A BILL FOR

1 An Act modifying and establishing charter school programs.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
Section 1. NEW SECTION. 256E.1 Establishment of charter schools — purpose.

1. Charter schools shall be part of the state's program of public education.

2. A charter school may be established by either of the following methods:
   a. A school board may create a founding group to apply to the state board for approval to establish and operate a charter school within and as a part of the school district by establishing a new attendance center, creating a new school within an existing attendance center, or by converting an existing attendance center to charter status.
   b. A founding group may apply to the state board for approval to establish and operate a charter school within the boundaries of the state that operates as a new attendance center independently from a public school district.

3. The purpose of a charter school established pursuant to this chapter shall be to accomplish the following:
   a. Improve student learning, well-being, and postsecondary success.
   b. Increase learning opportunities for students in areas of need in this state, including but not limited to science, technology, engineering, and math (STEM), and science, technology, engineering, arts, and math (STEAM).
   c. Increase opportunities for work-based learning, early literacy intervention, and serving at-risk populations.
   d. Accelerating student learning to prevent learning loss during the COVID-19 pandemic and other significant disruptions to student learning.
   e. Encourage the use of evidence-based practices in innovative environments.
   f. Require the measurement and evaluation of program implementation and learning outcomes.
   g. Establish models of success for Iowa schools.
   h. Create new professional opportunities for teachers and
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1 other educators.
  2  i. Investigate and establish different organizational 
  3 structures for schools to use to implement a multi-tiered  
  4 system of supports for students.
  5  j. Allow greater flexibility to meet the education needs of 
  6 a diverse student population and changing workforce needs.
  7  k. Allow for the flexible allocation of resources through 
  8 implementation of specialized school budgets for the benefit 
  9 of the schools served.
 10  l. Allow greater flexibility for districts and schools to 
 11 focus on closing gaps in student opportunity and achievement  
 12 for all students from preschool through postsecondary 
 13 preparation.
 14 4. The state board of education shall be the only authorizer 
 15 of charter schools under this chapter.
 16 Sec. 2. NEW SECTION. 256E.2 Definitions.
 17 As used in this chapter, unless the context otherwise 
 18 requires:
 19 1. "Attendance center" means a school building that contains 
 20 classrooms used for instructional purposes for elementary, 
 21 middle, or secondary school students.
 22 2. "Charter school" means a school established in accordance 
 23 with this chapter.
 24 3. "Department" means the department of education.
 25 4. "Education service provider" means an education 
 26 management organization, charter school management 
 27 organization, or other person with whom a charter school 
 28 contracts for educational program implementation or 
 29 comprehensive management.
 30 5. "Founding group" means a person, group of persons, 
 31 or education service provider that develops and submits an 
 32 application for a charter school to the state board under this 
 33 chapter.
 34 6. "Governing board" means the independent board of a 
 35 charter school whose members are elected or selected pursuant
1 to the charter school contract.
2 7. "School board" means a board of directors regularly
3 elected by the registered voters of an accredited public school
4 district.
5 8. "State board" means the state board of education.
6 Sec. 3. NEW SECTION. 256E.3 Department — duty to monitor.
7 The department shall monitor the effectiveness of charter
8 schools and shall implement the applicable provisions of this
9 chapter.
10 Sec. 4. NEW SECTION. 256E.4 School board-state board model.
11 1. A school board may create a founding group to apply
12 to the state board for approval to establish and operate a
13 charter school within and as a part of the school district by
14 establishing a new attendance center, creating a new school
15 within an existing attendance center, or by converting an
16 existing attendance center. The application shall demonstrate
17 the founding group’s academic and operational vision and plans
18 for the proposed charter school, demonstrate the founding
19 group’s capacity to execute the vision and plans, and provide
20 the state board a clear basis for assessing the founding
21 group’s plans and capacity.
22 2. The state board shall adopt rules to establish
23 appropriate application timelines and deadlines for the
24 submission of charter school applications under this section.
25 3. The instructions for completing an application shall
26 include or otherwise inform applicants of all of the following:
27 a. The performance framework adopted by the state board
28 for charter school oversight and evaluation requirements in
29 accordance with sections 256E.9 and 256E.10.
30 b. The criteria the state board will use in evaluating
31 applications.
32 c. The requirements concerning the format and content
33 essential for applicants to demonstrate the capacities
34 necessary to establish and operate a successful charter school.
35 4. An application submitted under this section shall also
include all of the following items related to the proposed charter school:

a. An executive summary.
b. The mission and vision of the proposed charter school, including identification of the targeted student population and the community the charter school intends to serve.
c. The location of the proposed charter school or the proposed geographic area within the school district where the school is proposed to be located.
d. Identification of the grades to be served each school year during the duration of the charter school contract.
e. Minimum, planned, and maximum enrollment per grade for each school year during the duration of the charter school contract.
f. Evidence of need and community support for the proposed charter school.
g. Background information on the members of the founding group and background information on the governing board, administration, and management personnel of the proposed charter school, if available.
h. The charter school’s proposed operations calendar and sample daily schedule.
i. A description of the academic program and identification of ways the program aligns with state academic standards.
j. A description of the charter school’s instructional model, including the type of learning environment, class size and structure, curriculum overview, and teaching methods.
k. The charter school’s plan for using internal and external assessments to measure and report student progress on the performance framework in accordance with section 256E.9.
l. Plans for identifying and serving students with disabilities, students who are limited English proficient, students who are academically failing or below grade level, and gifted students, including but not limited to compliance with applicable laws and regulations.
1. **m.** A description of cocurricular and extracurricular programs and how the programs will be funded and delivered.

