

HOUSE BILL NO. HB0225

Charter school appeal process-2.

Sponsored by: Representative(s) Wallis and Edmonds

A BILL

for

1 AN ACT relating to charter schools; modifying the appeal
2 process for charter school denials; repealing provisions
3 for multiple appeals; specifying applicability; and
4 providing for an effective date.

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6 *Be It Enacted by the Legislature of the State of Wyoming:*

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8 **Section 1.** W.S. 21-3-310(b)(i) is amended to read:

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10 **21-3-310. Appeal; standard of review; procedures.**

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12 (b) If the notice of appeal, or the motion to review
13 by the state board, relates to a district board's decision
14 to deny, refuse to renew, or revoke a charter or to a
15 district board's unilateral imposition of conditions that
16 are unacceptable to the charter school or the charter

1 applicant, the appeal and review process shall be as
2 follows:

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4 (i) Within sixty (60) days after receipt of the
5 notice of appeal or the making of a motion to review by the
6 state board and after reasonable public notice, the state
7 board, at a public hearing which shall be held in the
8 school district in which the proposed charter school has
9 applied for a charter, shall review the decision of the
10 district board and make its findings. The findings shall be
11 issued in writing and forwarded to the district board and
12 charter applicant or appellant. If the state board finds
13 that the local board's decision was not contrary to the
14 best interests of the pupils, school district or community,
15 the state board shall ~~remand such decision to the district~~
16 ~~board with written instructions for reconsideration~~
17 ~~thereof. The instructions shall include specific~~
18 ~~recommendations concerning the matters requiring~~
19 ~~reconsideration;~~ sustain the decision. If the state board
20 determines the decision was contrary to those interests it
21 shall:

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1 (A) Remand the decision to the district
2 board with written instructions to approve the charter
3 school or application as submitted; or

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5 (B) Approve the charter or application
6 subject to modifications specified by the state board to
7 cure deficiencies. The state board shall provide the
8 charter school or applicant fifteen (15) days after the
9 state board has entered its order to submit to the state
10 board and the district board proposed modifications. The
11 state board shall provide the district board fifteen (15)
12 days after the charter school or applicant has submitted
13 proposed modifications to comment thereon. If the state
14 board finds the proposed modifications cure the
15 deficiencies it shall remand the appeal to the district
16 board with written instructions to approve the charter or
17 application as modified. If the state board finds the
18 proposed modifications do not cure the deficiencies it
19 shall enter an order denying, refusing to renew or revoking
20 the charter as applicable.

21
22 **Section 2.** W.S. 21-3-310(b)(ii) through (iv) is
23 repealed.

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1 **Section 3.** This act shall apply to appeals or motions
2 for review filed with the state board of education pursuant
3 to W.S. 21-3-310 on and after the effective date of this
4 act.

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6 **Section 4.** This act is effective immediately upon
7 completion of all acts necessary for a bill to become law
8 as provided by Article 4, Section 8 of the Wyoming
9 Constitution.

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(END)