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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 4267

03/09/2020 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 provisions for corrective action of a charter school
1.3 authorizer; amending Minnesota Statutes 2018, section 124E.05, subdivision 6.

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

1.5 Section 1. Minnesota Statutes 2018, section 124E.05, subdivision 6, is amended to read:

1.6 Subd. 6. Corrective action. (a) If, consistent with this chapter, the commissioner finds
1.7 that an authorizer has not met the requirements of this chapter, the commissioner may subject
1.8 the authorizer to a corrective action plan, which may must include terminating the contract
1.9 with the charter school board of directors of a school it chartered. specific deadlines for
1.10 corrective action no shorter than six months. During the period when an authorizer is subject
1.11 to a corrective action plan, the commissioner may:

1.12 (1) prohibit the authorizer from accepting a transfer application from a charter school;
1.13 and

1.14 (2) prohibit the authorizer from accepting an application to establish a charter school.

1.15 The commissioner must notify the authorizer in writing of any findings that may subject
1.16 the authorizer to corrective action and the authorizer then has 15 business days to request
1.17 an informal hearing before the commissioner takes corrective action. If the commissioner
1.18 terminates a contract between an authorizer and a charter school under this paragraph the
1.19 authorizer's ability to charter a school, the commissioner may must assist the affected charter
1.20 school in acquiring a new authorizer. If a charter school's authorizer is under corrective
1.21 action and has been under corrective action for more than nine months, the charter school

2.1 board of directors may submit to the commissioner a request to transfer to a new authorizer
2.2 without the approval or consent of the current authorizer.

2.3 (b) The commissioner may at any time take corrective action against an authorizer,
2.4 including terminating an authorizer's ability to charter a school, termination of a contract
2.5 with a charter school, or other sanctions the commissioner deems appropriate for:

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

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

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

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

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