

By Senator Diaz

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1 A bill to be entitled
2 An act relating to charter schools; amending s.
3 1002.33, F.S.; revising requirements for the annual
4 reports that charter school sponsors are required to
5 submit to the Department of Education; requiring the
6 Charter School Appeal Commission, which is renamed the
7 Charter School Commission, to recommend denial of a
8 charter school application if the school does not
9 propose a certain reading curriculum; specifying the
10 entities from which the commission may receive and
11 consider applications; providing that the commission
12 may recommend approval of applications to the State
13 Board of Education; providing that sponsors may appeal
14 such recommendations to the state board; providing a
15 process for the review of appeals; requiring the
16 Commissioner of Education to review appeals and make
17 recommendations to the state board; providing the
18 process for that review and for consideration by the
19 state board of the commissioner's recommendations;
20 requiring action by the state board on the
21 recommendation within a specified timeframe; requiring
22 sponsors to implement the decision of the state board;
23 authorizing applicants to appeal to the state board
24 certain recommendations by the commission or the
25 commission's failure to act on an application;
26 providing the process for such review and the
27 disposition of such appeals; conforming provisions to
28 changes made by the act; authorizing applicants to
29 appeal to the state board if the commission fails to

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30 act on an application; requiring the commission to
31 articulate its recommendation for denial of an
32 application to the department within a specified
33 timeframe after such denial; authorizing the
34 commission to recommend denial of applications
35 submitted by certain entities, under specified
36 circumstances; requiring the commission to articulate
37 its recommendation for denial of such applications to
38 the department within a specified timeframe;
39 authorizing applicants to appeal the commission's
40 recommendation for denial of an application;
41 authorizing sponsors to provide input regarding final
42 applications to the commission within a specified
43 timeframe; requiring the commission to consider such
44 input; requiring the commission to submit
45 recommendations for approval of charter school
46 applications to the state board; authorizing sponsors
47 to appeal to the state board such recommendations
48 within a specified timeframe after the commission's
49 decision; requiring the Commissioner of Education to
50 review such appeals and make recommendations to the
51 state board within a specified timeframe; requiring
52 the state board to accept or reject such
53 recommendations by majority vote; requiring sponsors
54 to implement decisions of the state board; providing
55 that state board decisions are not subject to
56 specified provisions; conforming provisions to changes
57 made by the act; authorizing applicants to appeal
58 recommendations for denial of an application or the

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59 failure to act on applications; requiring the state
60 board to notify the commissioner of such appeals;
61 requiring the commissioner to review such appeals and
62 make recommendations to the state board; authorizing
63 the commissioner to reject appeal submissions under
64 specified circumstances; conforming provisions to
65 changes made by the act; prohibiting specified
66 individuals and entities from submitting an
67 application to open a charter school for specified
68 periods of time; defining the term "relative" for the
69 purpose of applying the prohibition; providing an
70 effective date.

71

72 Be It Enacted by the Legislature of the State of Florida:

73

74 Section 1. Paragraph (b) of subsection (5) and subsection
75 (6) of section 1002.33, Florida Statutes, are amended, and
76 paragraph (g) is added to subsection (8) of that section, to
77 read:

78 1002.33 Charter schools.—

79 (5) SPONSOR; DUTIES.—

80 (b) *Sponsor duties*.—

81 1.a. The sponsor shall monitor and review the charter
82 school in its progress toward the goals established in the
83 charter.

84 b. The sponsor shall monitor the revenues and expenditures
85 of the charter school and perform the duties provided in s.
86 1002.345.

87 c. The sponsor may approve a charter for a charter school

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88 before the applicant has identified space, equipment, or
89 personnel, if the applicant indicates approval is necessary for
90 it to raise working funds.

91 d. The sponsor shall not apply its policies to a charter
92 school unless mutually agreed to by both the sponsor and the
93 charter school. If the sponsor subsequently amends any agreed-
94 upon sponsor policy, the version of the policy in effect at the
95 time of the execution of the charter, or any subsequent
96 modification thereof, shall remain in effect and the sponsor may
97 not hold the charter school responsible for any provision of a
98 newly revised policy until the revised policy is mutually agreed
99 upon.

100 e. The sponsor shall ensure that the charter is innovative
101 and consistent with the state education goals established by s.
102 1000.03(5).

103 f. The sponsor shall ensure that the charter school
104 participates in the state's education accountability system. If
105 a charter school falls short of performance measures included in
106 the approved charter, the sponsor shall report such shortcomings
107 to the Department of Education.

