JAN 3 0 2001 EDUCATION

HOUSE FILE 133
BY WISE

Passed	House,	Date	Passed	Senate,	Date _	
Vote:	Ayes	Nays	Vote:	Ayes	Na	ys
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A BILL FOR
1 An Act relating to the establishment of charter schools.
 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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- 1 Section 1. NEW SECTION. 256F.1 TITLE.
- 2 This chapter shall be known and may be cited as the
- 3 "Charter School Act".
- 4 Sec. 2. NEW SECTION. 256F.2 PURPOSES.
- 5 l. It is the purpose of this chapter to provide a means to
- 6 revitalize education and continually do all of the following:
- 7 a. Increase learning opportunities for students and
- 8 improve student learning.
- 9 b. Encourage the use of different and innovative teaching 10 methods.
- 11 c. Require the measurement of learning outcomes and create
- 12 different and innovative methods for measuring outcomes.
- d. Establish new forms of accountability for schools.
- e. Create new professional opportunities for teachers,
- 15 including the opportunity to be responsible for the learning
- 16 program at the school site.
- 17 2. This chapter does not provide a means to keep open a
- 18 school that otherwise would be closed. Applicants bear the
- 19 burden of proving that conversion to a charter school fulfills
- 20 a purpose specified in this chapter and independent of the
- 21 school's closing.
- 22 Sec. 3. NEW SECTION. 256F.3 DEFINITIONS.
- 23 As used in this chapter unless the context otherwise
- 24 requires:
- 25 1. "Department" means the department of education.
- 26 2. "Director" means the director of the department of
- 27 education.
- 28 3. "Sponsor" means a school board, accredited private
- 29 postsecondary institution, community college, or institution
- 30 of higher learning under the control of the state board of
- 31 regents authorized to sponsor one or more charter schools.
- 32 4. "State board" means the state board of education.
- 33 Sec. 4. NEW SECTION. 256F.4 APPLICABILITY.
- 34 This chapter applies only to charter schools organized and
- 35 operated under this chapter.

- Sec. 5. NEW SECTION. 256F.5 ORGANIZATION OF SCHOOL.
- A school board, accredited private postsecondary
- 3 institution, community college, or an institution of higher
- 4 learning under the control of the state board of regents may
- 5 sponsor one or more charter schools as provided in this
- 6 section.
- 7 2. A sponsor may authorize one or more teachers, who are
- 8 licensed under chapter 272, to operate a charter school
- 9 subject to the approval of the state board. If one or more
- 10 teachers applies to a school board for sponsorship and the
- 11 school board elects not to sponsor a charter school, the
- 12 applicant may appeal the school board's decision to the state
- 13 board if two members of the local school board voted to
- 14 sponsor the school. If the state board authorizes the school,
- 15 the state board shall sponsor the school according to this
- 16 section. A charter school shall be organized and operated as
- 17 a nonprofit corporation under chapter 504A.
- 3. Before a sponsor may organize and operate a school, the
- 19 sponsor must file an affidavit with the state board stating
- 20 its intent to authorize a charter school. The affidavit shall
- 21 state the terms and conditions under which the sponsor pledges
- 22 to authorize a charter school. The state board shall approve
- 23 or disapprove a sponsor's proposed authorization within sixty
- 24 days of receipt of an affidavit. Failure to obtain state
- 25 board approval precludes a sponsor from authorizing the
- 26 charter school that was the subject of the affidavit.
- 27 4. A sponsor approved by the state board to organize and
- 28 operate a charter school shall conduct an election for members
- 29 of the charter school's board of directors in a timely manner
- 30 once the charter school begins operation. Any staff members
- 31 employed at the school, including teachers providing
- 32 instruction under a contract with a corporation and all
- 33 parents of children enrolled in the school, may vote in the
- 34 election. Licensed teachers employed at the school, including
- 35 teachers providing instruction under a contract with a