2. **n.** Plans and timelines for student recruitment, enrollment, and transfers, including enrollment preferences and procedures for conducting transparent admissions selections, including admissions lotteries.

3. **o.** The proposed code of student conduct, including applicable procedures and disciplinary sanctions for both general students and special education students.

4. **p.** A chart or description of the charter school's organizational structure and the duties and powers of each position or group, including the delineation of authority and reporting between the governing board, administration, staff, and any related bodies or external organizations that have a role in managing the charter school.

5. **q.** A staffing chart for the charter school's first year and a staffing plan for the duration of the charter school contract.

6. **r.** Plans for recruiting and developing school administrators, staff, and governing board members and the charter school's employment policies, including performance evaluation plans.

7. **s.** Proposed governing bylaws for the charter school.

8. **t.** Identification and explanation of any partnerships or contractual relationships with the founding group or any of the founding group or school board's members that are related to the charter school's operations or mission.

9. **u.** The charter school's plans for providing transportation services, food service, and all other operational or ancillary services.

10. **v.** Proposed opportunities and expectations for parent involvement.

11. **w.** A detailed school start-up plan and five-year plan, including all relevant assumptions used, identifying timelines for charter school finances, budget, and insurance coverage,
1 facility construction, preparation, and contingencies, and the
2 identification of persons or positions responsible for each
3 such item.
4  x. Evidence of anticipated fundraising contributions, if
5 any.
6  y. Evidence of the founding group's success in serving
7 student populations similar to that which is proposed in the
8 application and if the founding group operates other charter
9 schools, evidence of past performance of such other charter
10 schools and evidence of the founding group's capacity for an
11 additional charter school.
12  z. A description of the charter school governing board's
13 performance evaluation measures, compensation structure,
14 methods of contract oversight and dispute resolution,
15 investment disclosures and conflicts of interest.
16  aa. A proposed duration and outline of the charter school
17 contract, including designation of roles, authority, and duties
18 of the governing board and the charter school staff.
19 5. If the founding group proposes to establish a charter
20 school by converting an existing attendance center of the
21 school district, the state board shall not approve the
22 application unless the founding group submits evidence that
23 the attendance center's teachers and parents or guardians of
24 students enrolled at the existing attendance center voted in
25 favor of the conversion. A vote in favor of conversion under
26 this subsection requires the support of a majority of the
27 teachers employed at the school on the date of the vote and
28 a majority of the parents or guardians voting whose children
29 are enrolled at the school, provided that a majority of the
30 parents or guardians eligible to vote participate in the ballot
31 process. The state board shall establish procedures by rule
32 for voting under this subsection. A parent or guardian voting
33 in accordance with this subsection must be a resident of this
34 state.
35 6. In reviewing and evaluating charter school applications,
the state board shall employ procedures, practices, and criteria consistent with nationally recognized principles and standards for reviewing charter school applications. Each application review shall include thorough evaluation of the written application, an in-person interview with the founding group, and an opportunity in a public forum for local residents to learn about and provide input on each application.

7. Following review of a charter school application and completion of the process required under subsection 6, the state board shall do all of the following:

a. Approve a charter school application only if the founding group has demonstrated competence in each element of the approval criteria and if the founding group is likely to open and operate a successful charter school.

b. Make application decisions on documented evidence collected through the application review process.

c. Adhere to the policies and criteria that are transparent, based on merit, and avoid conflicts of interest or any appearance thereof.

8. The state board shall approve a charter school application if the application satisfies the requirements of this chapter. The state board shall approve or deny a charter school application no later than seventy-five calendar days after the application is received. If the state board denies an application, the state board shall provide notice of denial to the founding group in writing within thirty days after the state board’s action. The notice shall specify the exact reasons for denial and provide documentation supporting those reasons. An approval decision may include, if appropriate, reasonable conditions that the founding group must meet before a charter school contract may be executed pursuant to section 256E.6. An approved charter application shall not serve as a charter school contract.

9. A decision of the state board relating to an application under this section is not appealable.
10. An unsuccessful applicant under this section may subsequently reapply to the state board.

Sec. 5. NEW SECTION. 256E.5 Founding group–state board model.

1. A founding group may apply to the state board for approval to establish and operate a charter school within the boundaries of the state that operates as a new attendance center independently from a public school district. The application shall demonstrate the founding group’s academic and operational vision and plans for the proposed charter school, demonstrate the founding group’s capacity to execute the vision and plans, and provide the state board a clear basis for assessing the founding group’s plans and capacity.