108 g. The sponsor shall not be liable for civil damages under
109 state law for personal injury, property damage, or death
110 resulting from an act or omission of an officer, employee,
111 agent, or governing body of the charter school.

112 h. The sponsor shall not be liable for civil damages under
113 state law for any employment actions taken by an officer,
114 employee, agent, or governing body of the charter school.

115 i. The sponsor's duties to monitor the charter school shall
116 not constitute the basis for a private cause of action.

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117 j. The sponsor shall not impose additional reporting
118 requirements on a charter school without providing reasonable
119 and specific justification in writing to the charter school.

120 k. The sponsor shall submit an annual report to the
121 Department of Education in a web-based format to be determined
122 by the department.

123 (I) The report shall include the following information for
124 applications reviewed by the sponsor and by the Charter School
125 Commission established under subparagraph (6) (e)1., hereinafter
126 referred to as "the commission":

127 (A) The number of draft applications received on or before
128 May 1 and each applicant's contact information.

129 (B) The number of final applications received on or before
130 August 1 and each applicant's contact information.

131 (C) The date each application was approved, denied, or
132 withdrawn.

133 (D) The date each final contract was executed.

134 (II) Beginning August 31, 2013, and each year thereafter,
135 the sponsor shall submit to the department the information for
136 the applications submitted the previous year.

137 (III) The department shall compile an annual report, by
138 district, and post the report on its website by November 1 of
139 each year.

140 2. Immunity for the sponsor of a charter school under
141 subparagraph 1. applies only with respect to acts or omissions
142 not under the sponsor's direct authority as described in this
143 section.

144 3. This paragraph does not waive a district school board's
145 sovereign immunity.

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146 4. A Florida College System institution may work with the
147 school district or school districts in its designated service
148 area to develop charter schools that offer secondary education.
149 These charter schools must include an option for students to
150 receive an associate degree upon high school graduation. If a
151 Florida College System institution operates an approved teacher
152 preparation program under s. 1004.04 or s. 1004.85, the
153 institution may operate no more than one charter school that
154 serves students in kindergarten through grade 12. In
155 kindergarten through grade 8, the charter school shall implement
156 innovative blended learning instructional models in which, for a
157 given course, a student learns in part through online delivery
158 of content and instruction with some element of student control
159 over time, place, path, or pace and in part at a supervised
160 brick-and-mortar location away from home. A student in a blended
161 learning course must be a full-time student of the charter
162 school and receive the online instruction in a classroom setting
163 at the charter school. District school boards shall cooperate
164 with and assist the Florida College System institution on the
165 charter application. Florida College System institution
166 applications for charter schools are not subject to the time
167 deadlines outlined in subsection (6) and may be approved by the
168 district school board at any time during the year. Florida
169 College System institutions may not report FTE for any students
170 who receive FTE funding through the Florida Education Finance
171 Program.

172 5. A school district may enter into nonexclusive interlocal
173 agreements with federal and state agencies, counties,
174 municipalities, and other governmental entities that operate

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175 within the geographical borders of the school district to act on
176 behalf of such governmental entities in the inspection,
177 issuance, and other necessary activities for all necessary
178 permits, licenses, and other permissions that a charter school
179 needs in order for development, construction, or operation. A
180 charter school may use, but may not be required to use, a school
181 district for these services. The interlocal agreement must
182 include, but need not be limited to, the identification of fees
183 that charter schools will be charged for such services. The fees
184 must consist of the governmental entity's fees plus a fee for
185 the school district to recover no more than actual costs for
186 providing such services. These services and fees are not
187 included within the services to be provided pursuant to
188 subsection (20).

189 (6) APPLICATION PROCESS AND REVIEW.—Charter school
190 applications are subject to the following requirements:

191 (a) A person or entity seeking to open a charter school
192 shall prepare and submit an application on the standard
193 application form prepared by the Department of Education which:

194 1. Demonstrates how the school will use the guiding
195 principles and meet the statutorily defined purpose of a charter
196 school.

197 2. Provides a detailed curriculum plan that illustrates how
198 students will be provided services to attain the Sunshine State
199 Standards.

200 3. Contains goals and objectives for improving student
201 learning and measuring that improvement. These goals and
202 objectives must indicate how much academic improvement students
203 are expected to show each year, how success will be evaluated,

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204 and the specific results to be attained through instruction.

