

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 Commission, formerly the Charter School
7 Appeal Commission, to recommend denial of a charter
8 school application if the school does not propose a
9 certain reading curriculum; revising the manner in
10 which charter school applications may be reviewed;
11 authorizing an applicant to submit an application to a
12 sponsor or to the commission; requiring an applicant
13 that submits an application to the commission to also
14 provide a copy of the application to the sponsor
15 within a certain timeframe; specifying the entities
16 from which the commission may receive and consider
17 applications; requiring the commission to approve or
18 deny an application within a certain timeframe;
19 requiring the commission to articulate in writing
20 specific reasons for a recommendation for denial;
21 authorizing a sponsor to provide input to the
22 commission within a certain timeframe after receiving
23 a copy of the final application submitted to the
24 commission; requiring the commission to consider such
25 input in reviewing the application; providing that
26 sponsors may appeal such recommendations to the State
27 Board of Education; revising the process for the
28 review of appeals; requiring the Commissioner of
29 Education to review appeals and make recommendations

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30 to the state board within a certain timeframe;
31 providing the process for such review; requiring
32 action by the state board on the recommendation within
33 a specified timeframe; requiring sponsors to implement
34 the decision of the state board; authorizing
35 applicants to appeal certain recommendations by the
36 commission or the commission's failure to act on an
37 application within a certain timeframe; providing the
38 process for the review and disposition of such
39 appeals; requiring the commissioner to report a
40 recommendation on the appeal to the state board within
41 a certain timeframe; authorizing the commissioner to
42 reject an appeal submission for failure to comply with
43 procedural rules; conforming provisions to changes
44 made by the act; prohibiting specified individuals and
45 entities from submitting an application to open a
46 charter school for specified periods of time;
47 providing an exception; defining the term "relative"
48 for the purpose of applying the prohibition; providing
49 an effective date.

50
51 Be It Enacted by the Legislature of the State of Florida:

52
53 Section 1. Paragraph (b) of subsection (5) and subsection
54 (6) of section 1002.33, Florida Statutes, are amended, and
55 paragraph (r) is added to subsection (9) of that section, to
56 read:

57 1002.33 Charter schools.—

58 (5) SPONSOR; DUTIES.—

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59 (b) *Sponsor duties.*—

60 1.a. The sponsor shall monitor and review the charter
61 school in its progress toward the goals established in the
62 charter.

63 b. The sponsor shall monitor the revenues and expenditures
64 of the charter school and perform the duties provided in s.
65 1002.345.

66 c. The sponsor may approve a charter for a charter school
67 before the applicant has identified space, equipment, or
68 personnel, if the applicant indicates approval is necessary for
69 it to raise working funds.

70 d. The sponsor shall not apply its policies to a charter
71 school unless mutually agreed to by both the sponsor and the
72 charter school. If the sponsor subsequently amends any agreed-
73 upon sponsor policy, the version of the policy in effect at the
74 time of the execution of the charter, or any subsequent
75 modification thereof, shall remain in effect and the sponsor may
76 not hold the charter school responsible for any provision of a
77 newly revised policy until the revised policy is mutually agreed
78 upon.

79 e. The sponsor shall ensure that the charter is innovative
80 and consistent with the state education goals established by s.
81 1000.03(5).

82 f. The sponsor shall ensure that the charter school
83 participates in the state's education accountability system. If
84 a charter school falls short of performance measures included in
85 the approved charter, the sponsor shall report such shortcomings
86 to the Department of Education.

87 g. The sponsor shall not be liable for civil damages under

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88 state law for personal injury, property damage, or death
89 resulting from an act or omission of an officer, employee,
90 agent, or governing body of the charter school.

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

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

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

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

102 (I) The report shall include the following information for
103 applications reviewed by the sponsor and by the Charter School
104 Commission established under subparagraph (6) (e)1.:

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

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

109 (C) The date each application was approved, denied, or
110 withdrawn.

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

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

115 (III) The department shall compile an annual report, by
116 district, and post the report on its website by November 1 of

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117 each year.

118 2. Immunity for the sponsor of a charter school under
119 subparagraph 1. applies only with respect to acts or omissions
120 not under the sponsor's direct authority as described in this
121 section.