- 1 corporation, shall be a majority of the members of the board
- 2 of directors. A provisional board may operate before the
- 3 election of the school's board of directors. The board of
- 4 directors is a governmental body for purposes of chapter 21.
- 5 5. The granting or renewal of a charter by a sponsoring
- 6 entity shall not be conditioned upon the bargaining unit
- 7 status of the employees of the school.
- 8 Sec. 6. NEW SECTION. 256F.6 CONVERSION OF EXISTING
- 9 SCHOOLS.
- 10 The board of directors of a school district may convert one
- 11 or more of its existing schools to charter schools under this
- 12 chapter if ninety percent of the full-time teachers employed
- 13 to teach at the school sign a petition seeking conversion.
- 14 The conversion must occur at the beginning of an academic
- 15 year.
- 16 Sec. 7. NEW SECTION. 256F.7 CONTRACT.
- 17 The sponsor's authorization for a charter school shall be
- 18 in the form of a written contract signed by the sponsor and
- 19 the board of directors of the charter school. The contract
- 20 for a charter school shall be in writing and contain, at a
- 21 minimum, the following:
- 22 1. A description of a program that carries out one or more
- 23 of the purposes enumerated in section 256F.2.
- 2. Specific outcomes students are to achieve under section
- 25 256F.11.
- 3. Admission policies and procedures.
- 27 4. A description of the management and administration of
- 28 the charter school.
- 29 5. Requirements and procedures for program and financial
- 30 audits.
- 31 6. A plan describing methods for complying with sections
- 32 256F.9, 256F.14, and 256F.17.
- 33 7. Assurance of the assumption of liability by the charter
- 34 school.
- 35 8. Types and amounts of insurance coverage to be obtained



- 1 by the charter school.
- 2 9. The term of the contract, which may be up to three 3 years.
- 4 Sec. 8. <u>NEW SECTION</u>. 256F.8 PUBLIC STATUS -- EXEMPTION 5 FROM STATUTES AND RULES.
- 6 A charter school is a public school and is part of the
- 7 state's system of public education. Except as provided in
- 8 this chapter, a charter school is exempt from all statutes and
- 9 rules applicable to a school, a school board, or a school
- 10 district, although it may elect to comply with one or more
- ll provisions of statutes or rules.
- 12 Sec. 9. NEW SECTION. 256F.9 REQUIREMENTS.
- 13 1. A charter school shall meet all applicable state and
- 14 local health and safety requirements.
- 15 2. A charter school sponsored by a school board may be
- 16 located in any school district, unless the school board of the
- 17 school district of the proposed location disapproves by
- 18 written resolution. If a school board disapproves by
- 19 resolution a request to locate within its boundaries a charter
- 20 school sponsored by another school board, the sponsoring
- 21 school board may appeal to the state board. If the state
- 22 board authorizes the school, the state board shall sponsor the
- 23 school.
- 3. A charter school shall be nonsectarian in its programs,
- 25 admission policies, employment practices, and all other
- 26 operations. A sponsor shall not authorize a charter school or
- 27 program that is affiliated with a nonpublic sectarian school
- 28 or a religious institution.
- 29 4. Charter schools shall not be used as a method of
- 30 providing education or generating revenue for students who are
- 31 receiving competent private instruction pursuant to chapter
- 32 299A.
- 33 5. The primary focus of a charter school shall be to
- 34 provide a comprehensive program of instruction for at least
- 35 one grade or age group from five through eighteen years of

- 1 age. Instruction may be provided to people younger than five 2 years or older than eighteen years of age.
- 3 6. A charter school shall not charge tuition.
- 4 7. A charter school is subject to and shall comply with
- 5 chapters 216 and 216A relating to civil and human rights.
- 8. A charter school is subject to and shall comply with
- 7 sections 275.55A, 279.9A, 280.17B, 280.21B, and 282.4,
- 8 relating to suspension and expulsion of a student.
- 9. A charter school is subject to the same financial
- 10 audits, audit procedures, and audit requirements as a school
- 11 district. The audit shall be consistent with the requirements
- 12 of sections 11.6, 11.14, 11.19, 256.9, subsection 19, and
- 13 section 279.29, except to the extent deviations are necessary
- 14 because of the program at the school. The department, the
- 15 auditor of state, or the legislative fiscal bureau may conduct
- 16 financial, program, or compliance audits.
- 17 10. A charter school is a school district for the purposes
- 18 of tort liability under chapter 670.
- 19 Sec. 10. NEW SECTION. 256F.10 ADMISSION REQUIREMENTS.
- 20 1. A charter school may limit admission to any of the
- 21 following:
- 22 a. Students within an age group or grade level.
- 23 b. Individuals who are eligible to participate in an
- 24 alternative options education program under section 280.19A.
- 25 c. Residents of a specific geographic area where the
- 26 percentage of the population of non-Caucasian people of that
- 27 area is greater than the percentage of the non-Caucasian
- 28 population in the congressional district in which the
- 29 geographic area is located, and as long as the school reflects
- 30 the racial and ethnic diversity of the specific area.
- 31 2. A charter school shall enroll an eligible student who
- 32 submits a timely application, unless the number of
- 33 applications exceeds the capacity of a program, class, grade
- 34 level, or building. In that case, students shall be accepted
- 35 by lot.

