

REFERENCE TITLE: charter schools; profit distributions

State of Arizona
Senate
Fifty-third Legislature
Second Regular Session
2018

SB 1297

Introduced by
Senators Bradley: Dalessandro

AN ACT

AMENDING SECTION 15-182, 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 15-182, Arizona Revised Statutes, is amended to
3 read:

4 15-182. State board for charter schools: membership: terms:
5 compensation: duties

6 A. The state board for charter schools is established consisting of
7 the following members:

8 1. The superintendent of public instruction or the superintendent's
9 designee.

10 2. Six members of the general public, at least two of whom shall
11 reside in a school district where at least sixty ~~per cent~~ PERCENT of the
12 children who attend school in the district meet the eligibility
13 requirements established under the national school lunch and child
14 nutrition acts (42 United States Code sections 1751 through 1785) for free
15 lunches, and at least one of whom shall reside on an Indian reservation,
16 who are appointed by the governor pursuant to section 38-211.

17 3. Two members of the business community who are appointed by the
18 governor pursuant to section 38-211.

19 4. A teacher who provides classroom instruction at a charter school
20 and who is appointed by the governor pursuant to section 38-211.

21 5. An operator of a charter school who is appointed by the governor
22 pursuant to section 38-211.

23 6. Three members of the legislature who shall serve as advisory
24 members and who are appointed jointly by the president of the senate and
25 the speaker of the house of representatives.

26 B. The superintendent of public instruction shall serve a term on
27 the state board for charter schools that runs concurrently with the
28 superintendent's term of office. The members appointed pursuant to
29 subsection A, paragraph 6 of this section shall serve ~~two-year~~ TWO-YEAR
30 terms on the state board for charter schools that begin and end on the
31 third Monday in January and that run concurrently with their respective
32 terms of office. Members appointed pursuant to subsection A, paragraphs
33 2, 3, 4 and 5 of this section shall serve staggered ~~four-year~~ FOUR-YEAR
34 terms that begin and end on the third Monday in January.

35 C. The state board for charter schools shall annually elect a
36 president and such other officers as it deems necessary from among its
37 membership.

38 D. Members of the state board for charter schools are not eligible
39 to receive compensation but are eligible for reimbursement of expenses
40 pursuant to title 38, chapter 4, article 2.

1 E. The state board for charter schools shall:

2 1. Exercise general supervision over charter schools THAT ARE
3 sponsored by the board and recommend legislation pertaining to charter
4 schools to the legislature.

5 2. Grant charter status to qualifying applicants for charter
6 schools pursuant to section 15-183.

7 3. Adopt and use an official seal in the authentication of its
8 acts.

9 4. Keep a record of its proceedings.

10 5. Adopt rules for its own government.

11 6. Determine the policy of the board and the work undertaken by it.

12 7. Delegate to the superintendent of public instruction the
13 execution of board policies.

14 8. Prepare a budget for expenditures necessary for the proper
15 maintenance of the board and the accomplishment of its purpose.

16 9. ANNUALLY MONITOR AND APPROVE OR DISAPPROVE ANY PROFIT
17 DISTRIBUTION BY A CHARTER SCHOOL THAT EXCEEDS THE CHARTER SCHOOL'S NET
18 PROFIT. THE APPROVAL OR DISAPPROVAL PROCESS SHALL BE CONDUCTED IN AN OPEN
19 MEETING OF THE STATE BOARD FOR CHARTER SCHOOLS.

20 10. EVALUATE DRAWS ON A CHARTER SCHOOL OWNER'S EQUITY FOR
21 DISTRIBUTIONS AGAINST THE OWNER'S FISCAL POSITION BASED ON FINANCIAL
22 PERFORMANCE RECOMMENDATIONS ESTABLISHED BY THE STATE BOARD FOR CHARTER
23 SCHOOLS.

24 F. The state board for charter schools may:

25 1. Contract.

26 2. Sue and be sued.

27 3. Use the services of the auditor general.

28 4. Subject to title 41, chapter 4, article 4 and legislative
29 appropriation, employ staff.

30 G. The state board for charter schools may accept gifts or grants
31 of monies or real or personal property from public and private
32 organizations, if the purpose of the gift or grant specified by the donor
33 is approved by the board and is within the scope of the board's powers and
34 duties. The board shall establish and administer a gift and grant fund
35 for the deposit of monies received pursuant to this subsection.