group of community college districts, subject to the following
23 requirements:
24 1. An applicant may not submit an application for sponsorship to
25 any person or entity other than those prescribed in this subsection.
26 2. The applicant may submit the application to the state board of
27 education or the state board for charter schools. Notwithstanding any
28 other law, neither the state board for charter schools nor the state board
29 of education shall grant a charter to a school district governing board
30 for a new charter school or for the conversion of an existing district
31 public school to a charter school. The state board of education or the
32 state board for charter schools may approve the application if the
33 application meets the requirements of this article and may approve the
34 charter if the proposed sponsor determines, within its sole discretion,
35 that the applicant is sufficiently qualified to operate a charter school
36 and that the applicant is applying to operate as a separate charter holder
37 by considering factors such as whether:
38 (a) The schools have separate governing bodies, governing body
39 membership, staff, facilities and student population.
40 (b) Daily operations are carried out by different administrators.
41 (c) The applicant intends to have an affiliation agreement for the
42 purpose of providing enrollment preferences.
43 (d) The applicant's charter management organization has multiple
44 charter holders serving varied grade configurations on one physical site
45 or nearby sites serving one community.

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

3 (f) It is reconstituting an existing grade configuration from a
4 prior charter holder with at least one grade remaining on the original
5 site with the other grade or grades moving to a new site. The state board
6 of education or the state board for charter schools may approve any
7 charter schools transferring charters. If the state board of education or
8 the state board for charter schools rejects the preliminary application,
9 the state board of education or the state board for charter schools shall
10 notify the applicant in writing of the reasons for the rejection and of
11 suggestions for improving the application. An applicant may submit a
12 revised application for reconsideration by the state board of education or
13 the state board for charter schools. The applicant may request, and the
14 state board of education or the state board for charter schools may
15 provide, technical assistance to improve the application.

16 3. The applicant may submit the application to a university under
17 the jurisdiction of the Arizona board of regents, a community college
18 district or a group of community college districts. A university, a
19 community college district or a group of community college districts shall
20 not grant a charter to a school district governing board for a new charter
21 school or for the conversion of an existing district public school to a
22 charter school. A university, a community college district or a group of
23 community college districts may approve the application if it meets the
24 requirements of this article and if the proposed sponsor determines, in
25 its sole discretion, that the applicant is sufficiently qualified to
26 operate a charter school.

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

36 5. All persons engaged in instructional work directly as a
37 classroom, laboratory or other teacher or indirectly as a supervisory
38 teacher, speech therapist or principal shall have a valid fingerprint
39 clearance card that is issued pursuant to title 41, chapter 12, article
40 3.1, unless the person is a volunteer or guest speaker who is accompanied
41 in the classroom by a person with a valid fingerprint clearance card. A
42 charter school shall not employ a teacher whose certificate has been
43 surrendered or revoked, unless the teacher's certificate has been
44 subsequently reinstated by the state board of education. All other
45 personnel shall be fingerprint checked pursuant to section 15-512, or the
46 charter school may require those personnel to obtain a fingerprint

1 clearance card issued pursuant to title 41, chapter 12, article 3.1.
2 Before employment, the charter school shall make documented, good faith
3 efforts to contact previous employers of a person to obtain information
4 and recommendations that may be relevant to a person's fitness for
5 employment as prescribed in section 15-512, subsection F. The charter
6 school shall notify the department of public safety if the charter school
7 or sponsor receives credible evidence that a person who possesses a valid
8 fingerprint clearance card is arrested for or is charged with an offense
9 listed in section 41-1758.03, subsection B. A person who is employed at a
10 charter school that has met the requirements of this paragraph is not
11 required to meet any additional requirements that are established by the
12 department of education or that may be established by rule by the state
13 board of education. The state board of education may not adopt rules that
14 exceed the requirements for persons qualified to teach in charter schools
15 prescribed in title I of the every student succeeds act (P.L. 114-95) or
16 the individuals with disabilities education improvement act of 2004
17 (P.L. 108-446). Charter schools may hire personnel who have not yet
18 received a fingerprint clearance card if proof is provided of the
19 submission of an application to the department of public safety for a
20 fingerprint clearance card and if the charter school that is seeking to
21 hire the applicant does all of the following:

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

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

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

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

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

37 (f) Verifies the fingerprint status of the applicant with the
38 department of public safety.

39 6. A charter school that complies with the fingerprinting
40 requirements of this section shall be deemed to have complied with section
41 15-512 and is entitled to the same rights and protections provided to
42 school districts by section 15-512.