205 4. Describes the reading curriculum and differentiated
206 strategies that will be used for students reading at grade level
207 or higher and a separate curriculum and strategies for students
208 who are reading below grade level. A sponsor shall deny, or the
209 commission shall recommend denial of, an application if the
210 school does not propose a reading curriculum that is consistent
211 with effective teaching strategies that are grounded in
212 scientifically based reading research.

213 5. Contains an annual financial plan for each year
214 requested by the charter for operation of the school for up to 5
215 years. This plan must contain anticipated fund balances based on
216 revenue projections, a spending plan based on projected revenues
217 and expenses, and a description of controls that will safeguard
218 finances and projected enrollment trends.

219 6. Discloses the name of each applicant, governing board
220 member, and all proposed education services providers; the name
221 and sponsor of any charter school operated by each applicant,
222 each governing board member, and each proposed education
223 services provider that has closed and the reasons for the
224 closure; and the academic and financial history of such charter
225 schools, which the sponsor or the commission, as applicable,
226 shall consider in making a final determination on ~~deciding~~
227 ~~whether to approve or deny~~ the application.

228 7. Contains additional information that the ~~a~~ sponsor or
229 the commission may require, which must ~~shall~~ be attached as an
230 addendum to the charter school application described in this
231 paragraph.

232 8. For the establishment of a virtual charter school,

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233 documents that the applicant has contracted with a provider of
234 virtual instruction services pursuant to s. 1002.45(1)(d).

235 (b) An applicant may submit an application to a sponsor or
236 to the commission pursuant to subparagraph 1. The A sponsor or
237 the commission, as applicable, shall receive and review all
238 applications for a charter school using the evaluation
239 instrument developed by the Department of Education. An
240 applicant that submits an application to the commission also
241 shall provide the application to the sponsor within 3 days after
242 its submission to the commission ~~A sponsor shall receive and~~
243 ~~consider charter school applications received on or before~~
244 ~~August 1 of each calendar year for charter schools to be opened~~
245 ~~at the beginning of the school district's next school year, or~~
246 ~~to be opened at a time agreed to by the applicant and the~~
247 ~~sponsor. A sponsor may not refuse to receive a charter school~~
248 ~~application submitted before August 1 and may receive an~~
249 ~~application submitted later than August 1 if it chooses.~~
250 ~~Beginning in 2018 and thereafter,~~ A sponsor or the commission,
251 as applicable, shall receive and consider charter school
252 applications received on or before February 1 of each calendar
253 year for charter schools to be opened 18 months later at the
254 beginning of the school district's school year, or to be opened
255 at a time determined by the applicant. A sponsor and the
256 commission may not refuse to receive a charter school
257 application submitted before February 1 and may receive an
258 application submitted later than February 1 if the sponsor or
259 the commission ~~it~~ chooses. A sponsor and the commission may not
260 charge an applicant for a charter any fee for the processing or
261 consideration of an application, and a sponsor and the

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262 commission may not base their ~~its~~ consideration or approval of a
263 final application upon the promise of future payment of any
264 kind. Before approving or denying any application, the sponsor
265 or the commission, as applicable, shall allow the applicant,
266 upon receipt of written notification, at least 7 calendar days
267 to make technical or nonsubstantive corrections and
268 clarifications, including, but not limited to, corrections of
269 grammatical, typographical, and like errors or missing
270 signatures, if such errors are identified by the sponsor or the
271 commission as cause to deny the final application.

272 1. The commission may receive and consider applications
273 from:

274 a. A high-performing charter school pursuant to s.
275 1002.331.

276 b. A high-performing charter school system pursuant to s.
277 1002.332.

278 c. A hope operator pursuant to s. 1002.333.

279 d. A business entity or municipality pursuant to subsection
280 (15).

281 e. An applicant or group of applicants as specified under
282 paragraph (3) (a) for the purpose of opening a charter school in
283 a school district that received three consecutive district
284 grades lower than a "C," pursuant to s. 1008.34.

285 ~~2.1.~~ In order to facilitate an accurate budget projection
286 process, a sponsor shall be held harmless for FTE students who
287 are not included in the FTE projection due to approval of
288 charter school applications after the FTE projection deadline.
289 In a further effort to facilitate an accurate budget projection,
290 within 15 calendar days after receipt of a charter school

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291 application, a sponsor shall report to the Department of
292 Education the name of the applicant entity, the proposed charter
293 school location, and its projected FTE.

294 ~~3.2.~~ In order to ensure fiscal responsibility, an
295 application for a charter school shall include a full accounting
296 of expected assets, a projection of expected sources and amounts
297 of income, including income derived from projected student
298 enrollments and from community support, and an expense
299 projection that includes full accounting of the costs of
300 operation, including start-up costs.

