



896274

CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: RCS	.	
3/5/2008	.	
	.	
	.	

1 The Committee on Education Pre-K - 12 (Carlton) recommended the  
 2 following **amendment**:

3  
 4 **Senate Amendment (with title amendment)**

5 Delete line(s) 916-935

6 and insert:

7  
 8 (h) 1. A grant of exclusive authority by the State Board  
 9 of Education shall continue so long as a district school board  
 10 continues to comply with this section. A presumption exists that  
 11 a district school board that has been granted exclusive  
 12 authority has continued to provide fair and equitable treatment  
 13 of the charter schools in its district.

14 2. A charter school authorized by a district school board  
 15 within the previous four years may challenge the presumption



896274

16 that the district school board continues to provide fair and  
 17 equitable treatment of the charter schools in its district by  
 18 filing a request for a hearing between January 1 and January 31  
 19 of any year. The request for a hearing shall state with  
 20 specificity the basis for the challenge and must include a  
 21 statement certifying that a copy of the request was provided to  
 22 the district school board. If a legally sufficient challenge is  
 23 filed, the Commissioner of Education shall designate a hearing  
 24 officer and refer the matter to the hearing officer for the  
 25 conduct of an informal proceeding. The hearing officer shall  
 26 provide findings of fact and conclusions of law to the  
 27 Commissioner in the form of a recommended order to the State  
 28 Board of Education. The State Board of Education shall enter a  
 29 final order prior to June 30 determining whether the district  
 30 school board continues to provide fair and equitable treatment  
 31 to the charter schools in its district and has presented a  
 32 ~~written resolution to the state board as set forth in paragraph~~  
 33 ~~(e).~~

34  
35

36 ===== T I T L E A M E N D M E N T =====

37 And the title is amended as follows:

38 Delete line(s) 34-35

39 and insert:

40 district school boards; providing a presumption for  
 41 district school boards that are granted exclusivity;  
 42 providing for informal hearings;