

Nagel

94 LSO-0435

HOUSE BILL

0194

Title:

HB0194

AN ACT to create W.S. 21-3-201 through 21-3-206 relating to school districts; authorizing the creation of charter schools within districts; authorizing such schools to operate independent of regulatory requirements and laws governing public schools as specified; specifying procedure and imposing conditions and limitations; prescribing charter criteria; requiring local board approval; granting charter school authority over teachers; requiring annual reporting to the state board by local districts; specifying funding; imposing duties upon the state superintendent and state board as specified; requiring a report to the legislature; and providing for an effective date.

Introduced by:

FOR NAGEL

HOUSE ACTION ON HOUSE BILL

 ☐ Introduced
Aye No Ex Ab

 ☐ Read First Time and Ref. to
Committee No.

 ☐ Failed Introduction
Aye No Ex Ab

 Returned from Committee No.
with Recommendation:
☐ Do Pass; ☐ Amend & Do
Pass; ☐ Do Not Pass;
☐ W/O Recomm; ☐ Re-Refer to
Committee No.

 Re-referred to Committee No.

 Returned from Committee No.
with Recommendation:
☐ Do Pass; ☐ Amend & Do
Pass; ☐ Do Not Pass;
☐ W/O Recomm; ☐ Re-Refer to
Committee No.

 Considered in Comm. of Whole
☐ Amended
☐ Recommended Do Pass
☐ Failed Comm. of Whole
☐ Indefinitely Postponed
☐ Other:

 Read Second Time
☐ Amended
☐ Do Pass
☐ Do Not Pass
☐ Accelerated to 3rd Rdg.

 Read Third Time
☐ Amended
☐ Passed ☐ Failed
Aye No Ex Ab

☐ Held for Reconsideration
 Motion to Reconsider
☐ Passed ☐ Failed
Aye No Ex Ab

 Third Reading Vote
(On Reconsideration)
☐ Passed ☐ Failed
Aye No Ex Ab

 Sent to Senate (No Amendments)

 Sent to LSO for Engrossing

 ENGROSSED

 Sent to Senate

SENATE ACTION ON HOUSE BILL

 Received. Read First Time.
Referred to Committee No.

 Returned from Committee No.
with Recommendation:
☐ Do Pass; ☐ Amend & Do
Pass; ☐ Do Not Pass;
☐ W/O Recomm; ☐ Re-Refer to
Committee No.

 Re-referred to Committee No.

 Returned from Committee No.
with Recommendation:
☐ Do Pass; ☐ Amend & Do
Pass; ☐ Do Not Pass;
☐ W/O Recomm; ☐ Re-Refer to
Committee No.

 Considered in Comm. of Whole
☐ Amended
☐ Recommended Do Pass
☐ Failed Comm. of Whole
☐ Indefinitely Postponed
☐ Other:

 Read Second Time
☐ Amended
☐ Do Pass
☐ Do Not Pass
☐ Accelerated to 3rd Rdg.

 Read Third Time
☐ Amended
☐ Passed ☐ Failed
Aye No Ex Ab

☐ Held for Reconsideration
 Motion to Reconsider
☐ Passed ☐ Failed
Aye No Ex Ab

 Third Reading Vote
(On Reconsideration)
☐ Passed ☐ Failed
Aye No Ex Ab

 Sent to House

 Sent for Enrolling
HEA No.

 Signed by Speaker

 Signed by President

 Approved by Governor

 Chapter No.

HOUSE BILL 0194

CONCURRENCES/JOINT CONFERENCE COMMITTEES

NOTES: ADDITIONAL SENATE/HOUSE ACTION

☐ Received from House with
 Request to Concur in Amendments.
☐ Senate Concurred in House
 Amendments.
☐ Senate Did not Concur in House
 Amendments.
 Aye ___ No ___ Ex ___ Ab ___

☐ JCC# 1 Senate Members ☐ JCC# 1 House Members
 ___ Ch. ___ Ch.

☐ Request for New Committee.
☐ Senate Adopted JCC# ___
☐ Senate Did Not Adopt JCC# ___
 Aye ___ No ___ Ex ___ Ab ___
☐ House Adopted
☐ House Did Not Adopt
 Aye ___ No ___ Ex ___ Ab ___

☐ JCC# 2 Senate Members ☐ JCC# 2 House Members
 ___ Ch. ___ Ch.

