

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
91st General Assembly
Regular Session, 2017

A Bill

HOUSE BILL 1673

By: Representative Tucker
By: Senator Elliott

For An Act To Be Entitled

AN ACT CONCERNING APPLICATIONS FOR OR AMENDMENTS OF PUBLIC CHARTERS UNDER THE ARKANSAS QUALITY CHARTER SCHOOLS ACT OF 2013; TO ESTABLISH A MORATORIUM ON THE GRANTING OF ADDITIONAL CHARTERS OR THE AMENDMENT OF EXISTING CHARTERS TO EXPAND ENROLLMENT OF OPEN-ENROLLMENT PUBLIC CHARTER SCHOOLS LOCATED IN OR DRAWING STUDENTS FROM A PUBLIC SCHOOL DISTRICT UNDER STATE CONTROL; AND TO REMOVE A PREFERENCE FOR OPEN-ENROLLMENT PUBLIC CHARTER SCHOOLS TO BE LOCATED IN PUBLIC SCHOOL DISTRICTS THAT ARE IN SCHOOL IMPROVEMENT, ACADEMIC DISTRESS, OR FISCAL DISTRESS; AND FOR OTHER PURPOSES.

Subtitle

CONCERNING APPLICATIONS FOR OR AMENDMENTS OF PUBLIC CHARTERS UNDER THE ARKANSAS QUALITY CHARTER SCHOOLS ACT OF 2013.

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

SECTION 1. Arkansas Code § 6-23-303 is amended to read as follows:

6-23-303. Authorization for an open-enrollment public charter school.

(a) Except as provided in subsection (b) of this section, ~~As~~ as requested by the applicant for an open-enrollment public charter school, the authorizer shall review the application for an open-enrollment public charter school and may approve any application that:



(1) Provides a plan for academic achievement that addresses how the open-enrollment public charter school proposes to improve student learning and meet the state education goals;

(2) Includes a set of performance criteria that will be used during the initial five-year period of the open-enrollment public charter school's operation to measure its progress in meeting its academic performance goals;

(3) Includes a proposal to directly and substantially involve the parents of students to be enrolled in the open-enrollment public charter school, the licensed employees, and the broader community in carrying out the terms of the open-enrollment charter;

(4) Includes an agreement to provide an annual report to parents, the community, and the authorizer that demonstrates the progress made by the open-enrollment public charter school during the previous academic year in meeting its academic performance objectives;

(5) Includes a detailed budget, a business plan, and a governance plan for the operation of the open-enrollment public charter school; and

(6) Establishes the eligible entity's status as a tax-exempt organization under § 501(c)(3) of the Internal Revenue Code of 1986 prior to the first day of its operation with students.

(b) The authorizer shall not approve an application for:

(1) A charter for an open-enrollment public charter school when the following public school districts are under the authority of the State Board of Education or the Commissioner of Education:

(A) The public school district in which the open-enrollment public charter school is or will be located; or

(B) A public school district from which the open-enrollment public charter school is likely to draw the most students; and

(2) An amendment to an existing charter for an open-enrollment public charter school that provides for an expansion of the enrollment of the open-enrollment public charter school when the following public school districts are under the authority of the state board or the commissioner:

(A) The public school district in which the open-enrollment public charter school is or will be located; or

(B) The public school district from which the open-

enrollment public charter school during the previous school year drew the most students.

SECTION 2. Arkansas Code § 6-23-304(b), concerning preferences for approving an application for an open-enrollment public charter school, is amended to read as follows:

(b) The authorizer shall give preference in approving an application for an open-enrollment public charter school to be located in any public school district+

~~(1) When when the percentage of students who qualify for free or reduced-price lunches is above the average for the state+;~~

~~(2) When the district has been classified by the state board as in academic distress under § 6-15-428; or~~

~~(3) When the district has been classified by the Department of Education as in some phase of school improvement status under § 6-15-426 or some phase of fiscal distress under the Arkansas Fiscal Assessment and Accountability Program, § 6-20-1901 et seq., if the fiscal distress status is a result of administrative fiscal mismanagement, as determined by the state board.~~