43 7. If a charter school operator is not already subject to a public
44 meeting or hearing by the municipality in which the charter school is
45 located, the operator of a charter school shall conduct a public meeting
46 at least thirty days before the charter school operator opens a site or

1 sites for the charter school. The charter school operator shall post
2 notices of the public meeting in at least three different locations that
3 are within three hundred feet of the proposed charter school site.

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

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

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

19 (b) Notify the person's employer or potential employer of the
20 conviction.

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

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

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

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

30 1. Ensure compliance with federal, state and local rules,
31 regulations and statutes relating to health, safety, civil rights and
32 insurance. The department of education shall publish a list of relevant
33 rules, regulations and statutes to notify charter schools of their
34 responsibilities under this paragraph.

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

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

42 4. Ensure that it designs a method to measure pupil progress toward
43 the pupil outcomes adopted by the state board of education pursuant to
44 section 15-741.01, including participation in the statewide assessment and
45 the nationally standardized norm-referenced achievement test as designated

1 by the state board and the completion and distribution of an annual report
2 card as prescribed in chapter 7, article 3 of this title.

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

6 6. Ensure that, except as provided in this article, it is subject
7 to the same financial and electronic data submission requirements as a
8 school district, including the uniform system of financial records as
9 prescribed in chapter 2, article 4 of this title, procurement rules as
10 prescribed in section 15-213 and audit requirements. The auditor general
11 shall conduct a comprehensive review and revision of the uniform system of
12 financial records to ensure that the provisions of the uniform system of
13 financial records that relate to charter schools are in accordance with
14 commonly accepted accounting principles used by private business. A
15 school's charter may include exceptions to the requirements of this
16 paragraph that are necessary as determined by the university, the
17 community college district, the group of community college districts, the
18 state board of education or the state board for charter schools. The
19 department of education or the office of the auditor general may conduct
20 financial, program or compliance audits.

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

24 8. Ensure that it provides for a governing body for the charter
25 school that is responsible for the policy decisions of the charter school.
26 Notwithstanding section 1-216, if there is a vacancy or vacancies on the
27 governing body, a majority of the remaining members of the governing body
28 constitute a quorum for the transaction of business, unless that quorum is
29 prohibited by the charter school's operating agreement.

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

36 F. A charter school shall keep in the personnel file of all current
37 employees who provide instruction to pupils at the charter school
38 information about the employee's educational and teaching background and
39 experience in a particular academic content subject area. A charter
40 school shall inform parents and guardians of the availability of the
41 information and shall make the information available for inspection on
42 request of parents and guardians of pupils enrolled at the charter school.
43 This subsection does not require any charter school to release personally
44 identifiable information in relation to any teacher or employee, including
45 the teacher's or employee's address, salary, social security number or
46 telephone number.

1 G. The charter of a charter school may be amended at the request of
2 the governing body of the charter school and on the approval of the
3 sponsor.

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

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

7 1. At least eighteen months before the expiration of the charter,
8 the sponsor shall notify the charter school that the charter school may
9 apply for renewal and shall make the renewal application available to the
10 charter school. A charter school that elects to apply for renewal shall
11 file a complete renewal application at least fifteen months before the
12 expiration of the charter. A sponsor shall give written notice of its
13 intent not to renew the charter school's request for renewal to the
14 charter school at least twelve months before the expiration of the
15 charter. The sponsor shall make data used in making renewal decisions
16 available to the school and the public and shall provide a public report
17 summarizing the evidence basis for each decision. The sponsor may deny
18 the request for renewal if, in its judgment, the charter holder has failed
19 to do any of the following:

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

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

24 (c) Complete the obligations of the contract.

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

27 2. A charter operator may apply for early renewal. At least nine
28 months before the charter school's intended renewal consideration, the
29 operator of the charter school shall submit a letter of intent to the
30 sponsor to apply for early renewal. The sponsor shall review fiscal
31 audits and academic performance data for the charter school that are
32 annually collected by the sponsor, review the current contract between the
33 sponsor and the charter school and provide the qualifying charter school
34 with a renewal application. On submission of a complete application, the
35 sponsor shall give written notice of its consideration of the renewal
36 application. The sponsor may deny the request for early renewal if, in
37 the sponsor's judgment, the charter holder has failed to do any of the
38 following:

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

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

43 (c) Complete the obligations of the contract.

