

By: Senator(s) Norwood, Butler, Simmons
(12th), Jackson, Brumfield

To: Education

SENATE BILL NO. 2675

1 AN ACT TO AMEND SECTION 37-28-33, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT THE CHARTER OF A CHARTER SCHOOL SHALL BE REVOKED
3 OR NOT RENEWED FOR ANY SCHOOL THAT IS DESIGNATED A "D" OR "F"
4 RATED SCHOOL UNDER THE SCHOOL ACCREDITATION RATING SYSTEM FOR
5 LONGER THAN TWO CONSECUTIVE YEARS; AND FOR RELATED PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 **SECTION 1.** Section 37-28-33, Mississippi Code of 1972, is
8 amended as follows:

9 37-28-33. (1) A charter may be renewed for successive
10 five-year terms of duration. The authorizer may grant renewal
11 with specific conditions for necessary improvements to a charter
12 school and may lessen the renewal term based on the performance,
13 demonstrated capacities and particular circumstances of each
14 charter school.

15 (2) Before September 30, the authorizer shall issue a
16 charter school performance report and charter renewal application
17 guidance to any charter school whose charter will expire the
18 following year. The performance report must summarize the charter
19 school's performance record to date, based on the data required by



20 this chapter and the charter contract, and must provide notice of
21 any weaknesses or concerns perceived by the authorizer which may
22 jeopardize the charter school's position in seeking renewal if not
23 timely rectified. The charter school must respond and submit any
24 corrections or clarifications for the performance report within
25 ninety (90) days after receiving the report.

26 (3) The charter renewal application guidance must provide,
27 at a minimum, an opportunity for the charter school to:

28 (a) Present additional evidence, beyond the data
29 contained in the performance report, supporting its case for
30 charter renewal;

31 (b) Describe improvements undertaken or planned for the
32 school; and

33 (c) Detail the school's plans for the next charter
34 term.

35 (4) The charter renewal application guidance must include or
36 refer explicitly to the criteria that will guide the authorizer's
37 renewal decision, which must be based on the performance framework
38 set forth in the charter contract and consistent with this
39 chapter.

40 (5) Before February 1, the governing board of a charter
41 school seeking renewal shall submit a renewal application to the
42 authorizer pursuant to the charter renewal application guidance
43 issued by the authorizer. The authorizer shall adopt a resolution



44 ruling on the renewal application no later than ninety (90) days
45 after the filing of the renewal application.

46 (6) In making each charter renewal decision, the authorizer
47 must:

48 (a) Ground its decision in evidence of the school's
49 performance over the term of the charter contract in accordance
50 with the performance framework set forth in the charter contract;

51 (b) Ensure that data used in making the renewal
52 decision is available to the school and the public; and

53 (c) Provide a public report summarizing the evidence
54 that is the basis for the renewal decision.

55 (7) A charter contract must be revoked at any time or not
56 renewed if the authorizer determines that the charter school has
57 done any of the following or otherwise failed to comply with the
58 provisions of this chapter:

59 (a) Committed a material and substantial violation of
60 any of the terms, conditions, standards or procedures required
61 under this chapter or the charter contract;

62 (b) Failed to meet or make sufficient progress toward
63 the performance expectations set forth in the charter contract;

64 (c) Failed to meet generally accepted standards of
65 fiscal management; * * *

66 (d) Substantially violated any material provision of
67 law which is applicable to the charter school; or



68 (e) The charter school is designated a "D" or "F" rated
69 school under the school accreditation rating system for longer
70 than two (2) consecutive years.

71 (8) The authorizer shall develop revocation and nonrenewal
72 processes that:

73 (a) Provide the governing board of a charter school
74 with a timely notification of the prospect of revocation or
75 nonrenewal and of the reasons for such possible closure;

76 (b) Allow the governing board a reasonable amount of
77 time in which to prepare a response;

78 (c) Provide the governing board with an opportunity to
79 submit documents and give testimony challenging the rationale for
80 closure and in support of the continuation of the school at an
81 orderly proceeding held for that purpose;

82 (d) Allow the governing board access to representation
83 by counsel and to call witnesses on the school's behalf;

84 (e) Permit the recording of such proceedings; and

85 (f) After a reasonable period for deliberation, require
86 a final determination to be made and conveyed in writing to the
87 governing board.

88 (9) Notwithstanding any provision to the contrary, the
89 authorizer may not:

90 (a) Renew the charter of any charter school that,
91 during the school's final operating year under the term of the



92 charter contract, is designated an "F" school under the school
93 accreditation rating system; or

94 (b) Renew the charter of any charter school that is
95 designated a "D" or "F" rated school under the school
96 accreditation rating system for longer than two (2) consecutive
97 years.

98 (10) If the authorizer revokes or does not renew a charter,
99 the authorizer must state clearly, in a resolution of adopted by
100 the authorizer board, the reasons for the revocation or
101 nonrenewal.

102 (11) Within ten (10) days after taking action to renew, not
103 renew or revoke a charter, the authorizer shall provide a report
104 to the charter school. The report must include a copy of the
105 authorizer board's resolution setting forth the action taken,
106 reasons for the board's decision and assurances as to compliance
107 with all of the requirements set forth in this chapter.

108 **SECTION 2.** This act shall take effect and be in force from
109 and after July 1, 2024.