2. The state board shall adopt rules to establish appropriate application timelines and deadlines for the submission of charter school applications under this section.

3. The instructions for completing an application shall include or otherwise inform applicants of all of the following:

   a. The performance framework adopted by the state board for charter school oversight and evaluation requirements in accordance with sections 256E.9 and 256E.10.

   b. The criteria the state board will use in evaluating applications.

   c. The requirements concerning the format and content essential for applicants to demonstrate the capacities necessary to establish and operate a successful charter school.

4. The applications submitted under this section shall also include all of the following items related to the proposed charter school:

   a. An executive summary.

   b. The mission and vision of the proposed charter school, including identification of the targeted student population and the community the school intends to serve.

   c. The location of the proposed charter school or the proposed geographic area within the state where the school is
proposed to be located.

**d.** Identification of the grades to be served each school year during the duration of the charter school contract.

**e.** Minimum, planned, and maximum enrollment per grade for each school year during the duration of the charter school contract.

**f.** Evidence of need and community support for the proposed charter school.

**g.** Background information on the members of the founding group and background information on the governing board, administration, and management personnel of the proposed charter school, if available.

**h.** The charter school's proposed operations calendar and sample daily schedule.

**i.** A description of the academic program and identification of ways the program aligns with state academic standards.

**j.** A description of the charter school's instructional model, including the type of learning environment, class size and structure, curriculum overview, and teaching methods.

**k.** The charter school's plan for using internal and external assessments to measure and report student progress on the performance framework in accordance with section 256E.9.

**l.** Plans for identifying and serving students with disabilities, students who are limited English proficient, students who are academically failing or below grade level, and gifted students, including but not limited to compliance with applicable laws and regulations.

**m.** A description of cocurricular and extracurricular programs and how the programs will be funded and delivered.

**n.** Plans and timelines for student recruitment, enrollment, and transfers, including enrollment preferences and procedures for conducting transparent admissions selections, including admissions lotteries.

**o.** The proposed code of student conduct, including applicable procedures and disciplinary sanctions for both
general students and special education students.

p. A chart or description of the charter school’s organizational structure and the duties and powers of each position or group, including the delineation of authority and reporting between the governing board, staff, and any related bodies or external organizations that have a role in managing the charter school.

q. A staffing chart for the charter school’s first year and a staffing plan for the duration of the charter school contract.

r. Plans for recruiting and developing school administrators, staff, and governing board members and the charter school’s employment policies, including performance evaluation plans.

s. Proposed governing bylaws for the charter school.

t. Identification and explanation of any partnerships or contractual relationships with an education service provider that are related to the charter school’s operations or mission.

u. The charter school’s plans for providing transportation services, food service, and all other operational or ancillary services.

v. Proposed opportunities and expectations for parent involvement.

w. A detailed school start-up plan and five-year plan, including all relevant assumptions used, identifying timelines for charter school finances, budget, and insurance coverage, facility construction, preparation, and contingencies, and the identification of persons or positions responsible for each such item.

x. Evidence of anticipated fundraising contributions, if any.

y. If the application includes a proposal that the governing board contracts with an education service provider, evidence of the education service provider’s success in serving student populations similar to that which is proposed in the
application and if the education service provider operates
other charter schools, evidence of past performance of such
other charter schools and evidence of the education service
provider’s capacity for growth.

z. If the application includes a proposal that the
governing board contracts with an education service provider,
a description of the education service provider’s performance
evaluation measures, compensation structure, methods of
contract oversight and dispute resolution, investment
disclosures and conflicts of interest.
aa. A proposed duration and outline of the charter school
contract, including designation of roles, authority, and duties
of the governing board and the charter school staff.

5. In reviewing and evaluating charter school applications,
the state board shall employ procedures, practices, and
criteria consistent with nationally recognized principles and
standards for reviewing charter school applications. Each
application review shall include thorough evaluation of the
written application, an in-person interview with the applicant,
and an opportunity in a public forum for local residents of the
public school district within which the applicant proposes to
locate the charter school to learn about and provide input on
each application.

6. Following review of a charter school application and
completion of the process required under subsection 5, the
state board shall do all of the following:
a. Approve a charter school application only if the
applicant has demonstrated competence in each element of the
state board’s published approval criteria and the applicant is
likely to open and operate a successful charter school.
b. Make application decisions on documented evidence
collected through the application review process.
c. Adhere to the policies and criteria that are transparent,
based on merit, and avoid conflicts of interest or any
appearance thereof.
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7. A charter school application under this section shall not be approved if the founding group has another pending application under this section.

8. The state board shall approve a charter school application if the application satisfies the requirements of this chapter. The state board shall approve or deny a charter school application no later than seventy-five calendar days after the application is received. If the state board denies an application, the state board shall provide notice of denial to the applicant in writing within thirty days after board action. The notice shall specify the exact reasons for denial and provide documentation supporting those reasons. An approval decision may include, if appropriate, reasonable conditions that the applicant must meet before a charter school contract may be executed pursuant to section 256E.6.