☐ Request for New Committee.
☐ Senate Adopted JCC# ___
☐ Senate Did Not Adopt JCC# ___
 Aye ___ No ___ Ex ___ Ab ___
☐ House Adopted
☐ House Did Not Adopt
 Aye ___ No ___ Ex ___ Ab ___

☐ JCC# 3 Senate Members ☐ JCC# 3 House Members
 ___ Ch. ___ Ch.

☐ Request for New Committee.
☐ Senate Adopted JCC# ___
☐ Senate Did Not Adopt JCC# ___
 Aye ___ No ___ Ex ___ Ab ___
☐ House Adopted
☐ House Did Not Adopt
 Aye ___ No ___ Ex ___ Ab ___

3/17 Withdrawn by Sponsor

House of Intro
To Com. No. _____
Stand Report Do Amd Not _____
Com Whole Do Amd Not _____
2nd Reading Amd _____
3rd Reading Amd Pass Fail _____

Second House
To Com No. _____
Stand Report Do Amd Not _____
Com Whole Do Amd Not _____
2nd Reading Amd _____
3rd Reading Amd Pass Fail _____

1994

STATE OF WYOMING

94LSO-0435.01

HOUSE BILL NO. 0194

Charter schools-2.

Sponsored by: Representative(s) NAGEL and MOCKLER

A BILL

for

1 AN ACT to create W.S. 21-3-201 through 21-3-206 relating
2 to school districts; authorizing the creation of charter
3 schools within districts; authorizing such schools to
4 operate independent of regulatory requirements and laws
5 governing public schools as specified; specifying proce-
6 dure and imposing conditions and limitations; prescribing
7 charter criteria; requiring local board approval; granting
8 charter school authority over teachers; requiring annual
9 reporting to the state board by local districts; specify-
10 ing funding; imposing duties upon the state superintendent
11 and state board as specified; requiring a report to the
12 legislature; and providing for an effective date.

**NO SIGNIFICANT FISCAL OR
PERSONNEL IMPACT AT STATE LEVEL**

HB 194

1 Be It Enacted by the Legislature of the State of Wyoming:

2 Section 1. W.S. 21-3-201 through 21-3-206 are created
3 to read:

4 ARTICLE 2

5 CHARTER SCHOOLS

6 21-3-201. Definition.

7 (a) A charter school shall provide nontraditional
8 opportunities for teachers, parents, pupils and community
9 members to establish and maintain schools that operate
10 independently from the existing school district structure
11 as a method to:

12 (i) Improve pupil learning;

13 (ii) Increase learning opportunities for all
14 pupils, with special emphasis on expanded learning experi-
15 ences for pupils who are identified as academically low
16 achieving;

17 (iii) Encourage the use of different and innova-
18 tive teaching methods;

19 (iv) Create new professional opportunities for

1 teachers, including the opportunity to be responsible for
2 the learning program at the school site; and

3 (v) Provide parents and pupils with expanded
4 choices in the types of educational opportunities that are
5 available within the public school system.

6 21-3-202. Charter school prohibitions.

7 (a) No charter shall be granted under this article if
8 it proposes to convert any private school into a charter
9 school.

10 (b) This article shall not prohibit any private per-
11 son or organization from funding or providing other assis-
12 tance for the establishment or operation of a charter
13 school established pursuant to this article.

14 21-3-203. Petition establishing charter schools;
15 hearing by local board; criteria.

16 (a) A petition for the establishment of a charter
17 school within any school district may be circulated by any
18 person seeking to establish the charter school. After the
19 petition has been signed by not less than ten percent
20 (10%) of the professional staff or ten (10) professional
21 staff members currently employed by the school district,

1 whichever is less, it may be submitted to the district
2 board of trustees for review.

3 (b) Not later than thirty (30) days after receiving a
4 petition submitted in accordance with subsection (a) of
5 this section, the district board of trustees shall hold a
6 public hearing on the charter, at which time the board
7 shall consider the level of employee and parental support
8 for the petition. Following review of the petition and
9 the public hearing, the governing board shall either grant
10 or deny the charter within sixty (60) days of receipt of
11 the petition. The board may grant a charter for the oper-
12 ation of a school under this article if it determines the
13 petition contains the number of signatures required by
14 subsection (a) of this section, a statement of each of the
15 conditions described in subsection (d) of this section and
16 each of the following:

17 (i) A description of the educational program of
18 the school, designed to identify those whom the school is
19 attempting to educate, what it means to be an educated
20 person in the twenty-first century and how learning best
21 occurs. The goals identified in that program shall
22 include the objective of enabling pupils to become self-
23 motivated, competent and lifelong learners;

