Stricken language would be deleted from and underlined language would be added to present law. Act 761 of the Regular Session

1	State of Arkansas	A Bill	
2	92nd General Assembly	A DIII	HOUSE DILL 1720
3	Regular Session, 2019		HOUSE BILL 1730
4 5	By: Representatives G. Hodo	es, A. Davis, Dotson, Evans, Gates, Lowery, Rushin	g Sorvillo Sullivan
6	By: Senators M. Johnson, J. English		
7	, ,	6	
8	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.		
14			
15			
16	Subtitle		
17	TO ALLOW AN AUTHORIZER TO TRANSFER AND		
18	ASSIGN A PUBLIC CHARTER SCHOOL'S CHARTER		
19	UNDER THE ARKANSAS QUALITY CHARTER		
20	SCHO	OLS ACT OF 2013.	
21			
22			
23	BE IT ENACTED BY THE (GENERAL ASSEMBLY OF THE STATE OF ARKANS	AS:
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25	SECTION 1. Arka	ansas Code § 6-23-105(a), concerning th	e 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) <u>(l)</u> The authorizer may place a public charter school on probation		
30	or may modify, revoke, <u>transfer, assign</u> , or deny renewal of its charter if		
31	the authorizer determines that the persons operating the public charter		
32	school:		
33		ommitted a material violation of the ch	_
34	failure to satisfy accountability provisions prescribed by the charter;		
35	(2)(B) Failed to satisfy generally accepted accounting standards		
36	of fiscal management;		



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(3) (C) Failed to comply with this chapter or other applicable law or regulation; or (4) (D) Failed to meet academic or fiscal performance criteria deemed appropriate and relevant for the public charter school by the authorizer. (2) The charter authorizer may allow the voluntary assignment of a public charter school upon petition by the public charter school to the charter authorizer. (3)(A) If the authorizer transfers or assigns the charter of a public charter school to an eligible entity under subdivision (a)(1) of this section, the authorizer shall not hold the applicant responsible for any activity that occurred before the transfer or assignment, which includes without limitation any disciplinary action taken by the authorizer. (B) After the authorizer transfers or assigns a charter to an eligible entity under subdivision (a)(1) of this section, the authorizer (i) Issue a new local education agency number as required under § 25-6-107; and (ii) Not issue an annual report as required under § 6-15-2101 until the eligible entity to which the charter was transferred has completed at least one (1) school year. SECTION 2. Arkansas Code § 6-23-105(c), concerning the procedures adopted by an authorizer regarding the modification, revocation, or denial of renewal of a public charter school's charter under the Arkansas Quality Charter Schools Act of 2013, is amended to read as follows: (c) The authorizer shall adopt a procedure to be used for placing a public charter school on probation or modifying, revoking, transferring, assigning, or denying renewal of the school's charter.

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shall:

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:

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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. (B) The department shall hold funds received under 8 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 remaining in receivership to the public charter school. 13 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 (8) Deny.; 29 30 (9) Transfer; or 31 (10) Assign. 32 33 34 APPROVED: 4/5/19 35 36

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