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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 1029

02/11/2021 Authored by Erickson
The bill was read for the first time and referred to the Committee on Education Policy

1.1 A bill for an act
1.2 relating to education; modifying charter school authorizer corrective action
1.3 requirements; amending Minnesota Statutes 2020, section 124E.05, subdivision
1.4 6.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2020, section 124E.05, subdivision 6, is amended to read:

1.7 Subd. 6. Corrective action. (a) If, consistent with this chapter, the commissioner finds
1.8 that an authorizer has not met the requirements of this chapter, the commissioner may subject
1.9 the authorizer to a corrective action plan, which may include terminating the contract with
1.10 the charter school board of directors of a school it chartered. last no longer than 130 business
1.11 days. The commissioner may prohibit an authorizer on a corrective plan from accepting a
1.12 transfer application from a charter school and an application to establish a charter school.

1.13 (b) The commissioner must notify the authorizer in writing of that the authorizer has
1.14 been placed on a corrective plan. The notice must include any findings that may subject the
1.15 authorizer to corrective action at the conclusion of the corrective plan and the authorizer
1.16 then has 15 business days to request an informal hearing before the commissioner takes
1.17 corrective action. The commissioner must hold an informal hearing within 15 days of the
1.18 request. If the issues identified as the basis for the corrective action are not resolved at the
1.19 informal hearing, the authorizer must make the requested improvements and notify the
1.20 commissioner of the improvements within 45 business days. Within 20 business days, the
1.21 commissioner must review the changes and notify the authorizer of any remaining issues
1.22 to be resolved. An authorizer must address the remaining issues as directed by the
1.23 commissioner within 20 business days. Within 15 business days, the commissioner must

2.1 review the changes and notify the authorizer whether all issues in the corrective plan have  
 2.2 been resolved.

2.3 ~~(c)~~ If the commissioner terminates a contract between an authorizer and a charter school  
 2.4 under this paragraph the authorizer's ability to charter a school, the commissioner ~~may~~ must  
 2.5 assist the affected charter school in acquiring a new authorizer. A charter school board of  
 2.6 directors may submit to the commissioner a request to transfer to a new authorizer without  
 2.7 the approval or consent of the current authorizer if that authorizer has been under a corrective  
 2.8 action plan for more than 130 business days.

2.9 ~~(b)~~ (d) The commissioner may at any time take corrective action against an authorizer,  
 2.10 including terminating an authorizer's ability to charter a school, terminating a contract with  
 2.11 a charter school, and other appropriate sanctions for:

2.12 (1) failing to demonstrate the criteria under subdivision 3 under which the commissioner  
 2.13 approved the authorizer;

2.14 (2) violating a term of the chartering contract between the authorizer and the charter  
 2.15 school board of directors;

2.16 (3) unsatisfactory performance as an approved authorizer; ~~or~~

2.17 (4) any good cause shown that gives the commissioner a legally sufficient reason to take  
 2.18 corrective action against an authorizer; or

2.19 (5) failing to meet the terms of a corrective action plan by the specified deadline.

2.20 **EFFECTIVE DATE.** This section is effective July 1, 2021.