122 3. This paragraph does not waive a district school board's
123 sovereign immunity.

124 4. A Florida College System institution may work with the
125 school district or school districts in its designated service
126 area to develop charter schools that offer secondary education.
127 These charter schools must include an option for students to
128 receive an associate degree upon high school graduation. If a
129 Florida College System institution operates an approved teacher
130 preparation program under s. 1004.04 or s. 1004.85, the
131 institution may operate no more than one charter school that
132 serves students in kindergarten through grade 12. In
133 kindergarten through grade 8, the charter school shall implement
134 innovative blended learning instructional models in which, for a
135 given course, a student learns in part through online delivery
136 of content and instruction with some element of student control
137 over time, place, path, or pace and in part at a supervised
138 brick-and-mortar location away from home. A student in a blended
139 learning course must be a full-time student of the charter
140 school and receive the online instruction in a classroom setting
141 at the charter school. District school boards shall cooperate
142 with and assist the Florida College System institution on the
143 charter application. Florida College System institution
144 applications for charter schools are not subject to the time
145 deadlines outlined in subsection (6) and may be approved by the

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146 district school board at any time during the year. Florida
147 College System institutions may not report FTE for any students
148 who receive FTE funding through the Florida Education Finance
149 Program.

150 5. A school district may enter into nonexclusive interlocal
151 agreements with federal and state agencies, counties,
152 municipalities, and other governmental entities that operate
153 within the geographical borders of the school district to act on
154 behalf of such governmental entities in the inspection,
155 issuance, and other necessary activities for all necessary
156 permits, licenses, and other permissions that a charter school
157 needs in order for development, construction, or operation. A
158 charter school may use, but may not be required to use, a school
159 district for these services. The interlocal agreement must
160 include, but need not be limited to, the identification of fees
161 that charter schools will be charged for such services. The fees
162 must consist of the governmental entity's fees plus a fee for
163 the school district to recover no more than actual costs for
164 providing such services. These services and fees are not
165 included within the services to be provided pursuant to
166 subsection (20).

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

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

172 1. Demonstrates how the school will use the guiding
173 principles and meet the statutorily defined purpose of a charter
174 school.

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175 2. Provides a detailed curriculum plan that illustrates how
176 students will be provided services to attain the Sunshine State
177 Standards.

178 3. Contains goals and objectives for improving student
179 learning and measuring that improvement. These goals and
180 objectives must indicate how much academic improvement students
181 are expected to show each year, how success will be evaluated,
182 and the specific results to be attained through instruction.

183 4. Describes the reading curriculum and differentiated
184 strategies that will be used for students reading at grade level
185 or higher and a separate curriculum and strategies for students
186 who are reading below grade level. A sponsor shall deny, or the
187 commission shall recommend denial of, an application if the
188 school does not propose a reading curriculum that is consistent
189 with effective teaching strategies that are grounded in
190 scientifically based reading research.

191 5. Contains an annual financial plan for each year
192 requested by the charter for operation of the school for up to 5
193 years. This plan must contain anticipated fund balances based on
194 revenue projections, a spending plan based on projected revenues
195 and expenses, and a description of controls that will safeguard
196 finances and projected enrollment trends.

197 6. Discloses the name of each applicant, governing board
198 member, and all proposed education services providers; the name
199 and sponsor of any charter school operated by each applicant,
200 each governing board member, and each proposed education
201 services provider that has closed and the reasons for the
202 closure; and the academic and financial history of such charter
203 schools, which the sponsor or the commission, as applicable,

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204 shall consider in making a final determination on ~~deciding~~
205 ~~whether to approve or deny~~ the application.

206 7. Contains additional information that the ~~a~~ sponsor or
207 the commission may require, which must ~~shall~~ be attached as an
208 addendum to the charter school application described in this
209 paragraph.

210 8. For the establishment of a virtual charter school,
211 documents that the applicant has contracted with a provider of
212 virtual instruction services pursuant to s. 1002.45(1)(d).