301 ~~4.a.3.a.~~ A sponsor shall by a majority vote approve or
302 deny, or the commission shall by majority vote recommend to
303 approve or deny, an application no later than 90 calendar days
304 after the application is received, unless the sponsor or the
305 commission and the applicant mutually agree in writing to
306 temporarily postpone the vote to a specific date, at which time
307 the sponsor shall by a majority vote approve or deny, or the
308 commission shall by a majority vote recommend to approve or
309 deny, the application. If the sponsor or the commission fails to
310 act on the application, an applicant may appeal to the State
311 Board of Education as provided in paragraph (c). If an
312 application is denied or recommended for denial, the sponsor or
313 the commission shall, within 10 calendar days after such denial,
314 articulate in writing the specific reasons, based upon good
315 cause, supporting its denial of the application and shall
316 provide the letter of denial and supporting documentation to the
317 applicant and to the Department of Education.

318 b. An application submitted by a high-performing charter
319 school identified pursuant to s. 1002.331 or a high-performing

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320 charter school system identified pursuant to s. 1002.332 may be
321 denied by the sponsor or recommended for denial by the
322 commission only if the sponsor or the commission demonstrates by
323 clear and convincing evidence that:

324 (I) The application of a high-performing charter school
325 does not materially comply with the requirements in paragraph
326 (a) or, for a high-performing charter school system, the
327 application does not materially comply with s. 1002.332(2)(b);

328 (II) The charter school proposed in the application does
329 not materially comply with the requirements in paragraphs
330 (9)(a)-(f);

331 (III) The proposed charter school's educational program
332 does not substantially replicate that of the applicant or one of
333 the applicant's high-performing charter schools;

334 (IV) The applicant has made a material misrepresentation or
335 false statement or concealed an essential or material fact
336 during the application process; or

337 (V) The proposed charter school's educational program and
338 financial management practices do not materially comply with the
339 requirements of this section.

340
341 Material noncompliance is a failure to follow requirements or a
342 violation of prohibitions applicable to charter school
343 applications, which failure is quantitatively or qualitatively
344 significant either individually or when aggregated with other
345 noncompliance. An applicant is considered to be replicating a
346 high-performing charter school if the proposed school is
347 substantially similar to at least one of the applicant's high-
348 performing charter schools and the organization or individuals

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349 involved in the establishment and operation of the proposed
350 school are significantly involved in the operation of replicated
351 schools.

352 c. If the sponsor denies or the commission recommends
353 denial of an application submitted by a high-performing charter
354 school or a high-performing charter school system, the sponsor
355 or the commission, as applicable, must, within 10 calendar days
356 after such denial, state in writing the specific reasons, based
357 upon the criteria in sub-subparagraph b., supporting its denial
358 of the application and must provide the letter of denial and
359 supporting documentation to the applicant and to the Department
360 of Education. The applicant may appeal the sponsor's denial or
361 the commission's recommendation for denial of the application in
362 accordance with paragraph (c).

363 5.a. A sponsor may provide input to the commission within
364 30 days after receiving a copy of the final application
365 submitted to the commission. The commission must consider such
366 input in reviewing the application.

367 b. The commission must submit its recommendation for
368 approval of a charter school application to the State Board of
369 Education for approval.

370 c. The sponsor may appeal to the state board any
371 recommendation to approve the application by the commission no
372 later than 30 days from the commission's decision. Upon receipt
373 of notification from the state board that a sponsor is filing an
374 appeal, the commissioner shall review the appeal and make
375 recommendations to the state board regarding its pending
376 decision about the appeal. The commissioner shall report his or
377 her recommendations to the state board at least 7 calendar days

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378 before the date on which the appeal is considered.

379 d. The state board by majority vote shall accept or reject
380 the recommendation of the commission to approve the application
381 no later than 90 calendar days after an appeal is filed in
382 accordance with State Board of Education rule. The sponsor shall
383 implement the decision of the state board. The decision of the
384 state board is not subject to chapter 120.

385 ~~6.4.~~ For budget projection purposes, the sponsor or the
386 commission, as applicable, shall report to the Department of
387 Education the approval or denial of an application within 10
388 calendar days after such approval or denial. In the event of
389 approval by the sponsor or the state board, as applicable, the
390 report to the Department of Education shall include the final
391 projected FTE for the approved charter school.