- 1 the charter school for costs of transportation from the
- 2 student's residence to the border of the district in which the
- 3 charter school is located if the student is from a family
- 4 whose income is at or below the poverty level, as defined by
- 5 the most recently revised poverty income guidelines published
- 6 by the United States department of health and human services.
- 7 The reimbursement shall be in the manner provided in section
- 8 285.3 for parental reimbursement for nonpublic school student
- 9 transportation.
- 10 4. At the time a student enrolls in a charter school, the
- 11 charter school shall provide the parent or guardian with
- 12 information regarding the transportation.
- 13 5. If a charter school does not elect to provide
- 14 transportation, transportation for students enrolled at the
- 15 school shall be provided by the district in which the school
- 16 is located, in the manner provided in section 285.1,
- 17 subsection 15, for a student residing in the same district in
- 18 which a nonpublic school designated for attendance is located.
- 19 Transportation may be provided by the district in which the
- 20 charter school is located for a student residing in a
- 21 different district, in the same manner provided for in section
- 22 285.1, subsection 16, for students whose nonpublic school
- 23 designated for attendance is located outside the boundary line
- 24 of the school district of the student's residence.
- 25 Sec. 18. NEW SECTION. 256F.18 LEASED SPACE.
- 26 A charter school may lease space from a school board
- 27 eligible to be a sponsor or other public or private nonprofit,
- 28 nonsectarian organization. If a charter school is unable to
- 29 lease appropriate space from an eligible school board or other
- 30 public or private nonprofit, nonsectarian organization, the
- 31 school may lease space from another nonsectarian organization
- 32 if the department, in consultation with the department of
- 33 management, approves the lease. If the school is unable to
- 34 lease appropriate space from public or private nonsectarian
- 35 organizations, the school may lease space from a sectarian

- 1 organization if the leased space is constructed as a school
- 2 facility and the department, in consultation with the
- 3 department of management, approves the lease.
- 4 Sec. 19. NEW SECTION. 256F.19 INITIAL COSTS.
- 5 A sponsor may authorize a charter school before the
- 6 applicant has secured its space, equipment, facilities, and
- 7 personnel if the applicant indicates the authority is
- 8 necessary for it to raise working capital. A sponsor shall
- 9 not authorize a school before the state board has approved the
- 10 authorization.
- 11 Sec. 20. NEW SECTION. 256F.20 DISSEMINATE INFORMATION.
- 12 The sponsor, the operators, and the department shall
- 13 disseminate information to the public on how to organize and
- 14 operate a charter school and how to utilize the offerings of a
- 15 charter school. Particular groups to be targeted include low-
- 16 income families and communities and students of color.
- 17 Sec. 21. NEW SECTION. 256F.21 LEAVE TO TEACH IN A
- 18 CHARTER SCHOOL.
- 19 If a teacher employed by a school district makes a written
- 20 request for an extended leave of absence to teach at a charter
- 21 school, the school district shall grant the leave for any
- 22 number of years requested by the teacher, and must extend the
- 23 leave at the teacher's request. The school district may
- 24 require that the request for a leave or extension of leave be
- 25 made up to ninety days before the teacher would otherwise have
- 26 to report for duty.
- 27 During a leave, the teacher may continue to aggregate
- 28 benefits and credits in the Iowa public employees' retirement
- 29 system by paying both the employer and employee contributions
- 30 based upon the annual salary of the teacher for the last full
- 31 pay period before the leave began. The Iowa public employees'
- 32 retirement system may impose reasonable requirements to
- 33 efficiently administer this section.
- 34 Sec. 22. NEW SECTION. 256F.22 COLLECTIVE BARGAINING.
- 35 Employees of the board of directors of a charter school