1 (ii) The measurable pupil outcomes identified
2 for use by the charter school. "Pupil outcomes" for pur-
3 poses of this paragraph means the extent to which all
4 pupils of the school demonstrate they have attained the
5 skills, knowledge and attitudes specified as goals in the
6 school's educational program;

7 (iii) The method by which pupil progress in
8 meeting those pupil outcomes is to be measured;

9 (iv) The governance structure of the school,
10 including but not limited to the process to be followed by
11 the school to ensure parental involvement;

12 (v) The qualifications to be met by individuals
13 to be employed by the school;

14 (vi) The procedure that the school will follow
15 to ensure the health and safety of pupils and staff;

16 (vii) The means by which the school will achieve
17 a racial and ethnic balance among its pupils that is
18 reflective of the general population residing within the
19 territorial jurisdiction of the school district to which
20 the charter petition is submitted;

21 (viii) Admission requirements, if applicable;

1 (ix) The manner in which an annual audit of the
2 financial and programmatic operations of the school is to
3 be conducted;

4 (x) The procedure by which pupils can be sus-
5 pended or expelled;

6 (xi) The public school attendance alternatives
7 for pupils residing within the school district who choose
8 not to attend charter schools; and

9 (xii) A description of the rights of any
10 employee of the school district upon leaving the employ-
11 ment of the school district to work in a charter school
12 and of any rights upon returning to the school district
13 after employment at a charter school.

14 (c) Charter schools shall meet the state minimum
15 standards imposed upon public schools by the state board
16 of education under W.S. 21-2-304.

17 (d) In addition to any other requirement imposed
18 under this article, a charter school shall be nonsectarian
19 in its programs, admission policies, employment practices
20 and all other operations, shall not charge tuition and
21 shall not discriminate against any pupil on the basis of

1 ethnicity, national origin, gender or disability. Admis-
2 sion to a charter school shall not be determined according
3 to the place of residence of the pupil or of his parent or
4 guardian within this state, except that any existing pub-
5 lic school converting partially or entirely to a charter
6 school under this article shall adopt and maintain a pol-
7 icy giving admission preference to pupils who reside
8 within the former attendance area of that public school.

9 (e) No district board of trustees shall require any
10 employee of the school district to be employed in a
11 charter school or any pupil enrolled in the school dis-
12 trict to attend a charter school.

13 (f) The district board shall require the petitioner
14 to provide information regarding the proposed operation
15 and potential effects of the school, including but not
16 limited to the facilities to be utilized by the school,
17 the manner in which administrative services of the school
18 are to be provided and potential civil liability effects
19 upon the school and upon the school district.

20 (g) Upon the approval of any petition by the district
21 board, the petitioner shall provide written notice of that
22 approval including a copy of the petition to the state

1 superintendent.

2 21-3-204. Length of operation under charter; renewal;
3 revocation.

4 (a) A charter may be granted pursuant to this article
5 for a period not to exceed five (5) years and may be
6 renewed for a period not to exceed five (5) years. A
7 material revision of the provisions of a charter petition
8 may be made only with the approval of the local or state
9 board granting the charter.

10 (b) A charter may be revoked by the granting board if
11 it finds that the charter school:

12 (i) Committed a material violation of any of the
13 conditions, standards or procedures set forth in the
14 charter petition;

15 (ii) Failed to meet or pursue any of the pupil
16 outcomes identified in the charter petition;

17 (iii) Failed to meet generally accepted account-
18 ing standards of fiscal management;

19 (iv) Violated any provision of law.

20 21-3-205. District board to report to state board.

1 Each district board granting a charter pursuant to this
2 article shall annually report to the state board of educa-
3 tion on each charter school operating within the district,
4 compliance with the provisions of the petition and shall
5 assure the state board that students attending the charter
6 school are receiving an education consistent with the edu-
7 cational opportunities available to all students within
8 the district.

9 21-3-206. Students counted within district ADM. Each
10 student attending a charter school shall be counted among
11 the average daily membership of the district in which the
12 school is located.

13 Section 2.

14 (a) The state superintendent shall distribute infor-
15 mation to districts announcing the availability of the
16 charter school process described in this act.

17 (b) Not later than January 1, 1999, the state board
18 of education and state superintendent shall review the
19 educational effectiveness of the charter school approach
20 authorized under this act and shall report findings and
21 recommendations to the legislature.

1 Section 3. This act is effective July 1, 1994.

2 (END)