9. An approved charter application shall not serve as a charter school contract.

10. A decision of the state board relating to an application under this section is not appealable.

Sec. 6. NEW SECTION. 256E.6 Charter school contract.

1. Within the later of thirty days following approval of a charter school application or upon the satisfaction of all reasonable conditions imposed on the applicant in the charter school approval, if any, an enforceable and renewable charter school contract shall be executed between the founding group and the state board setting forth the academic and operational performance expectations and measures by which the charter school will be evaluated pursuant to sections 256E.9 and 256E.10 and the other rights and duties of the parties.

2. An initial charter school contract shall be granted for a term of ten school budget years. The charter school contract shall include the beginning and ending dates of the charter school contract term. An approved charter school may delay its
opening for a period of time not to exceed one school year in order to plan and prepare for the charter school’s opening. If the charter school requires an opening delay of more than one school year, the charter school may request an extension from the state board.

3. Each charter school contract shall be signed by the president of the state board and the president or appropriate officer of the governing body of the founding group.

4. Within fifteen days of the execution of a charter school contract entered into by the state board, the state board shall notify the department and the department of management of the name of the charter school and any applicable education service provider, the proposed location of the charter school, and the charter school’s first year projected enrollment.

5. A charter school approved under this chapter shall not commence operations without a valid charter school contract executed in accordance with this section and approved in an open session of the state board.

6. The contract may provide for requirements or conditions to govern and monitor the start-up progress of an approved charter school prior to the opening of the charter school including but not limited to conditions to ensure that the charter school meets all building, health, safety, insurance, and other legal requirements.

7. A charter school contract may be amended to govern multiple charter schools operated by the same applicant and approved by the state board. However, each charter school that is part of a charter school contract shall be separate and distinct from any other charter school governed by the contract.

Sec. 7. NEW SECTION. 256E.7 General operating powers and duties.

1. In order to fulfill the charter school’s public purpose, a charter school established under this chapter shall be organized as a nonprofit education organization and shall
have all the powers necessary for carrying out the terms of
the charter school contract including but not limited to the
following, as applicable:

   a. Receive and expend funds for charter school purposes.
   b. Secure appropriate insurance and enter into contracts and
   leases.
   c. Contract with an education service provider for the
   management and operation of the charter school so long as the
   governing board retains oversight authority over the charter
   school.
   d. Incur debt in anticipation of the receipt of public or
   private funds.
   e. Pledge, assign, or encumber the charter school’s assets
   to be used as collateral for loans or extensions of credit.
   f. Solicit and accept gifts or grants for charter school
   purposes unless otherwise prohibited by law or by the terms of
   its charter school contract.
   g. Acquire from public or private sources real property for
   use as a charter school or a facility directly related to the
   operations of the charter school.
   h. Sue and be sued in the charter school’s own name.
   i. Operate an education program that may be offered by any
   noncharter public school or school district.

2. A charter school established under this chapter is
exempt from all state statutes and rules and any local rule,
regulation, or policy, applicable to a noncharter school,
except that the charter school shall do all of the following:

   a. Meet all applicable federal, state, and local health and
   safety requirements and laws prohibiting discrimination on the
   basis of race, creed, color, sex, sexual orientation, gender
   identity, national origin, religion, ancestry, or disability.
   If approved under section 256E.4, the charter school shall be
   subject to any court-ordered desegregation in effect for the
   school district at the time the charter school application is
   approved, unless otherwise specifically provided for in the
1 desegregation order.
2   b. Operate as a nonsectarian, nonreligious school.
3   c. Be free of tuition and application fees to Iowa resident
4   students between the ages of five and twenty-one years.
5   d. Be subject to and comply with chapters 216 and 216A
6   relating to civil and human rights.
7   e. Provide special education services in accordance with
8   chapter 256B.
9   f. Be subject to the same financial audits, audit
10 procedures, and audit requirements as a school district. The
11 audit shall be consistent with the requirements of sections
12 11.6, 11.14, 11.19, and 279.29, and section 256.9, subsection
13 20, except to the extent deviations are necessary because
14 of the program at the school. The department, the auditor
15 of state, or the legislative services agency may conduct
16 financial, program, or compliance audits.
17   g. Be subject to and comply with the provisions of chapter
18 285 relating to the transportation of students.
19   h. Be subject to and comply with the requirements of section
20 256.7, subsection 21, and the educational standards of section
21 256.11, unless specifically waived by the state board during
22 the application process.
23   i. Provide instruction for at least the number of days
24 or hours required by section 279.10, subsection 1, unless
25 specifically waived by the state board as part of the
26 application process.
27   j. Comply with the requirements of this chapter.
28 3. A charter school shall employ or contract with teachers
29 as defined in section 272.1, who hold valid licenses with an
30 endorsement for the type of instruction or service for which
31 the teachers are employed or under contract.
32 4. A charter school shall not discriminate in its student
33 admissions policies or practices on the basis of intellectual
34 or athletic ability, measures of achievement or aptitude, or
35 status as a person with a disability. However, a charter
1 school may limit admission to students who are within a
2 particular range of ages or grade levels or on any other
3 basis that would be legal if initiated by a school district.
4 Enrollment priority shall be given to the siblings of students
5 enrolled in a charter school.
6 5. A charter school shall enroll an eligible student who
7 submits a timely application unless the number of applications
8 exceeds the capacity of a program, class, grade level, or
9 building. In this case, students must be accepted by lot.
10 Upon enrollment of an eligible student, the charter school
11 shall notify the public school district of residence not later
12 than March 1 of the preceding school year.
13 6. Each charter school governing board shall be required to
14 adopt a conflict of interest policy and a code of ethics for
15 all board members and employees.
16 7. Each charter school governing board shall adopt a policy
17 regarding the hiring of family members to avoid nepotism in
18 hiring and supervision. The policy shall include but is not
19 limited to a disclosure to the governing board of potential
20 nepotism in hiring and supervision. Any person subject to the
21 policy with a conflict shall not be involved in the hiring
22 decision or supervision of a potential employee.
23 8. Individuals compensated by an education service provider
24 are prohibited from serving as a voting member on the governing
25 board of any charter school unless the state board waives such
26 prohibition.
27 9. If the charter school is operated by an education service
28 provider, the governing board of the charter school shall have
29 access to all records of the education service provider that
30 are necessary to evaluate any provision of the contract or
31 evaluate the education service provider’s performance under the
32 contract.
33 Sec. 8. NEW SECTION. 256E.8 Funding.
34 1. Each student enrolled in a charter school established
35 under this chapter shall be counted, for state school
foundation purposes, in the student's district of residence pursuant to section 257.6, subsection 1, paragraph "a", subparagraph (9). For purposes of this section, residence means a residence under section 282.1.

2. The school district of residence shall pay to the charter school in which the student is enrolled in the manner required under section 282.18, subsection 7, and pursuant to the timeline in section 282.20, subsection 3, an amount equal to the sum of the state cost per pupil for the previous school year plus the teacher leadership supplement state cost per pupil for the previous fiscal year as provided in section 257.9 plus any moneys received for the pupil as a result of the non-English speaking weighting under section 280.4, subsection 3, for the previous school year multiplied by the state cost per pupil for the previous year. If a student is an eligible pupil under section 261E.6, the charter school shall pay the tuition reimbursement amount to an eligible postsecondary institution as provided in section 261E.7.

3. If necessary, and pursuant to rules adopted by the state board, funding amounts required under this section for the first school year of a new charter school shall be based on enrollment estimates for the charter school included in the charter school contract. Initial amounts paid using estimated enrollments shall be reconciled during the subsequent payment based on actual enrollment of the charter school during the first school year.

4. The department shall disburse state transportation funding to a public charter school on the same basis and in the same manner as such funding is paid to school districts.

Sec. 9. NEW SECTION. 256E.9 Performance framework.

1. The performance provisions within the charter school contract shall be based on a performance framework adopted by the state board that clearly sets forth the academic and operational performance indicators, measures, and metrics that will guide the evaluation of the charter school by the state.
board, without compromising individual student privacy. The performance framework shall include but is not limited to indicators, measures, and metrics for all of the following:

a. Student academic proficiency.
b. Student academic growth.
c. Achievement gaps in both proficiency and growth between specified populations or groups of students, including groups based on gender, race, poverty, special education status, limited English proficiency, and gifted status.
d. Attendance.
e. Enrollment attrition.
f. Postsecondary readiness for students in grades nine through twelve.
g. Goals specified in the charter school’s mission.
h. Financial performance and sustainability.
i. Governing board performance and stewardship, including compliance with all applicable laws, regulations, and terms of the charter contract.

2. Annual performance targets shall be agreed upon between each charter school and the state board. Such performance targets shall be contained in the charter school contract and shall be designed to help each charter school meet applicable federal, state, and local standards. The performance targets contained in the charter school contract may be amended by mutual agreement after the charter school is operating and has collected initial achievement data for the charter school’s students.

3. The state board is responsible for collecting, analyzing, and reporting all data from state assessments and other state data sources in accordance with the performance framework. However, all efforts shall be made by all parties to the charter school contract to eliminate or reduce duplicative data reporting requirements.

4. Multiple charter schools operating under a single charter school contract shall be required to report their
performance data as separate, individual schools, with each charter school held independently accountable for performance.

Each charter school established under this chapter shall be evaluated and graded by the department pursuant to the attendance center performance ranking system developed and adopted by the department.

Sec. 10. NEW SECTION. 256E.10 Oversight — corrective action — contract renewal — revocation.

1. The state board shall monitor the performance and compliance of each charter school the state board approves, including collecting and analyzing data according to the charter school contract in order to meet the requirements of this chapter. Such oversight may include inquiries and investigation of the charter school so long as the activities are consistent with the intent of this chapter, adhere to the terms of the charter school contract, and do not unduly inhibit the autonomy granted to the charter school. Any performance report resulting from an inquiry or investigation under this section shall, upon conclusion of such action, be included in the annual report required under section 256E.12.