- 1 may, if otherwise eligible, organize under chapter 20 and
- 2 comply with its provisions. The board of directors of a
- 3 charter school is a public employer, for the purposes of
- 4 chapter 20, upon formation of one or more bargaining units at
- 5 the school. Bargaining units at the school shall be separate
- 6 from any other units within the sponsoring district, except
- 7 that bargaining units may remain part of the appropriate unit
- 8 within the sponsoring district if the employees of the school,
- 9 the board of directors of the school, the exclusive
- 10 representative of the appropriate unit in the sponsoring
- 11 district, and the school board of the sponsoring district
- 12 agree to include the employees in the appropriate unit of the
- 13 sponsoring district.
- 14 Sec. 23. NEW SECTION. 256F.23 TEACHER AND OTHER EMPLOYEE
- 15 RETIREMENT.
- 16 Teachers in a charter school shall be public school
- 17 teachers for the purposes of retirement under chapter 97B.
- 18 Sec. 24. NEW SECTION. 256F.24 CAUSES FOR NONRENEWAL OR
- 19 TERMINATION.
- 20 l. The duration of a charter school contract with a
- 21 sponsor shall be for the term contained in the contract
- 22 according to section 256F.7. The sponsor may or may not renew
- 23 a contract at the end of the term for any ground listed in
- 24 subsection 2. A sponsor may unilaterally terminate a contract
- 25 during the term of the contract for any ground listed in
- 26 subsection 2. At least sixty days before not renewing or
- 27 terminating a contract, the sponsor shall notify the board of
- 28 directors of the charter school of the proposed action in
- 29 writing. The notice shall state the grounds for the proposed
- 30 action in reasonable detail and that the charter school's
- 31 board of directors may request in writing an informal hearing
- 32 before the sponsor within fourteen days of receiving notice of
- 33 nonrenewal or termination of the contract. Failure by the
- 34 board of directors to make a timely written request for a
- 35 hearing shall be treated as acquiescence to the proposed

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- 1 action. Upon receiving a timely written request for a
- 2 hearing, the sponsor shall give reasonable notice to the
- 3 charter school's board of directors of the hearing date. The
- 4 sponsor shall conduct an informal hearing before taking final
- 5 action. The sponsor shall take final action to renew or not
- 6 renew a contract by the last day of classes in the school
- 7 year. If the sponsor is a local school board, the charter
- 8 school's board of directors may appeal the sponsor's decision
- 9 to the state board.
- 2. A contract may be terminated or not renewed upon any of
- 11 the following grounds:
- 12 a. Failure to meet the requirements for student
- 13 performance contained in the contract.
- 14 b. Failure to meet generally accepted standards of fiscal
- 15 management.
- 16 c. For violations of law or other good cause shown.
- 3. If a contract is terminated or not renewed, the school
- 18 shall be dissolved according to the applicable provisions of
- 19 chapter 504A.
- 20 Sec. 25. NEW_SECTION. 256F.25 STUDENT ENROLLMENT.
- 21 If a charter school contract is not renewed or is
- 22 terminated according to section 256F.24, a student who
- 23 attended the school, siblings of the student, or another
- 24 student who resides in the same place as the student may
- 25 enroll in the resident district or may submit an application
- 26 to a nonresident district according to section 282.18 at any
- 27 time. Applications and notices required by section 282.18
- 28 shall be processed and provided in a prompt manner. The
- 29 application and notice deadlines in section 282.18 do not
- 30 apply under these circumstances.
- 31 Sec. 26. NEW SECTION. 256F.26 GENERAL AUTHORITY.
- 32 The board of directors of a charter school may sue and be
- 33 sued. The board shall not levy taxes or issue bonds.
- 34 Sec. 27. NEW SECTION. 256F.27 IMMUNITY.
- 35 The state board, members of the state board, a sponsor,