213 (b) An applicant may submit an application to a sponsor or
214 to the commission pursuant to subparagraph 1. The ~~A~~ sponsor or
215 the commission, as applicable, shall receive and review all
216 applications for a charter school using the evaluation
217 instrument developed by the Department of Education. An
218 applicant that submits an application to the commission must
219 also provide a copy of the application to the sponsor within 3
220 days after its submission to the commission ~~A sponsor shall~~
221 ~~receive and consider charter school applications received on or~~
222 ~~before August 1 of each calendar year for charter schools to be~~
223 ~~opened at the beginning of the school district's next school~~
224 ~~year, or to be opened at a time agreed to by the applicant and~~
225 ~~the sponsor. A sponsor may not refuse to receive a charter~~
226 ~~school application submitted before August 1 and may receive an~~
227 ~~application submitted later than August 1 if it chooses.~~
228 ~~Beginning in 2018 and thereafter,~~ A sponsor or the commission,
229 as applicable, shall receive and consider charter school
230 applications received on or before February 1 of each calendar
231 year for charter schools to be opened 18 months later at the
232 beginning of the school district's school year, or to be opened

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233 at a time determined by the applicant. A sponsor and the
234 commission may not refuse to receive a charter school
235 application submitted before February 1 and may receive an
236 application submitted later than February 1 if the sponsor or
237 the commission ~~it~~ chooses. A sponsor and the commission may not
238 charge an applicant for a charter any fee for the processing or
239 consideration of an application, and a sponsor and the
240 commission may not base their ~~its~~ consideration or approval of a
241 final application upon the promise of future payment of any
242 kind. Before approving or denying any application, the sponsor
243 or the commission, as applicable, shall allow the applicant,
244 upon receipt of written notification, at least 7 calendar days
245 to make technical or nonsubstantive corrections and
246 clarifications, including, but not limited to, corrections of
247 grammatical, typographical, and like errors or missing
248 signatures, if such errors are identified by the sponsor or the
249 commission as cause to deny the final application.

250 1. The commission may receive and consider applications
251 from:

252 a. A high-performing charter school pursuant to s.
253 1002.331.

254 b. A high-performing charter school system pursuant to s.
255 1002.332.

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

257 2.1. In order to facilitate an accurate budget projection
258 process, a sponsor shall be held harmless for FTE students who
259 are not included in the FTE projection due to approval of
260 charter school applications after the FTE projection deadline.
261 In a further effort to facilitate an accurate budget projection,

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262 within 15 calendar days after receipt of a charter school
263 application, a sponsor shall report to the Department of
264 Education the name of the applicant entity, the proposed charter
265 school location, and its projected FTE.

266 ~~3.2.~~ In order to ensure fiscal responsibility, an
267 application for a charter school shall include a full accounting
268 of expected assets, a projection of expected sources and amounts
269 of income, including income derived from projected student
270 enrollments and from community support, and an expense
271 projection that includes full accounting of the costs of
272 operation, including start-up costs.

273 ~~4.a.3.a.~~ A sponsor shall by a majority vote approve or
274 deny, or the commission shall by majority vote recommend to
275 approve or deny, an application no later than 90 calendar days
276 after the application is received, unless the sponsor or the
277 commission and the applicant mutually agree in writing to
278 temporarily postpone the vote to a specific date, at which time
279 the sponsor shall by a majority vote approve or deny, or the
280 commission shall by a majority vote recommend to approve or
281 deny, the application. If the sponsor or the commission fails to
282 act on the application, an applicant may appeal to the State
283 Board of Education as provided in paragraph (c). If an
284 application is denied or recommended for denial, the sponsor or
285 the commission shall, within 10 calendar days after such denial
286 or recommendation for denial, articulate in writing the specific
287 reasons, based upon good cause, supporting its denial or
288 recommendation for denial of the application and shall provide
289 the letter of denial or recommendation for denial and supporting
290 documentation to the applicant and to the Department of

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292 b. An application submitted by a high-performing charter
293 school identified pursuant to s. 1002.331 or a high-performing
294 charter school system identified pursuant to s. 1002.332 may be
295 denied by the sponsor or recommended for denial by the
296 commission only if the sponsor or the commission demonstrates by
297 clear and convincing evidence that:

298 (I) The application of a high-performing charter school
299 does not materially comply with the requirements in paragraph
300 (a) or, for a high-performing charter school system, the
301 application does not materially comply with s. 1002.332(2)(b);

302 (II) The charter school proposed in the application does
303 not materially comply with the requirements in paragraphs
304 (9)(a)-(f);

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

308 (IV) The applicant has made a material misrepresentation or
309 false statement or concealed an essential or material fact
310 during the application process; or

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

314
315 Material noncompliance is a failure to follow requirements or a
316 violation of prohibitions applicable to charter school
317 applications, which failure is quantitatively or qualitatively
318 significant either individually or when aggregated with other
319 noncompliance. An applicant is considered to be replicating a

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320 high-performing charter school if the proposed school is
321 substantially similar to at least one of the applicant's high-
322 performing charter schools and the organization or individuals
323 involved in the establishment and operation of the proposed
324 school are significantly involved in the operation of replicated
325 schools.

326 c. If the sponsor denies or the commission recommends
327 denial of an application submitted by a high-performing charter
328 school or a high-performing charter school system, the sponsor
329 or the commission, as applicable, must, within 10 calendar days
330 after such denial, state in writing the specific reasons, based
331 upon the criteria in sub-subparagraph b., supporting its denial
332 or recommendation for denial of the application and must provide
333 the letter of denial or recommendation for denial and supporting
334 documentation to the applicant and to the Department of
335 Education. The applicant may appeal the sponsor's denial or the
336 commission's recommendation for denial of the application in
337 accordance with paragraph (c).

338 5.a. A sponsor may provide input to the commission within
339 30 days after receiving a copy of the final application
340 submitted to the commission. The commission must consider such
341 input in reviewing the application.

342 b. The commission must submit its recommendation for
343 approval or denial of a charter school application to the State
344 Board of Education for approval.

345 c. The sponsor may appeal to the State Board of Education
346 any recommendation to approve the application by the commission
347 no later than 30 days after the commission's decision. Upon
348 receipt of notification from the State Board of Education that a

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349 sponsor is filing an appeal, the Commissioner of Education shall
350 review the appeal and make recommendations to the State Board of
351 Education regarding its pending decision. The commissioner shall
352 report his or her recommendations to the State Board of
353 Education at least 7 calendar days before the date on which the
354 appeal is considered by the State Board of Education.

355 d. The State Board of Education by majority vote shall
356 accept or reject the recommendation of the commission to approve
357 the application no later than 90 calendar days after an appeal
358 is filed in accordance with State Board of Education rule. The
359 sponsor shall implement the decision of the State Board of
360 Education. The decision of the State Board of Education is not
361 subject to chapter 120.

362 6.4. For budget projection purposes, the sponsor or the
363 commission, as applicable, shall report to the Department of
364 Education the approval or denial, or recommendation for approval
365 or denial, of an application within 10 calendar days after such
366 approval or denial or recommendation for approval or denial. In
367 the event of approval by the sponsor or the State Board of
368 Education, as applicable, the report to the Department of
369 Education shall include the final projected FTE for the approved
370 charter school.

371 7.5. Upon approval of an application, the initial startup
372 shall commence with the beginning of the public school calendar
373 for the district in which the charter is granted. A charter
374 school may defer the opening of the school's operations for up
375 to 3 years to provide time for adequate facility planning. The
376 charter school must provide written notice of such intent to the
377 sponsor and the parents of enrolled students at least 30

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378 calendar days before the first day of school.

379 (c)1. An applicant may appeal any denial of that
380 applicant's application or failure to act on an application by
381 the sponsor to the State Board of Education no later than 30
382 calendar days after receipt of the sponsor's decision or failure
383 to act and shall notify the sponsor of its appeal. Any response
384 of the sponsor shall be submitted to the State Board of
385 Education within 30 calendar days after notification of the
386 appeal. Upon receipt of notification from the State Board of
387 Education that a charter school applicant is filing an appeal,
388 the commissioner ~~of Education~~ shall convene a meeting of the
389 ~~Charter School Appeal~~ commission to study and make
390 recommendations to the State Board of Education regarding its
391 pending decision about the appeal. The commission shall forward
392 its recommendation to the State Board of Education ~~state board~~
393 at least 7 calendar days before the date on which the appeal is
394 to be heard.

