

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019

A Bill

HOUSE BILL 1730

4
5 By: Representatives G. Hodges, A. Davis, Dotson, Evans, Gates, Lowery, Rushing, Sorvillo, Sullivan
6 By: Senators M. Johnson, J. English

For An Act To Be Entitled

9 AN ACT CONCERNING A PUBLIC CHARTER SCHOOL'S CHARTER;
10 TO ALLOW AN AUTHORIZER TO TRANSFER AND ASSIGN A
11 PUBLIC CHARTER SCHOOL'S CHARTER UNDER THE ARKANSAS
12 QUALITY CHARTER SCHOOLS ACT OF 2013; AND FOR OTHER
13 PURPOSES.

Subtitle

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16 TO ALLOW AN AUTHORIZER TO TRANSFER AND
17 ASSIGN A PUBLIC CHARTER SCHOOL'S CHARTER
18 UNDER THE ARKANSAS QUALITY CHARTER
19 SCHOOLS ACT OF 2013.
20

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22
23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

24
25 SECTION 1. Arkansas Code § 6-23-105(a), concerning the authority of an
26 authorizer to modify, revoke, or deny renewal of a public charter school's
27 charter under the Arkansas Quality Charter Schools Act of 2013, is amended to
28 read as follows:

29 (a)(1) The authorizer may place a public charter school on probation
30 or may modify, revoke, transfer, assign, or deny renewal of its charter if
31 the authorizer determines that the persons operating the public charter
32 school:

33 ~~(1)~~(A) Committed a material violation of the charter, including
34 failure to satisfy accountability provisions prescribed by the charter;

35 ~~(2)~~(B) Failed to satisfy generally accepted accounting standards
36 of fiscal management;



1 ~~(3)(C)~~ Failed to comply with this chapter or other applicable
 2 law or regulation; or

3 ~~(4)(D)~~ Failed to meet academic or fiscal performance criteria
 4 deemed appropriate and relevant for the public charter school by the
 5 authorizer.

6 (2) The charter authorizer may allow the voluntary assignment of
 7 a public charter school upon petition by the public charter school to the
 8 charter authorizer.

9 (3)(A) If the authorizer transfers or assigns the charter of a
 10 public charter school to an eligible entity under subdivision (a)(1) of this
 11 section, the authorizer shall not hold the applicant responsible for any
 12 activity that occurred before the transfer or assignment, which includes
 13 without limitation any disciplinary action taken by the authorizer.

14 (B) After the authorizer transfers or assigns a charter to
 15 an eligible entity under subdivision (a)(1) of this section, the authorizer
 16 shall:

17 (i) Issue a new local education agency number as
 18 required under § 25-6-107; and

19 (ii) Not issue an annual report as required under §
 20 6-15-2101 until the eligible entity to which the charter was transferred has
 21 completed at least one (1) school year.

22
 23 SECTION 2. Arkansas Code § 6-23-105(c), concerning the procedures
 24 adopted by an authorizer regarding the modification, revocation, or denial of
 25 renewal of a public charter school’s charter under the Arkansas Quality
 26 Charter Schools Act of 2013, is amended to read as follows:

27 (c) The authorizer shall adopt a procedure to be used for placing a
 28 public charter school on probation or modifying, revoking, transferring,
 29 assigning, or denying renewal of the school’s charter.

30
 31 SECTION 3. Arkansas Code § 6-23-105(e)(1), concerning the actions a
 32 public charter school shall take regarding its funds and accounts payable
 33 upon the revocation of its charter under the Arkansas Quality Charter Schools
 34 Act of 2013, is amended to read as follows:

35 (e)(1)(A) Immediately upon the revocation, transfer, or assignment of
 36 a charter by the authorizer, the public charter school shall:

1 (i) Transfer to the department all state funds held
 2 by the public charter school, which the department shall hold in
 3 receivership; and

4 (ii) Provide to the department a detailed accounting
 5 of all accounts payable due from the state funds and any additional
 6 information or records requested by the department concerning the
 7 disbursement of the state funds.

8 (B) The department shall hold funds received under
 9 subdivision (e)(1)(A) of this section in a separate fund and shall expend the
 10 funds only with prior approval of the Commissioner of Education.

11 (C) If the State Board of Education reverses the
 12 revocation, transfer, or assignment, the department shall return any funds
 13 remaining in receivership to the public charter school.

14
 15 SECTION 4. Arkansas Code § 6-23-701(a), concerning actions that the
 16 Department of Education may take with respect to proposed or established
 17 public charters, is amended to read as follows:

18 (a) The Department of Education is the designated public charter
 19 authorizer with jurisdiction and authority over all public charters issued in
 20 this state to take the following action on a proposed or established public
 21 charter:

- 22 (1) Approve;
- 23 (2) Reject;
- 24 (3) Renew;
- 25 (4) ~~Non-renew~~ Nonrenew;
- 26 (5) Place on probation;
- 27 (6) Modify;
- 28 (7) Revoke; ~~or~~
- 29 (8) ~~Deny~~;
- 30 (9) Transfer; or
- 31 (10) Assign.