- 1 members of the board of a sponsor in their official capacity,
- 2 and employees of a sponsor are immune from civil or criminal
- 3 liability with respect to all activities related to a charter
- 4 school they approve or sponsor.
- 5 The board of directors of the charter school shall obtain
- 6 at least the amount of and types of insurance required by the
- 7 contract, according to section 256F.7.
- 8 Sec. 28. NEW SECTION. 256F.28 STATE SCHOOL FOUNDATION
- 9 AID FOR A CHARTER SCHOOL.
- 10 1. A student enrolled in a charter school shall be
- 11 counted, for state school foundation aid purposes, in the
- 12 student's district of residence. A student's residence, for
- 13 purposes of this section, shall be as established under
- 14 section 282.1. The board of directors of the district of
- 15 residence shall pay to the charter school the district cost
- 16 per pupil, or the charter school's cost per pupil as
- 17 determined by the department based upon information supplied
- 18 by the charter school, whichever is lowest, plus any moneys
- 19 received for the student as a result of non-English-speaking
- 20 weighting under section 280.4, subsection 3, for each school
- 21 year. The district of residence shall also transmit the phase
- 22 III moneys allocated to the district for the full-time
- 23 equivalent attendance of the student to the charter school.
- 24 2. If a parent or guardian of a child enrolled in a
- 25 charter school under this chapter moves to a different school
- 26 district during the course of either district's academic year,
- 27 the child's first district of residence shall be responsible
- 28 for payment of the cost per pupil plus weightings or special
- 29 education costs to the charter school for the balance of the
- 30 school year in which the move took place. The new district of
- 31 residence shall be responsible for the payments during the
- 32 succeeding years.
- 33 Sec. 29. NEW SECTION. 256F.29 AUTHORIZED EXPENDITURES.
- 34 A charter school is a public school for purposes of section
- 35 257.7.

- 1 Sec. 30. NEW SECTION. 256F.30 BUILDING LEASE AID.
- 2 If a charter school finds it economically advantageous to
- 3 rent or lease a building or land for any instructional purpose
- 4 and it determines that the total school foundation aid under
- 5 section 256F.28 is insufficient for this purpose, it may apply
- 6 to the school budget review committee for supplemental aid for
- 7 this purpose. The charter school is a public school for
- 8 purposes of section 257.31.
- 9 Sec. 31. <u>NEW SECTION</u>. 256F.31 OTHER AID -- GRANTS --
- 10 REVENUE.
- 11 1. A charter school is eligible to receive other aid,
- 12 grants, and revenue according to Title VII, subtitle 1, as
- 13 though it were a school district. However, a charter school
- 14 shall not receive aid, a grant, or revenue if a levy is
- 15 required to obtain the money. Federal aid received by the
- 16 state must be paid to the school, if it qualifies for the aid
- 17 as though it were a school district.
- 2. Except as provided in section 256F.32, a charter school
- 19 may receive money from any source for facilities needs. Ir
- 20 the year-end report to the state board, the charter school
- 21 shall report the total amount of funds received from grants
- 22 and other outside sources.
- 23 Sec. 32. NEW SECTION. 256F.32 USE OF STATE MONEY.
- 24 Money received from the state shall not be used to purchase
- 25 land or buildings. The school may own land and buildings if
- 26 obtained through nonstate sources.
- 27 EXPLANATION
- 28 This bill sets up provisions by which charter schools may
- 29 be established. The bill also establishes the purposes for
- 30 which the schools shall be established.
- 31 Sponsorship: A school board, accredited private
- 32 postsecondary institution, community college, or an
- 33 institution of higher learning under the control of the state
- 34 board of regents may sponsor one or more charter schools.
- 35 Operation of charter school: A sponsor may authorize one