395 2. An applicant may appeal any recommendation to deny that
396 applicant's application or the failure by the commission to act
397 on an application to the State Board of Education no later than
398 30 calendar days after receipt of the commission's decision or
399 failure to act, and the applicant shall notify the commission of
400 its appeal. The State Board of Education shall notify the
401 commissioner of an applicant's appeal. Upon receipt of
402 notification from the State Board of Education that an applicant
403 is filing an appeal of the commission's recommendation, the
404 commissioner shall review the appeal and make recommendations to
405 the State Board of Education regarding its pending decision
406 regarding the appeal. The commissioner shall report his or her

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407 recommendation to the State Board of Education at least 7
408 calendar days before the date on which the appeal is considered.

409 3.2. ~~The Charter School Appeal~~ commission or the
410 commissioner may reject an appeal submission for failure to
411 comply with procedural rules governing the appeals process. The
412 rejection shall describe the submission errors. The appellant
413 shall have 15 calendar days after notice of rejection in which
414 to resubmit an appeal that meets the requirements set forth in
415 State Board of Education rule. An appeal submitted subsequent to
416 such rejection is considered timely if the original appeal was
417 filed within 30 calendar days after receipt of notice of the
418 specific reasons for the sponsor's denial or commission's
419 recommendation for denial of the charter application.

420 4.a.3.a. The State Board of Education shall by majority
421 vote accept or reject the decision of the sponsor or the
422 commission no later than 90 calendar days after an appeal is
423 filed in accordance with State Board of Education rule. The
424 State Board of Education shall remand the application to the
425 sponsor with its written decision that the sponsor approve or
426 deny the application. The sponsor shall implement the decision
427 of the State Board of Education. The decision of the State Board
428 of Education is not subject to the provisions of the
429 Administrative Procedure Act, chapter 120.

430 b. If an appeal concerns an application submitted by a
431 high-performing charter school identified pursuant to s.
432 1002.331 or a high-performing charter school system identified
433 pursuant to s. 1002.332, the State Board of Education shall
434 determine whether the sponsor's denial or the commission's
435 recommendation for denial was in accordance with sub-

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436 subparagraph (b)4.b. ~~sub-subparagraph (b)3.b.~~

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

441 (e)1. The ~~A~~ Charter School ~~Appeal~~ Commission is established
442 to review applications submitted pursuant to subparagraph (b)1.
443 and to assist the commissioner and the State Board of Education
444 with a fair and impartial review of appeals by applicants whose
445 charter applications have been denied, whose charter contracts
446 have not been renewed, or whose charter contracts have been
447 terminated by their sponsors.

448 2. The ~~Charter School Appeal~~ commission may receive copies
449 of the appeal documents forwarded to the State Board of
450 Education, review the documents, gather other applicable
451 information regarding the appeal, and make a written
452 recommendation to the commissioner. The recommendation must
453 state whether the appeal should be upheld or denied and include
454 the reasons for the recommendation being offered. The
455 commissioner shall forward the recommendation to the State Board
456 of Education no later than 7 calendar days prior to the date on
457 which the appeal is to be heard. The State Board of Education
458 ~~state board~~ must consider the commission's recommendation in
459 making its decision, but is not bound by the recommendation. The
460 decision of the ~~Charter School Appeal~~ commission is not subject
461 to the ~~provisions of the~~ Administrative Procedure Act, chapter
462 120.

463 3. The commissioner shall appoint a number of members to
464 the ~~Charter School Appeal~~ commission sufficient to ensure that

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465 no potential conflict of interest exists for any commission
466 application review or appeal decision. Members shall serve
467 without compensation but may be reimbursed for travel and per
468 diem expenses in conjunction with their service. Of the members
469 reviewing the application or hearing the appeal, one-half must
470 represent currently operating charter schools and one-half must
471 represent sponsors. The commissioner or a named designee shall
472 chair the ~~Charter School Appeal~~ commission.