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

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

6 (a) Meet or make sufficient progress toward the academic
7 performance 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) Comply with this article or any provision of law from which the
11 charter school is not exempt.

12 4. In determining whether to renew or revoke a charter holder, the
13 sponsor must consider making sufficient progress toward the academic
14 performance expectations set forth in the sponsor's performance framework
15 as one of the most important factors.

16 5. At least sixty days before the effective date of the proposed
17 revocation, the sponsor shall give written notice to the operator of the
18 charter school of its intent to revoke the charter. Notice of the
19 sponsor's intent to revoke the charter shall be delivered personally to
20 the operator of the charter school or sent by certified mail, return
21 receipt requested, to the address of the charter school. The notice shall
22 incorporate a statement of reasons for the proposed revocation of the
23 charter. The sponsor shall allow the charter school at least sixty days
24 to correct the problems associated with the reasons for the proposed
25 revocation of the charter. The final determination of whether to revoke
26 the charter shall be made at a public hearing called for such purpose.

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

29 K. A charter school that is sponsored by the state board of
30 education, the state board for charter schools, a university, a community
31 college district or a group of community college districts may not be
32 located on the property of a school district unless the district governing
33 board grants this authority.

34 L. A governing board or a school district employee who has control
35 over personnel actions shall not take unlawful reprisal against another
36 employee of the school district because the employee is directly or
37 indirectly involved in an application to establish a charter school. A
38 governing board or a school district employee shall not take unlawful
39 reprisal against an educational program of the school or the school
40 district because an application to establish a charter school proposes the
41 conversion of all or a portion of the educational program to a charter
42 school. For the purposes of this subsection, "unlawful reprisal" means an
43 action that is taken by a governing board or a school district employee as
44 a direct result of a lawful application to establish a charter school and
45 that is adverse to another employee or an education program and:

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

- 3 (a) Disciplinary or corrective action.
- 4 (b) Detail, transfer or reassignment.
- 5 (c) Suspension, demotion or dismissal.
- 6 (d) An unfavorable performance evaluation.
- 7 (e) A reduction in pay, benefits or awards.
- 8 (f) Elimination of the employee's position without a reduction in
9 force by reason of lack of monies or work.
- 10 (g) Other significant changes in duties or responsibilities that
11 are inconsistent with the employee's salary or employment classification.

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

- 14 (a) Suspension or termination of the program.
- 15 (b) Transfer or reassignment of the program to a less favorable
16 department.
- 17 (c) Relocation of the program to a less favorable site within the
18 school or school district.
- 19 (d) Significant reduction or termination of funding for the
20 program.

21 M. Charter schools shall secure insurance for liability and
22 property loss. The governing body of a charter school that is sponsored
23 by the state board of education or the state board for charter schools may
24 enter into an intergovernmental agreement or otherwise contract to
25 participate in an insurance program offered by a risk retention pool
26 established pursuant to section 11-952.01 or 41-621.01 or the charter
27 school may secure its own insurance coverage. The pool may charge the
28 requesting charter school reasonable fees for any services it performs in
29 connection with the insurance program.

30 N. Charter schools do not have the authority to acquire property by
31 eminent domain.

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

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

38 Q. The sponsor of a charter school shall establish procedures to
39 conduct administrative hearings on determination by the sponsor that
40 grounds exist to revoke a charter. Procedures for administrative hearings
41 shall be similar to procedures prescribed for adjudicative proceedings in
42 title 41, chapter 6, article 10. Except as provided in section
43 41-1092.08, subsection H, final decisions of the state board of education
44 and the state board for charter schools from hearings conducted pursuant
45 to this subsection are subject to judicial review pursuant to title 12,
46 chapter 7, article 6.

1 R. The sponsoring entity of a charter school shall have oversight
2 and administrative responsibility for the charter schools that it
3 sponsors. In implementing its oversight and administrative
4 responsibilities, the sponsor shall ground its actions in evidence of the
5 charter holder's performance in accordance with the performance framework
6 adopted by the sponsor. The performance framework shall be publicly
7 available, shall be placed on the sponsoring entity's website and shall
8 include:

9 1. The academic performance expectations of the charter school and
10 the measurement of sufficient progress toward the academic performance
11 expectations.

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

14 3. Intervention and improvement policies.