392 ~~7.5.~~ Upon approval of an application, the initial startup
393 shall commence with the beginning of the public school calendar
394 for the district in which the charter is granted. A charter
395 school may defer the opening of the school's operations for up
396 to 3 years to provide time for adequate facility planning. The
397 charter school must provide written notice of such intent to the
398 sponsor and the parents of enrolled students at least 30
399 calendar days before the first day of school.

400 (c)1. An applicant may appeal any denial of that
401 applicant's application or failure to act on an application to
402 the State Board of Education by the sponsor no later than 30
403 calendar days after receipt of the sponsor's decision or failure
404 to act and shall notify the sponsor of its appeal. Any response
405 of the sponsor shall be submitted to the State Board of
406 Education within 30 calendar days after notification of the

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407 appeal. Upon receipt of notification from the State Board of
408 Education that a charter school applicant is filing an appeal,
409 the Commissioner of Education shall convene a meeting of the
410 Charter School ~~Appeal~~ Commission to study and make
411 recommendations to the State Board of Education regarding its
412 pending decision about the appeal. The commission shall forward
413 its recommendation to the state board at least 7 calendar days
414 before the date on which the appeal is to be heard.

415 2. An applicant may appeal any recommendation to deny that
416 applicant's application or the failure to act on an application
417 by the commission to the state board no later than 30 calendar
418 days after receipt of the commission's decision or failure to
419 act, and the applicant shall notify the commission of its
420 appeal. The state board shall notify the commissioner of an
421 applicant's appeal. Upon receipt of notification from the state
422 board that a charter school applicant is filing an appeal of the
423 commission's recommendation, the commissioner shall review the
424 appeal and make recommendations to the state board regarding its
425 pending decision regarding the appeal. The commissioner shall
426 report his or her recommendation to the state board at least 7
427 calendar days before the date on which the appeal is considered.

428 3.2. The ~~Charter School Appeal~~ commission or the
429 commissioner may reject an appeal submission for failure to
430 comply with procedural rules governing the appeals process. The
431 rejection shall describe the submission errors. The appellant
432 shall have 15 calendar days after notice of rejection in which
433 to resubmit an appeal that meets the requirements set forth in
434 State Board of Education rule. An appeal submitted subsequent to
435 such rejection is considered timely if the original appeal was

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436 filed within 30 calendar days after receipt of notice of the
437 specific reasons for the sponsor's or commission's denial of the
438 charter application.

439 ~~4.a.3.a.~~ The State Board of Education shall by majority
440 vote accept or reject the decision of the sponsor or the
441 commission no later than 90 calendar days after an appeal is
442 filed in accordance with State Board of Education rule. The
443 State Board of Education shall remand the application to the
444 sponsor with its written decision that the sponsor approve or
445 deny the application. The sponsor shall implement the decision
446 of the State Board of Education. The decision of the State Board
447 of Education is not subject to the provisions of the
448 Administrative Procedure Act, chapter 120.

449 b. If an appeal concerns an application submitted by a
450 high-performing charter school identified pursuant to s.
451 1002.331 or a high-performing charter school system identified
452 pursuant to s. 1002.332, the State Board of Education shall
453 determine whether the sponsor's or the commission's denial was
454 in accordance with sub-subparagraph (b)4.b. ~~sub-subparagraph~~
455 ~~(b)3.b.~~

456 (d) The sponsor shall act upon the decision of the State
457 Board of Education within 30 calendar days after it is received.
458 The State Board of Education's decision is a final action
459 subject to judicial review in the district court of appeal.

460 (e)1. ~~The A Charter School Appeal~~ commission is established
461 to review applications submitted pursuant to subparagraph (b)1.
462 and to assist the commissioner and the State Board of Education
463 with a fair and impartial review of appeals by applicants whose
464 charter applications have been denied, whose charter contracts

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465 have not been renewed, or whose charter contracts have been
466 terminated by their sponsors.

467 2. The ~~Charter School Appeal~~ commission may receive copies
468 of the appeal documents forwarded to the State Board of
469 Education, review the documents, gather other applicable
470 information regarding the appeal, and make a written
471 recommendation to the commissioner. The recommendation must
472 state whether the appeal should be upheld or denied and include
473 the reasons for the recommendation being offered. The
474 commissioner shall forward the recommendation to the State Board
475 of Education no later than 7 calendar days prior to the date on
476 which the appeal is to be heard. The state board must consider
477 the commission's recommendation in making its decision, but is
478 not bound by the recommendation. The decision of the ~~Charter~~
479 ~~School Appeal~~ commission is not subject to the ~~provisions of the~~
480 Administrative Procedure Act, chapter 120.

