
Amendments to the Charter Agreement and Appeal Process Rule 0520-14-01-.06

The Background:

Public Chapter 219 of the 111th General Assembly requires the State Board to set forth the timelines and appeal process for charter schools who wish to petition their authorizer for an amendment to their charter agreement. Public Chapter 219 went into effect on April 26, 2019.

Due to changes to the statutory definition of rules in 2018, the State Board is required put any such appeal process in a rule, as appeals concern the rights of third parties outside the internal operation of state government.

The State Board gathered feedback from stakeholders prior to presenting this item on first reading and continued to solicit feedback from stakeholders on all versions since its approval on first reading via a rulemaking hearing and initial feedback from the Attorney General's office.

Changes made since first reading include:

- Designating a spring amendment petition window in addition to a fall amendment petition window to provide charter school operators an additional opportunity to submit an amendment petition outside of the emergency amendment petition process;
- Moving the fall amendment petition window back to a September 1 due date to accommodate requests from operators for additional time to submit petitions in the fall;
- Clarifying the material changes that may be submitted during each of the amendment petition windows; and
- Clarified language throughout the rule to ensure ease of understanding.

The Recommendation:

The SBE staff recommends approval of this item on final reading.