2. As part of the charter school contract, the charter school may be required to submit an annual report to assist the state board in evaluating the charter school’s performance and compliance with the performance framework.

3. If a charter school’s performance under the charter school contract or compliance with applicable laws or rules is unsatisfactory, the state board shall notify the charter school of the perceived problem and provide reasonable opportunity for the school to remedy the problem, unless the problem warrants revocation, in which case the revocation provisions of this section apply.

4. The state board may take appropriate corrective actions or impose sanctions, other than revocation, in response to deficiencies in the charter school’s performance or compliance with applicable laws and rules. Such actions or sanctions may
include requiring the charter school to develop and execute a corrective action plan within a specified time period.

5. A charter school contract may be renewed for periods of time not to exceed an additional ten years.

6. Annually, by June 30, the state board shall issue a charter school performance report and charter school contract renewal application guidance to each charter school whose charter school contract will expire during the following school budget year. The performance report shall summarize the charter school's performance record to date based on the data required by the charter school contract and by this chapter and shall identify concerns that may jeopardize renewal of the charter school contract if not remedied. The charter school shall have sixty days to respond to the performance report and submit any corrections or clarifications for the report.

7. The renewal application guidance shall, at a minimum, include the criteria that will be used when assessing charter school contract renewal decisions and provide an opportunity for the charter school to:

a. Present additional evidence, beyond the data contained in the performance report.

b. Describe improvements undertaken or planned for the charter school.

c. Describe the charter school's plans, including any proposed modifications, for the next charter school contract term.

8. No later than October 1, the governing board of a charter school seeking renewal shall submit a renewal application to the state board pursuant to the renewal application guidance. A renewal or denial shall be approved by resolution of the state board within sixty days following the filing of the renewal application.

9. Unless eligible for expedited renewal under subsection 13, when reviewing a charter school contract renewal application, the state board shall do all of the following:
a. Use evidence of the school’s performance over the term of the charter school contract in accordance with the applicable performance framework.

b. Ensure that data used in making renewal decisions is available to the charter school and the public.

c. Provide a report summarizing the evidence that served as a basis for the decision.

10. A charter school contract may be revoked at any time or not renewed if the state board determines that the charter school did any of the following:

a. Committed a material violation of any of the terms, conditions, standards, or procedures required under the charter school contract or this chapter.

b. Failed to meet or make sufficient progress toward the performance expectations set forth in the charter school contract.

c. Failed to meet generally accepted standards of fiscal management.

d. Violated a provision of law from which the charter school was not exempted.

11. The state board shall develop charter school contract revocation and nonrenewal standards and procedures that do all of the following:

a. Provide the charter school with a timely notice of the possibility of revocation or nonrenewal and of the reasons therefor.

b. Allow the charter school a reasonable period of time in which to prepare a response to any notice received.

c. Provide the charter school an opportunity to submit documents and give testimony challenging the decision to revoke the charter school contract or the decision to not renew the contract.

d. Allow the charter school the opportunity to hire legal representation and to call witnesses.

e. Permit the audio or video recording of such proceedings.
described in paragraphs "c" and "d".

f. Require a final decision to be conveyed in writing to the charter school.

12. A decision to revoke or to not renew a charter school contract shall be by resolution of the state board and shall clearly state the reasons for the revocation or nonrenewal.  

13. If a charter school has been evaluated and graded to be in the exceptional category, or the highest rated category under a succeeding evaluation system, under the evaluation and grading required under section 256E.9, subsection 5, for the immediately preceding two school years, and the charter school is in compliance with the current charter school contract and all provisions of this chapter, the charter school's application renewal under subsection 8 shall be renewed for an additional period of time equal to the length of the original charter school contract or the most recent renewal of the contract, whichever is longer, unless the state board provides written notice to the charter school of the state board's rejection of the expedited renewal within sixty days of the filing of the application. The state board shall not reject an expedited renewal application unless the state board finds exceptional circumstances for the rejection or seeks material changes to the charter school contract.

Sec. 11. NEW SECTION. 256E.11 Procedures for charter school closure — student enrollment.

1. Prior to any charter school closure decision, the state board shall develop a charter school closure protocol to ensure timely notice to parents and guardians, provide for the orderly transition of students and student records to new schools, and to provide proper disposition of school funds, property, and assets in accordance with the requirements of this chapter. The protocol shall specify required actions and timelines and identify responsible parties for each such action.

2. In the event of a charter school closure, the assets of the charter school shall be used first to satisfy outstanding
payroll obligations for employees of the school, then to
creditors of the school, then to the public school district in
which the charter school operated, if applicable, and then to
the state general fund. If the assets of the charter school
are insufficient to pay all obligations of the charter school,
the prioritization of the distribution of assets shall be
consistent with this subsection and otherwise determined by the
district court.

