

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Representative(s) Richardson and Bucher offered the following:

Amendment

On page 215, line 30 through page 218, line 22,
remove: all of said lines

and insert: calendar days after notification of the
appeal. The State Board of Education shall by majority vote
accept or reject the decision of the district school board no
later than 60 calendar days after an appeal is filed in
accordance with State Board of Education rule. The State Board
of Education may reject an appeal submission for failure to
comply with procedural rules governing the appeals process.
The rejection shall describe the submission errors. The
appellant may have up to 15 calendar days from notice of
rejection to resubmit an appeal that meets requirements of
State Board of Education rule. An application for appeal
submitted subsequent to such rejection shall be considered
timely if the original appeal was filed within 30 calendar
days after receipt of notice of the specific reasons for the
district school board's denial of the charter application. The

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1 State Board of Education shall remand the application to the
2 district school board with its written recommendation that the
3 district school board approve or deny the application
4 consistent with the state board's decision. The decision of
5 the State Board of Education is not subject to the provisions
6 of the Administrative Procedure Act, chapter 120.

7 (c) The district school board must act upon the
8 recommendation of the State Board of Education within 30
9 calendar days after it is received. The district board may
10 fail to act in accordance with the recommendation of the state
11 board only for good cause. Good cause for failing to act in
12 accordance with the state board's recommendation arises only
13 if the district school board determines by competent
14 substantial evidence that approving the state board's
15 recommendation would be contrary to law or contrary to the
16 best interest of the pupils or the community. The district
17 school board must articulate in written findings the specific
18 reasons based upon good cause supporting its failure to act in
19 accordance with the state board's recommendation. The
20 district board's action on the state board's recommendation is
21 a final action subject to judicial review.

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