

## HOUSE AMENDMENTS TO HOUSE BILL 3174

By COMMITTEE ON EDUCATION

May 6

1 On page 1 of the printed bill, line 2, delete “and”.

2 In line 3, after “338.065” insert “; and declaring an emergency”.

3 Delete lines 18 through 32 and delete page 2 and insert:

4 “(3)(a) The initial charter shall be in effect for a period of not more than five years and shall  
5 be renewed upon the authorization of the sponsor using the process and criteria established under  
6 this section.

7 “(b) The first renewal of a charter shall be for the same time period as the initial charter.

8 “(c) Subsequent renewals of a charter shall be for a minimum of five years but may not exceed  
9 10 years.

10 “(4)(a) The renewal of a charter shall use the process and criteria required by this section.

11 “(b) The public charter school governing body shall submit a written renewal request to the  
12 sponsor for consideration at least 180 days prior to the expiration of the charter, unless the charter  
13 specifies a different timeline.

14 “(c) Within 45 days after receiving a written renewal request from a public charter school gov-  
15 erning body, the sponsor shall hold a public hearing regarding the request for renewal.

16 “(d) Within 10 days after the public hearing, the sponsor shall notify the public charter school  
17 governing body of the sponsor’s intent about the renewal of the charter.

18 “(e) Within 20 days after the public hearing, the sponsor shall approve the renewal of the  
19 charter or state in writing the reasons for denying the renewal of the charter.

20 “(f) If the sponsor approves the renewal of the charter, the sponsor and the public charter  
21 school governing body shall negotiate a new charter within 90 days after the date on which the  
22 sponsor approved the renewal of the charter unless the sponsor and the public charter school gov-  
23 erning body agree to an extension of the time period.

24 “(g) If the sponsor does not renew the charter, the public charter school governing body may  
25 address the reasons stated under paragraph (e) of this subsection and any remedial measures sug-  
26 gested by the sponsor and submit a revised request for renewal to the sponsor.

27 “(5)(a) If the sponsor does not renew the charter based on the revised request for renewal sub-  
28 mitted under subsection (4)(g) of this section, the public charter school governing body may appeal  
29 the decision of the sponsor to the State Board of Education for a review of whether the sponsor used  
30 the process and criteria required by this section in denying the renewal of the charter.

31 “(b) If the board finds that the sponsor used the process and criteria required by this section in  
32 denying the request for renewal, the board shall affirm the decision of the sponsor. A public charter  
33 school governing body may seek judicial review of an order of the board pursuant to ORS 183.484.

34 “(c) If the board finds that the sponsor did not use the process or criteria required by this sec-  
35 tion in denying the request for renewal, the board shall order the sponsor to reconsider the request

1 for renewal.

2 “(d) If after reconsideration pursuant to paragraph (c) of this subsection the sponsor does not  
3 renew the charter, the public charter school governing body may seek judicial review of an order  
4 of the sponsor pursuant to ORS 183.484.

5 “(e) If the board is the sponsor of a public charter school and the board does not renew the  
6 charter based on the revised request for renewal submitted under subsection (4)(g) of this section,  
7 the public charter school governing body may seek judicial review of an order of the board pursuant  
8 to ORS 183.484 for a review of whether the board used the process and criteria required by this  
9 section in denying the request for renewal.

10 “(6)(a) The sponsor shall base the charter renewal decision on a good faith evaluation of  
11 whether the public charter school:

12 “(A) Is in compliance with this chapter and all other applicable state and federal laws;

13 “(B) Is in compliance with the charter of the public charter school;

14 “(C) Is meeting or working toward meeting the student performance goals and agreements  
15 specified in the charter or any other written agreements between the sponsor and the public charter  
16 school governing body;

17 “(D) Is fiscally stable; and

18 “(E) Is in compliance with any renewal criteria specified in the charter of the public charter  
19 school.

20 “(b) The sponsor shall base the renewal evaluation described in paragraph (a) of this subsection  
21 primarily on a review of the public charter school’s annual performance reports, annual audit of  
22 accounts and annual site visit and review as required by ORS 338.095 and any other information  
23 mutually agreed upon by the public charter school governing body and the sponsor.

24 “**SECTION 2. The amendments to ORS 338.065 by section 1 of this 2005 Act apply to ap-  
25 plications for renewal of a charter of a public charter school received by a sponsor on or  
26 after the effective date of this 2005 Act.**

27 “**SECTION 3. This 2005 Act being necessary for the immediate preservation of the public  
28 peace, health and safety, an emergency is declared to exist, and this 2005 Act takes effect  
29 July 1, 2005.**”

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