481 3. The commissioner shall appoint a number of members to
482 the ~~Charter School Appeal~~ commission sufficient to ensure that
483 no potential conflict of interest exists for any commission
484 application review or appeal decision. Members shall serve
485 without compensation but may be reimbursed for travel and per
486 diem expenses in conjunction with their service. Of the members
487 reviewing an application or hearing the appeal, one-half must
488 represent currently operating charter schools and one-half must
489 represent sponsors. The commissioner or a named designee shall
490 chair the ~~Charter School Appeal~~ commission.

491 4. The chair shall convene meetings of the commission and
492 shall ensure that the written recommendations are completed and
493 forwarded in a timely manner. In cases in which ~~where~~ the

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494 commission cannot reach a decision, the chair shall make the
495 written recommendation with justification, noting that the
496 decision was rendered by the chair.

497 5. Commission members shall thoroughly review the materials
498 presented to them from the applicant ~~appellant~~ and the sponsor.
499 The commission may request information to clarify the
500 documentation presented to it. In the course of its review, the
501 commission may facilitate the postponement of an appeal in those
502 cases where additional time and communication may negate the
503 need for a formal appeal and both parties agree, in writing, to
504 postpone the appeal to the State Board of Education. A new date
505 certain for the appeal shall then be set based upon the rules
506 and procedures of the State Board of Education. Commission
507 members shall provide a written recommendation to the state
508 board as to whether the appeal should be upheld or denied. A
509 fact-based justification for the recommendation must be
510 included. The chair must ensure that the written recommendation
511 is submitted to the State Board of Education members no later
512 than 7 calendar days prior to the date on which the appeal is to
513 be heard. Both parties in the case shall also be provided a copy
514 of the recommendation.

515 (f)1. The Department of Education shall provide or arrange
516 for training and technical assistance to charter schools in
517 developing and adjusting business plans and accounting for costs
518 and income. Training and technical assistance shall also
519 address, at a minimum, state and federal grant and student
520 performance accountability reporting requirements and provide
521 assistance in identifying and applying for the types and amounts
522 of state and federal financial assistance the charter school may

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523 be eligible to receive. The department may provide other
524 technical assistance to an applicant upon written request.

525 2. A charter school applicant must participate in the
526 training provided by the Department of Education after approval
527 of an application but at least 30 calendar days before the first
528 day of classes at the charter school. However, a sponsor may
529 require the charter school applicant to attend training provided
530 by the sponsor in lieu of the department's training if the
531 sponsor's training standards meet or exceed the standards
532 developed by the department. In such case, the sponsor may not
533 require the charter school applicant to attend the training
534 within 30 calendar days before the first day of classes at the
535 charter school. The training must include instruction in
536 accurate financial planning and good business practices. If the
537 applicant is a management company or a nonprofit organization,
538 the charter school principal and the chief financial officer or
539 his or her equivalent must also participate in the training. A
540 sponsor may not require a high-performing charter school or
541 high-performing charter school system applicant to participate
542 in the training described in this subparagraph more than once.

543 (g) In considering charter applications for a lab school, a
544 state university shall consult with the district school board of
545 the county in which the lab school is located. The decision of a
546 state university may be appealed pursuant to the procedure
547 established in this subsection.

548 (8) CAUSES FOR NONRENEWAL OR TERMINATION OF CHARTER.—

549 (g) If a charter is terminated or a charter school closes
550 before the end of a school year or within 3 years after
551 beginning operations, the applicant for the charter, the charter

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552 school owner, the charter school president, the charter school
553 governing board members, and the relatives of such owner,
554 president, or governing board member may not submit an
555 application to open a charter school in this state pursuant to
556 subsection (6) for a period of 5 years after the termination of
557 the charter or closure of the charter school. If a charter
558 school owner, a charter school president, a member of a charter
559 school governing board, a charter management organization, or an
560 education management organization is convicted of a crime,
561 including, but not limited to, fraud or financial offenses
562 related to the operation of a charter school, that owner,
563 president, or governing board member, including any relatives of
564 such individuals, or the charter management organization or the
565 education management organization, may not submit an application
566 to open a charter school in this state pursuant to subsection
567 (6) for a period of 10 years after such conviction. For the
568 purpose of this paragraph, the term "relative" has the same
569 meaning as specified under subparagraph (24) (a)2.

570 Section 2. This act shall take effect July 1, 2019.