

hbd-38

Bill No. SB 20-E, 1st Eng.

Amendment No. \_\_\_\_ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

Representative(s) Richardson and Kosmas offered the following:

**Amendment**

On page 215, line 18 through page 218, line 10,  
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 State Board of Education shall

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1 remand the application to the district school board with its  
 2 written recommendation that the district school board approve  
 3 or deny the application consistent with the state board's  
 4 decision. The decision of the State Board of Education is not  
 5 subject to the provisions of the Administrative Procedure Act,  
 6 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 school board  
 10 may fail to act in accordance with the recommendation of the  
 11 state board only for good cause. Good cause for failing to act  
 12 in accordance with the state board's recommendation arises  
 13 only 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 district  
 20 school board's action on the state board's recommendation is a  
 21 final action subject to judicial review.

(and redesignate subsequent paragraphs)

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