Sec. 12. NEW SECTION. 256E.12 Reports.
1. Each charter school shall prepare and file an annual
report with the department. The department shall prescribe
by rule the required contents of the report, but each such
report shall include information regarding student achievement,
including annual academic growth and proficiency, graduation
rates, and financial performance and sustainability. The
reports are public records and the examination, publication,
and dissemination of the reports are governed by the provisions
of chapter 22.

2. The state board shall prepare and file with the general
assembly by December 1, annually, a comprehensive report with
findings and recommendations relating to the charter school
program in the state and whether the charter school program
under this chapter is meeting the goals and purposes of the
program. The report also shall contain, for each charter
school, a copy of the charter school's mission statement,
attendance statistics and dropout rate, aggregate assessment
test scores, projections of financial stability, and the number
and qualifications of teachers and administrators.

Sec. 13. Section 256F.3, Code 2021, is amended by adding the
following new subsection:
NEW SUBSECTION. 8A. The state board shall not approve a new
charter school under this chapter on or after July 1, 2021.

Sec. 14. NEW SECTION. 256F.12 Operation of existing charter
schools.
Charter schools established under this chapter prior to July
1 1, 2021, shall continue to operate under and be subject to
2 the requirements of this chapter and shall not be subject to
3 chapter 256E.
4 Sec. 15. Section 257.6, subsection 1, paragraph a, Code
5 2021, is amended by adding the following new subparagraph:
6 NEW SUBPARAGRAPH. (9) Resident pupils enrolled in a charter
7 school under chapter 256E or 256F.
8 Sec. 16. Section 257.31, subsection 5, paragraph d, Code
9 2021, is amended to read as follows:
10 d. The closing of a nonpublic school, wholly or in part, or
11 the opening or closing of a pilot charter school.
12 Sec. 17. Section 282.9, subsection 1, Code 2021, is amended
13 to read as follows:
14 1. Notwithstanding sections 275.55A, 256E.7, 256F.4,
15 275.55A, and 282.18, or any other provision to the contrary,
16 prior to knowingly enrolling an individual who is required
17 to register as a sex offender under chapter 692A, but who is
18 otherwise eligible to enroll in a public school, the board of
19 directors of a school district shall determine the educational
20 placement of the individual. Upon receipt of notice that a
21 student who is enrolled in the district is required to register
22 as a sex offender under chapter 692A, the board shall determine
23 the educational placement of the student. The tentative agenda
24 for the meeting of the board of directors at which the board
25 will consider such enrollment or educational placement shall
26 specifically state that the board is considering the enrollment
27 or educational placement of an individual who is required
28 to register as a sex offender under chapter 692A. If the
29 individual is denied enrollment in a school district under this
30 section, the school district of residence shall provide the
31 individual with educational services in an alternative setting.
32 Sec. 18. Section 282.18, subsection 4, paragraph b, Code
33 2021, is amended to read as follows:
34 b. For purposes of this section, “good cause” means a change
35 in a child’s residence due to a change in family residence, a
change in the state in which the family residence is located,
a change in a child’s parents’ marital status, a guardianship
or custody proceeding, placement in foster care, adoption,
participation in a foreign exchange program, or participation
in a substance abuse or mental health treatment program, a
change in the status of a child’s resident district such as
removal of accreditation by the state board, surrender of
accreditation, or permanent closure of a nonpublic school,
revocation of a charter school contract as provided in section
256E.10 or 256F.8, the failure of negotiations for a whole
grade sharing, reorganization, dissolution agreement or the
rejection of a current whole grade sharing agreement, or
reorganization plan. If the good cause relates to a change
in status of a child’s school district of residence, however,
action by a parent or guardian must be taken to file the
notification within forty-five days of the last board action
or within thirty days of the certification of the election,
whichever is applicable to the circumstances.

EXPLANATION

The inclusion of this explanation does not constitute agreement with
the explanation’s substance by the members of the general assembly.

This bill establishes a new charter school program within
the state under new Code chapter 256E and prohibits new charter
schools from being established on or after July 1, 2021,
under the existing charter school program, Code chapter 256F.
Charter schools established under Code chapter 256F prior to
July 1, 2021, shall continue to operate under and be subject to
the requirements of that Code chapter.

The bill creates two models by which a charter school may
be established: (1) school board-state board model, under
which a school board may create a founding group to apply to
the state board of education (state board) for approval to
establish and operate a charter school within and as a part of
the school district by establishing a new attendance center,
creating a new school within an existing attendance center,
or converting an existing attendance center; and (2) founding
a group-state board model, under which a founding group may
apply to the state board for approval to establish and operate
a charter school within the boundaries of the state that
operates independently from any public school district as a new
attendance center.

The bill defines "founding group" to mean a person, group
of persons, or education service provider that develops and
submits an application for a charter school to the state board.
The bill defines "governing board" to mean the independent
board of a charter school whose members are elected or selected
pursuant to the charter school's application and charter school
contract.

