

**REVENUE:** No revenue impact

**FISCAL:** Fiscal statement issued

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<b>Action:</b>	Do Pass as Amended and Be Printed Engrossed
<b>Vote:</b>	9 - 0 - 0
<b>Yeas:</b>	Clem, Dallum, Greenlick, Komp, Krummel, Lim, Roblan, Whisnant, Buckley
<b>Nays:</b>	0
<b>Exc.:</b>	0
<b>Prepared By:</b>	Derrick Olsen, Administrator
<b>Meeting Dates:</b>	4/03, 4/12, 4/19 (Subcommittee on Education Innovation), 4/24

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**WHAT THE MEASURE DOES:** Changes information that school district board may require from public charter school applicant. Changes criteria for approving public charter school proposal. Adds option of conditional approval of a public charter school proposal. Specifies time periods for appeal of denial of application for public charter school and for State Board of Education review. Allows public charter school or sponsor to request state board review of whether specified provisions have been violated. Declares emergency, effective July 1, 2007.

**ISSUES DISCUSSED:**

- Process of chartering new public charter schools
- Variance of policies and application of process from school district to school district
- Timeline for appeals process for denial of public charter school applications
- Conditional approval vs. denial of public charter school applications
- Contract negotiations between school board and public charter school
- School board decision making process and executive session law
- Local control of decision-making and need for school district to be able to require additional information

**EFFECT OF COMMITTEE AMENDMENT:** The amendment restores current language in statute allowing school districts to require, instead of only request, additional information relevant to the formation or operation of a public charter school; add in statute the option of a conditional approval of a public charter school proposal based “(a) The requirements of federal and state law; and (b) Board policies that support the legislative intent and goals listed in ORS 338.015;” give the Department of Education 150 days vice 120 days to complete its appeal review; and add that the appeal timeline could be changed if “the applicant and the State Board of Education mutually agree to a different timeline.”

**BACKGROUND:** HB 3179-A clarifies that a school board may require additional information relevant to the formation or operation of a public charter school only “to ensure that the board and school meet (a) The requirements of federal and state law; and (b) Board policies that support the legislative intent and goals listed in ORS 338.015.” HB 3179-A clarifies that a local school board must approve a proposal “as written” if the proposal meets “(a) The requirements of federal and state law; and (b) Board policies that support the legislative intent and goals listed in ORS 338.015.” HB 3179-A clarifies that elements of a public charter school proposal may be changed only through mutual agreement between the public charter school sponsor and governing body. HB 3179-A puts timelines on the appeals process, stating that an applicant may appeal a school district denial to the State Board of Education within 90 days, and must first submit a written statement of intent to file an appeal within 30 days of denial, and that the Department of Education must complete its appeal review within 150 days of receiving the written request for an appeal review.

5/8/2007 4:58:00 PM

*This summary has not been adopted or officially endorsed by action of the committee.*