1 or more teachers to operate a charter school subject to the 2 approval of the state board of education. The school shall be 3 organized and operated as nonprofit corporation. Before a 4 sponsor may organize and operate a school, the sponsor must 5 file an affidavit with the state board stating its intent to 6 authorize a charter school and receive state board approval. Charter school board of directors: A sponsor approved by 7 8 the state board to organize and operate a charter school shall 9 hold an election for members of the charter school's board of 10 directors in a timely manner after the school is operating. 11 Any staff members employed at the school and all parents of 12 children enrolled in the school may vote in the election. Collective bargaining: The granting or renewal of a 14 charter by a sponsoring entity shall not be conditioned upon 15 the bargaining unit status of the employees of the school. 16 Employees of the board of directors of a charter school may, 17 if otherwise eligible, organize under chapter 20 and comply 18 with its provisions. The board of directors of a charter 19 school is a public employer, for the purposes of chapter 20, 20 upon formation of one or more bargaining units at the school. Conversion of existing schools: The board of directors of 21 22 a school district may convert one or more of its existing 23 schools to charter schools if 90 percent of the full-time 24 teachers employed to teach at the school sign a petition 25 seeking conversion. 26 Contract: The sponsor's authorization for a charter school 27 shall be in the form of a written contract signed by the 28 sponsor and the board of directors of the charter school. 29 bill sets forth the items a contract must contain. 30 Public school status: A charter school is a public school 31 and is part of the state's system of public education but, 32 except as provided in the bill, is exempt from all statutes 33 and rules applicable to a school, a school board, or a school 34 district, although it may elect to comply with one or more 35 provisions of statutes or rules. For example, a charter

- 1 school shall meet and abide by all applicable state and local
- 2 health and safety requirements, length of school year Code
- 3 provisions, civil and human rights laws, and laws relating to
- 4 suspension and expulsion of a student, and is subject to the
- 5 same financial audits, audit procedures, and audit
- 6 requirements as a school district. A charter school must be
- 7 nonsectarian in its programs, admission policies, employment
- 8 practices, and all other operations. The school shall not be
- 9 used for home schooling purposes.
- 10 Location within a school district: A charter school
- 11 sponsored by a school board may be located in any district,
- 12 unless the school board of the district of the proposed
- 13 location disapproves by written resolution. However, the
- 14 district can appeal to the state board.
- 15 Primary focus: To provide a comprehensive program of
- 16 instruction for at least one grade or age group from five
- 17 through 18 years of age. Instruction may be provided to
- 18 people younger than five years and older than 18 years of age.
- 19 Tuition-free: A charter school shall not charge tuition.
- 20 Admission requirements: A charter school may limit
- 21 admission to students within an age group or grade level,
- 22 individuals eligible to participate in an alternative options
- 23 education program for dropouts or potential dropouts, or
- 24 residents of a specific geographic area where the percentage
- 25 of the population of non-Caucasian people of that area is
- 26 greater than the percentage of the non-Caucasian population in
- 27 the congressional district in which the geographic area is
- 28 located, and as long as the school reflects the racial and
- 29 ethnic diversity of the specific area. A charter school shall
- 30 not limit admission to students on the basis of intellectual
- 31 ability, measures of achievement or aptitude, or athletic
- 32 ability.
- 33 Student performance achievement outcomes: A charter school
- 34 shall design its programs to at least meet any outcomes
- 35 adopted by the state board for public school students. In the

- 1 absence of state board requirements, the school shall meet the
- 2 outcomes contained in the contract with the sponsor.
- 3 Employment: A charter school shall employ or contract with
- 4 necessary teachers who hold a valid license with an
- 5 endorsement for the type of service for which the teacher is
- 6 employed. The school may employ necessary employees who are
- 7 not required to hold teaching licenses to perform duties other
- 8 than teaching and may contract for other services. The school
- 9 may discharge teachers and nonlicensed employees.
- 10 Students with special education needs: A charter school
- 11 shall comply with Code chapter 256B and administrative rules
- 12 relating to the education of students with special education
- 13 needs, and receive state special education aid, as though it
- 14 were a school district.
- 15 Reports: A charter school must report at least annually to
- 16 its sponsor and the state board of education and the reports
- 17 are public records.
- 18 Departmental review and comment prior to renewal: The
- 19 department of education shall review and comment on the
- 20 evaluation, by the chartering school district, of the
- 21 performance of a charter school before the charter school's
- 22 contract is renewed.
- 23 Transportation: By July 1 of each year, a charter school
- 24 shall notify the district in which the school is located and
- 25 the department if it will provide transportation for students
- 26 enrolled at the school for the fiscal year. The state shall
- 27 pay transportation aid to the charter school as if it were a
- 28 public school, and shall reimburse charter school parents and
- 29 school districts for transportation costs in the same manner
- 30 as parents and school districts are reimbursed for
- 31 transportation costs. However, a parent may be reimbursed by
- 32 the charter school for costs of transportation from the
- 33 student's residence to the border of the district in which the
- 34 charter school is located if the student is from a family
- 35 whose income is at or below the poverty level.