The bill establishes requirements for charter school
application contents and procedure, requires the state board to
adopt rules to establish appropriate application timelines and
deadlines for the submission of charter school applications,
and establishes standards for reviewing charter school
applications by the state board, as specified in the bill.

Each application review includes evaluation of the written
application, an in-person interview with the applicant, and an
opportunity in a public forum for local residents of the public
school district within which the applicant proposes to locate
the charter school to learn about and provide input on each
application.

The bill establishes provisions governing the approval
or denial of a charter school application and the timing of
such a decision, including the prohibition on approving an
application if the applicant has another pending charter school
application. The decision of the state board as to a charter
school application is not appealable.

After approval of the charter school application, the
applicant and the state board must execute a charter school
contract setting forth the operational performance expectations
and measures by which the charter school will be evaluated.
An initial charter school contract shall be granted for a term of 10 school budget years. The contract may provide for requirements or conditions to govern and monitor the start-up progress of an approved charter school prior to the opening of the charter school including but not limited to conditions to ensure that the charter school meets all building, health, safety, insurance, and other legal requirements.

A charter school established under the bill has all the powers necessary for carrying out the terms of the charter school contract including those powers specified in the bill. A charter school established under the bill is exempt from all state statutes and rules and any local rule, regulation, or policy applicable to a noncharter school, except that the charter school shall do all of the following: (1) meet all applicable federal, state, and local health and safety requirements and laws prohibiting discrimination on the basis of race, creed, color, sex, sexual orientation, gender identity, national origin, religion, ancestry, or disability; (2) operate as a nonsectarian, nonreligious school; (3) be free of tuition and application fees to Iowa resident students between the ages of 5 and 21 years; (4) be subject to and comply with Code chapters 216 and 216A relating to civil and human rights; (5) provide special education services in accordance with Code chapter 256B; (6) be subject to the same financial audits, audit procedures, and audit requirements as a school district; (7) be subject to and comply with the provisions of Code chapter 285 relating to the transportation of students; (8) be subject to and comply with the education program and testing requirements of Code section 256.7(21) and the educational standards of Code section 256.11, unless waived by the state board during the application process; and (9) provide instruction for at least the number of days or hours required by Code section 279.10(1), unless waived by the state board during the application process.

The bill requires a charter school to employ or contract...
1 with teachers who hold a valid license with an endorsement for
2 the type of instruction or service for which the teacher is
3 employed or under contract and establishes requirements for
4 charter schools relating to enrollment and admissions policies.
5 Upon enrollment of an eligible student, the charter school is
6 required to notify the public school district of residence.
7 Each student enrolled in a charter school established
8 under the bill shall be counted, for state school foundation
9 purposes, in the student's district of residence. The school
10 district of residence is then required to pay to the charter
11 school in which the student is enrolled an amount equal to the
12 sum of the state cost per pupil for the previous school year
13 plus the teacher leadership supplement state cost per pupil
14 for the previous school year plus any moneys received for the
15 pupil as a result of the non-English speaking weighting for the
16 previous school year multiplied by the state cost per pupil
17 for the previous school year. If a student is an eligible
18 pupil under the postsecondary enrollment options program, the
19 charter school shall pay the tuition reimbursement amount to an
20 eligible postsecondary institution. The bill also establishes
21 provisions governing the payments to charter schools in the
22 first year of operation.
23 The bill establishes requirements for the performance
24 provisions within the charter school contract that will guide
25 the evaluation of the charter school by the state board.
26 The state board is required to monitor the performance and
27 compliance of each charter school it approves, including
28 collecting and analyzing data according to the charter school
29 contract in order to meet the requirements of the charter
30 school contract and the bill. As part of the charter school
31 contract, the charter school may be required to submit
32 an annual report to assist the state board in evaluating
33 the charter school's performance and compliance with the
34 performance framework.
35 The bill also establishes provisions to govern situations
1 where a charter school's performance under the charter school
2 contract or compliance with applicable laws or rules is
3 unsatisfactory, including the authority to take appropriate
4 corrective actions, impose sanctions, or revoke the contract.
5 A charter school contract may be renewed for periods of
6 time not to exceed an additional 10 years. The bill also
7 establishes provisions that govern the renewal process for
8 a charter school contract, including standards under which
9 the state board must operate when reviewing a charter school
10 contract renewal application.
11 The bill requires that, prior to any charter school closure
12 decision, the state board must develop a charter school closure
13 protocol to ensure timely notice to parents, provide for the
14 orderly transition of students and student records to new
15 schools, and to provide proper disposition of school funds,
16 property, and assets. The bill also specifies the priority to
17 be used when satisfying obligations of a charter school after
18 its closure.
19 Under the bill, each charter school is required to prepare
20 and file an annual report with the department of education,
21 the contents of which shall be determined by the department
22 by rule. The state board of education is required to prepare
23 and file with the general assembly by December 1, annually, a
24 comprehensive report including items specified in the bill,
25 along with findings and recommendations relating to the charter
26 school program in the state and whether the charter school
27 program is meeting the goals and purposes of the program.