



191324

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
04/09/2014	.	
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	.	
	.	

Appropriations Subcommittee on Education (Montford) recommended the following:

1 **Senate Amendment to Amendment (393610) (with title**
2 **amendment)**

3
4 Delete lines 340 - 380

5 and insert:

6 application to provide to the charter school a model ~~an initial~~
7 ~~proposed~~ charter contract developed by the Department of
8 Education, which shall consist of the approved application and
9 any addenda and the elements specified in paragraph (7) (a) ~~to~~
10 ~~the charter school~~. The applicant and the sponsor have 40 days



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11 thereafter to negotiate the remaining or additional terms and
12 notice the charter contract for final approval by the sponsor
13 unless both parties agree to an extension. The model charter
14 contract shall become effective by operation of law only if the
15 parties have not come to a final agreement after the negotiation
16 period has expired. The proposed charter contract shall be
17 provided to the charter school at least 7 calendar days before
18 ~~prior to~~ the date of the meeting at which the charter is
19 scheduled to be voted upon by the sponsor. A provision of a
20 charter contract inconsistent with or prohibited by the
21 requirements of this section is void and unenforceable. The
22 department of ~~Education~~ shall provide mediation services for any
23 dispute regarding this section subsequent to the approval of a
24 charter application and for any dispute relating to the approved
25 charter, except disputes regarding charter school application
26 denials. If the Commissioner of Education determines that the
27 dispute cannot be settled through mediation, the dispute may be
28 appealed to an administrative law judge appointed by the
29 Division of Administrative Hearings. The administrative law
30 judge has final order authority to rule on issues of equitable
31 treatment of the charter school as a public school, whether
32 proposed provisions of the charter violate the intended
33 flexibility granted charter schools by statute, or on any other
34 matter regarding this section except a charter school
35 application denial, a charter termination, or a charter
36 nonrenewal and shall award the prevailing party reasonable
37 attorney attorney's fees and costs incurred to be paid by the
38 losing party. The costs of the administrative hearing shall be
39 paid by the party whom the administrative law judge rules



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40 against. The charter school may open and operate during the
41 pendency of any negotiation, mediation, or administrative
42 proceeding.

43 (7) CHARTER.— The major issues involving the operation of a
44 charter school shall be set forth in ~~considered in advance and~~
45 ~~written into~~ the charter. The governing board of the charter
46 school and the sponsor shall use the model charter contract

47
48 ===== T I T L E A M E N D M E N T =====

49 And the title is amended as follows:

50 Delete lines 1070 - 1071

51 and insert:

52 sponsors and applicants to use a model charter
53 contract; specifying that the model charter