

## HOUSE BILL NO. HB0123

Charter school-appeals.

Sponsored by: Representative(s) Wallis, Buchanan and  
Edmonds

## A BILL

for

1 AN ACT relating to charter schools; modifying state board  
2 review of district board charter decisions as specified;  
3 requiring review of charter school funding during  
4 legislative recalibration; and providing for effective  
5 dates.

6

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

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9       **Section 1.** W.S. 21-3-308(d) and 21-3-310(b)(i) are  
10 amended to read:

11

12       **21-3-308. Hearing by local board; prohibited actions**  
13 **by local board; criteria; compliance with state standards;**  
14 **state board review; contractual authority.**

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1           (d) Upon the approval of any application by the  
2 district board, the applicant shall provide written notice  
3 of that approval including a copy of the application to the  
4 state superintendent. If the district board denies the  
5 application, the board shall not later than forty-five (45)  
6 days following the date of its decision, notify the  
7 applicant of the denial in writing together with its  
8 reasons for denial. A decision to deny an application may  
9 be appealed pursuant to W.S. 21-3-310.

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11           **21-3-310. Appeal; standard of review; procedures.**

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13           (b) If the notice of appeal, or the motion to review  
14 by the state board, relates to a district board's decision  
15 to deny, refuse to renew, or revoke a charter or to a  
16 district board's unilateral imposition of conditions that  
17 are unacceptable to the charter school or the charter  
18 applicant, the appeal and review process shall be as  
19 follows:

20  
21           (i) Within sixty (60) days after receipt of the  
22 notice of appeal or the making of a motion to review by the  
23 state board and after reasonable public notice, the state  
24 board, at a public hearing which shall be held in the

1 school district in which the proposed charter school has  
2 applied for a charter or in which a charter school is  
3 located, shall review the decision of the district board  
4 and make its findings. If the state board finds that the  
5 local board's decision was contrary to the best interests  
6 of the pupils, school district or community, that the  
7 district failed to acknowledge that the charter applicant  
8 provided a clear and compelling mission, a quality  
9 education program, a solid business plan, an effective  
10 governance and management structure and evidence of the  
11 applicant's capacity to carry out the contract, or that the  
12 district failed to provide the charter with sufficient  
13 autonomy to serve student needs and to attain higher  
14 standards of accountability, the state board shall remand  
15 ~~such~~ the decision to the district board with written  
16 instructions ~~for reconsideration thereof. The instructions~~  
17 ~~shall include specific recommendations concerning the~~  
18 ~~matters requiring reconsideration;~~ to approve the charter  
19 application. The decision of the state board may require  
20 changes to the contract to be executed by the charter  
21 school and the school district under W.S. 21-3-305.

22

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

