

2010 SESSION

LEGISLATION NOT PREPARED BY DLS
INTRODUCED

10105327D

HOUSE BILL NO. 1390

Offered February 11, 2010

A *BILL to amend and reenact §§ 22.1-212.9 and 22.1-212.10 of the Code of Virginia, relating to public charter schools.*

Patrons—Lingamfelter, Dance, Peace, Abbitt, Anderson, Athey, Bell, Richard P., Bell, Robert B., Byron, Cline, Cole, Comstock, Cosgrove, Cox, J.A., Cox, M.K., Edmunds, Garrett, Gear, Greason, Howell, W.J., Hugo, Iaquinto, Ingram, Janis, Jones, Knight, LeMunyon, Lohr, Marshall, D.W., Marshall, R.G., Massie, Merricks, Morgan, Nixon, O'Bannon, Oder, Pogge, Poindexter, Purkey, Putney, Sherwood, Stolle, Tata, Villanueva and Ware, R.L.

Introduced at the request of the Governor

Referred to Committee on Education

Be it enacted by the General Assembly of Virginia:

1. That §§ 22.1-212.9 and 22.1-212.10 of the Code of Virginia are amended and reenacted as follows:

§ 22.1-212.9. Review of public charter school applications.

A. Public charter school applications shall be received and reviewed by local school boards or, in the case of a regional public charter school, by all of the relevant school boards.

Each local school board shall establish procedures for receiving, reviewing, and ruling upon applications and shall make a copy of any such procedures available to all interested parties upon request. If any such board finds the public charter school application is incomplete, the board shall request the necessary information from the charter applicant.

B. To provide appropriate opportunity for input from parents, teachers, and other interested parties and to obtain information to assist local school boards in their decisions to grant a public charter school application, local school boards may establish a procedure for public notice, comment, or hearings on public charter school applications.

C. Prior to submission of an application to a local school board for review, the public charter school applicant ~~may~~ shall submit its proposed charter application to the Board of Education for review, ~~and comment, and a pre-certification recommendation.~~ The Board's review shall examine such applications for feasibility, curriculum, financial soundness, and other objective criteria as the Board may establish, consistent with existing state law. The Board's review and comment shall be for the purpose of ensuring that the application conforms with such criteria, ~~but~~ and shall ~~not~~ include a ~~consideration pre-certification recommendation~~ as to whether the application ~~shall~~ should be approved by the local school board. ~~Nothing in this section shall prevent a school division from pre-planning a charter application before it is submitted to the Board of Education for review and pre-certification.~~

§ 22.1-212.10. Decision of local board subject to appeal.

The decision of a local school board to grant or deny a public charter school application or to revoke or fail to renew a charter agreement shall be ~~final and not~~ subject to appeal. ~~Following a local school board decision to deny a public charter school application or to revoke or fail to renew a charter agreement, the public charter school applicant shall have an opportunity to appeal such decision to the Board of Education. The Board shall establish the appeals process including a timeline for such appeal, and in all cases the Board decision to grant or deny a public charter school application shall be final. A Board decision to grant a public charter school application shall include a time period for the initial charter or renewal of a charter.~~

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HB1390