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

17 T. All property accumulated by a charter school ~~THAT CLOS~~
18 ~~ES OPERATIONS~~ shall ~~remain the property of~~ BE TRANSFERRED TO THE
19 SCHOOL DISTRICT WITHIN WHICH the charter school WAS LOCATED. IF A CHARTER
20 SCHOOL THAT CEASES OPERATIONS IS NOT LOCATED WITHIN THE BOUNDARIES OF A
21 SCHOOL DISTRICT, THE PROPERTY ACCUMULATED BY THAT CHARTER SCHOOL SHALL BE
22 TRANSFERRED TO THE NEAREST SCHOOL DISTRICT.

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

34 V. A transfer of a charter to another sponsor, a transfer of a
35 charter school site to another sponsor or a transfer of a charter school
36 site to a different charter shall be completed before the beginning of the
37 fiscal year that the transfer is scheduled to become effective. An entity
38 that sponsors charter schools may accept a transferring school after the
39 beginning of the fiscal year if the transfer is approved by the
40 superintendent of public instruction. The superintendent of public
41 instruction shall have the discretion to consider each transfer during the
42 fiscal year on a case-by-case basis. A charter holder seeking to transfer
43 sponsors shall comply with the current charter terms regarding assignment
44 of the charter. A charter holder transferring sponsors shall notify the
45 current sponsor that the transfer has been approved by the new sponsor.

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

6 X. Notwithstanding subsection Y of this section, the state board
7 for charter schools shall charge a processing fee to any charter school
8 that amends its contract to participate in Arizona online instruction
9 pursuant to section 15-808. The charter Arizona online instruction
10 processing fund is established consisting of fees collected and
11 administered by the state board for charter schools. The state board for
12 charter schools shall use monies in the fund only for the processing of
13 contract amendments for charter schools participating in Arizona online
14 instruction. Monies in the fund are continuously appropriated.

15 Y. The sponsoring entity may not charge any fees to a charter
16 school that it sponsors unless the sponsor has provided services to the
17 charter school and the fees represent the full value of those services
18 provided by the sponsor. On request, the value of the services provided
19 by the sponsor to the charter school shall be demonstrated to the
20 department of education.

21 Z. Charter schools may enter into an intergovernmental agreement
22 with a presiding judge of the juvenile court to implement a law-related
23 education program as defined in section 15-154. The presiding judge of
24 the juvenile court may assign juvenile probation officers to participate
25 in a law-related education program in any charter school in the
26 county. The cost of juvenile probation officers who participate in the
27 program implemented pursuant to this subsection shall be funded by the
28 charter school.

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

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

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

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

45 EE. Pursuant to the prescribed graduation requirements adopted by
46 the state board of education, the governing body of a charter school

1 operating a high school may approve a rigorous computer science course
2 that would fulfill a mathematics course required for graduation from high
3 school. The governing body may approve a rigorous computer science course
4 only if the rigorous computer science course includes significant
5 mathematics content and the governing body determines the high school
6 where the rigorous computer science course is offered has sufficient
7 capacity, infrastructure and qualified staff, including competent teachers
8 of computer science.

9 FF. A charter school may permit the use of school property,
10 including school buildings, grounds, buses and equipment, by any person,
11 group or organization for any lawful purpose, including a recreational,
12 educational, political, economic, artistic, moral, scientific, social,
13 religious or other civic or governmental purpose. The charter school may
14 charge a reasonable fee for the use of the school property.

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

21 HH. Sponsors authorized pursuant to this section shall submit an
22 annual report to the auditor general on or before October 1. The report
23 shall include:

24 1. The current number of charters authorized and the number of
25 schools operated by authorized charter holders.

26 2. The academic and operational performance of the sponsor's
27 charter portfolio as measured by the sponsor's adopted performance
28 framework.

29 3. For the prior year, the number of new charters approved, the
30 number of charter schools closed and the reason for the closure.

31 4. The sponsor's application, amendment, renewal and revocation
32 processes, charter contract template and current performance framework as
33 required by this section.

34 II. The auditor general shall prescribe the format for the annual
35 report required by subsection HH of this section and may require that the
36 annual report be submitted electronically. The auditor general shall
37 review the submitted annual reports to ensure that the reports include the
38 required items in subsection HH of this section and shall make the annual
39 reports available on request. If the auditor general finds significant
40 noncompliance or if a sponsor fails to submit the annual report required
41 by subsection HH of this section, on or before December 31 of each year
42 the auditor general shall report to the governor, the president of the
43 senate, the speaker of the house of representatives and the chairs of the
44 senate and house education committees or their successor committees, and
45 the legislature shall consider revoking the sponsor's authority to sponsor
46 charter schools.