473 4. The chair shall convene meetings of the commission and
474 shall ensure that the written recommendations are completed and
475 forwarded in a timely manner. In cases in which ~~where~~ the
476 commission cannot reach a decision, the chair shall make the
477 written recommendation with justification, noting that the
478 decision was rendered by the chair.

479 5. Commission members shall thoroughly review the materials
480 presented to them from the applicant ~~appellant~~ and the sponsor.
481 The commission may request information to clarify the
482 documentation presented to it. In the course of its review, the
483 commission may facilitate the postponement of an appeal in those
484 cases where additional time and communication may negate the
485 need for a formal appeal and both parties agree, in writing, to
486 postpone the appeal to the State Board of Education. A new date
487 certain for the appeal shall then be set based upon the rules
488 and procedures of the State Board of Education. Commission
489 members shall provide a written recommendation to the State
490 Board of Education ~~state board~~ as to whether the appeal should
491 be upheld or denied. A fact-based justification for the
492 recommendation must be included. The chair must ensure that the
493 written recommendation is submitted to the State Board of

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494 Education members no later than 7 calendar days prior to the
495 date on which the appeal is to be heard. Both parties in the
496 case shall also be provided a copy of the recommendation.

497 (f)1. The Department of Education shall provide or arrange
498 for training and technical assistance to charter schools in
499 developing and adjusting business plans and accounting for costs
500 and income. Training and technical assistance shall also
501 address, at a minimum, state and federal grant and student
502 performance accountability reporting requirements and provide
503 assistance in identifying and applying for the types and amounts
504 of state and federal financial assistance the charter school may
505 be eligible to receive. The department may provide other
506 technical assistance to an applicant upon written request.

507 2. A charter school applicant must participate in the
508 training provided by the Department of Education after approval
509 of an application but at least 30 calendar days before the first
510 day of classes at the charter school. However, a sponsor may
511 require the charter school applicant to attend training provided
512 by the sponsor in lieu of the department's training if the
513 sponsor's training standards meet or exceed the standards
514 developed by the department. In such case, the sponsor may not
515 require the charter school applicant to attend the training
516 within 30 calendar days before the first day of classes at the
517 charter school. The training must include instruction in
518 accurate financial planning and good business practices. If the
519 applicant is a management company or a nonprofit organization,
520 the charter school principal and the chief financial officer or
521 his or her equivalent must also participate in the training. A
522 sponsor may not require a high-performing charter school or

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523 high-performing charter school system applicant to participate
524 in the training described in this subparagraph more than once.

525 (g) In considering charter applications for a lab school, a
526 state university shall consult with the district school board of
527 the county in which the lab school is located. The decision of a
528 state university may be appealed pursuant to the procedure
529 established in this subsection.

530 (9) CHARTER SCHOOL REQUIREMENTS.—

531 (r) If a sponsor chooses not to renew or to terminate a
532 charter pursuant to paragraph (8) (a) or paragraph (8) (c), or if
533 a charter school voluntarily closes before the end of a school
534 year or within 1 year after beginning operations, excluding
535 charter schools that close due to consolidation with another
536 charter school, the applicant for the charter, the charter
537 school owner, president, superintendent, principal, charter
538 school governing board members, and the relatives of such
539 applicant, owner, president, superintendent, principal, or
540 governing board member may not submit an application to open a
541 charter school in this state pursuant to subsection (6) for a
542 period of 5 years after the charter is not renewed or is
543 terminated or the charter school closes pursuant to this
544 paragraph. If a charter school applicant, owner, president,
545 superintendent, principal, or a member of a charter school
546 governing board, a charter management organization, or an
547 education management organization is convicted of a crime,
548 including, but not limited to, fraud or financial offenses
549 related to the operation of a charter school, such applicant,
550 owner, president, superintendent, principal, or governing board
551 member, including any relatives of such individuals, or the

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552 charter management organization or the education management
553 organization, may not apply for a charter pursuant to subsection
554 (6) or operate or manage a charter school in this state for a
555 period of 10 years after such conviction. For the purpose of
556 this paragraph, the term "relative" has the same meaning as
557 specified under subparagraph (24) (a)2.

558 Section 2. This act shall take effect July 1, 2021.