- Leased space: A charter school may lease space from a
- 2 school board eligible to be a sponsor or other public or
- 3 private nonprofit, nonsectarian organization. If the school
- 4 is unable to lease appropriate space from public or private
- 5 nonsectarian organizations, the school may lease space from a
- 6 sectarian organization if the leased space is constructed as a
- 7 school facility and the department, in consultation with the
- 8 department of management, approves the lease.
- 9 Initial costs: A sponsor may authorize a charter school
- 10 before the applicant has secured its space, equipment,
- 11 facilities, and personnel if the applicant indicates the
- 12 authority is necessary for it to raise working capital.
- 13 Leave to teach in a charter school: If a teacher employed
- 14 by a school district makes a written request for an extended
- 15 leave of absence to teach at a charter school, the school
- 16 district shall grant the leave for any number of years
- 17 requested by the teacher, and must extend the leave at the
- 18 teacher's request.
- 19 Iowa public employees' retirement system: Teachers in a
- 20 charter school shall be public school teachers for the
- 21 purposes of retirement under Code chapter 97B. During a
- 22 leave, the teacher may continue to aggregate benefits and
- 23 credits in the Iowa public employees' retirement system by
- 24 paying both the employer and employee contributions based upon
- 25 the annual salary of the teacher for the last full pay period
- 26 before the leave began. The Iowa public employees' retirement
- 27 system may impose reasonable requirements to efficiently
- 28 administer this provision.
- 29 Causes for nonrenewal or termination: The bill provides
- 30 the conditions under which a contract may be terminated. The
- 31 sponsor must provide adequate notice stating the grounds for
- 32 the proposed action in reasonable detail. The charter
- 33 school's board of directors may request an informal hearing
- 34 before the sponsor within 14 days of receiving notice of
- 35 nonrenewal or termination of the contract. A contract may be

- 1 terminated or not renewed for failure to meet the requirements
- 2 for student performance contained in the contract, failure to
- 3 meet generally accepted standards of fiscal management, or for
- 4 violations of law or other good cause shown.
- 5 Open enrollment option under dissolution: If a charter
- 6 school is dissolved, a student who attended the school,
- 7 siblings of the student, or another student who resides in the
- 8 same place as the student may enroll in the resident district
- 9 or may submit an open enrollment application to a nonresident
- 10 district and the open enrollment application and notice
- 11 deadlines do not apply.
- 12 General authority: The board of directors of a charter
- 13 school may sue and be sued. The board shall not levy taxes or
- 14 issue bonds.
- 15 State school foundation aid: A student enrolled in a
- 16 charter school shall be counted, for state school foundation
- 17 aid purposes, in the student's district of residence. The
- 18 board of directors of the district of residence shall pay to
- 19 the charter school the district cost per pupil, plus any
- 20 moneys received for the student as a result of non-English-
- 21 speaking weighting, for each school year. The district of
- 22 residence shall also transmit the phase III moneys allocated
- 23 to the district for the full-time equivalent attendance of the
- 24 student to the charter school. When a charter school finds it
- 25 economically advantageous to rent or lease a building or land
- 26 for any instructional purposes and it determines that the
- 27 total school foundation aid is insufficient for this purpose,
- 28 it may apply to the school budget review committee for
- 29 supplemental aid.
- 30 Other aid, grants, and revenue: A charter school is
- 31 eligible to receive other educational aid, grants, and revenue
- 32 as though it were a school district. However, it shall not
- 33 receive aid, a grant, or revenue if a levy is required to
- 34 obtain the money. Federal aid received by the state must be
- 35 paid to the school, if it qualifies for the aid, as though it

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1 were {\bf a} school district.
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2 Use of state moneys to purchase land or buildings: Money 3 received from the state shall not be used to purchase land or 4 buildings. The school may own land and buildings if obtained 5 through nonstate sources.

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