

By: Representative Brown

To: Education

HOUSE BILL NO. 972

1 AN ACT TO CREATE A NEW PROCESS FOR ESTABLISHING CHARTER
2 SCHOOLS; TO AUTHORIZE A CHARTER SCHOOL TO BE FORMED BY CREATING A
3 NEW SCHOOL OR BY CONVERSION OF A PUBLIC SCHOOL TO CHARTER STATUS
4 BY THE LOCAL SCHOOL DISTRICT; TO PRESCRIBE CERTAIN REQUIREMENTS
5 FOR CHARTER SCHOOLS; TO ESTABLISH ADMISSION REQUIREMENTS AND
6 POWERS AND DUTIES OF CHARTER SCHOOLS; TO SPECIFY THE TERMS
7 REQUIRED TO BE INCLUDED IN A SCHOOL'S CHARTER; TO ESTABLISH THE
8 PROCESS FOR APPLYING FOR CHARTER SCHOOL STATUS; TO REQUIRE THE
9 AUTOMATIC RENEWAL OF CHARTERS; TO PROVIDE THAT CHARTER SCHOOLS ARE
10 EXEMPT FROM ALL EDUCATION STATUTES, UNLESS STATED OTHERWISE, AND
11 RULES AND REGULATIONS OF THE STATE BOARD OF EDUCATION AND LOCAL
12 SCHOOL DISTRICTS; TO PROVIDE FOR THE EMPLOYMENT OF TEACHERS BY
13 CHARTER SCHOOLS; TO PROHIBIT UNLAWFUL REPRISALS AGAINST SCHOOL
14 DISTRICT EMPLOYEES WHO ARE INVOLVED IN AN APPLICATION FOR CHARTER
15 SCHOOL STATUS; TO PROVIDE FOR STATE AND LOCAL FUNDING OF CHARTER
16 SCHOOLS; TO AUTHORIZE SCHOOL DISTRICTS TO LEASE SPACE TO CHARTER
17 SCHOOLS; TO REQUIRE CHARTER SCHOOLS TO HAVE A TRANSPORTATION PLAN;
18 TO ESTABLISH THE CHARTER SCHOOLS STIMULUS REVOLVING LOAN FUND IN
19 THE STATE TREASURY TO PROVIDE SUPPORT TO CHARTER SCHOOLS FOR
20 START-UP COSTS; TO PROVIDE FOR THE ELECTION OF THE BOARD OF
21 DIRECTORS OF A CHARTER SCHOOL; TO PROHIBIT CHARTER SCHOOLS FROM
22 LEVYING TAXES OR ISSUING BONDS SECURED BY TAX REVENUES; TO REQUIRE
23 ALL APPLICATIONS FOR CHARTER SCHOOLS TO BE SUBMITTED TO THE STATE
24 DEPARTMENT OF EDUCATION BEFORE DECEMBER 1 IN THE SCHOOL YEAR
25 PRECEDING THE FIRST SCHOOL YEAR THE CHARTER SCHOOL INTENDS TO
26 OPEN; TO PROVIDE THE NUMBER OF APPLICATIONS FOR CHARTER SCHOOLS
27 THAT MAY BE APPROVED; TO REQUIRE THE STATE DEPARTMENT OF EDUCATION
28 TO DISSEMINATE INFORMATION ON HOW TO CREATE AND HOW TO ENROLL
29 STUDENTS IN CHARTER SCHOOLS; TO REQUIRE THE STATE DEPARTMENT OF
30 EDUCATION TO SUBMIT AN EVALUATION TO THE LEGISLATURE; TO AUTHORIZE
31 THE CONTINUED OPERATION OF CHARTER SCHOOLS ESTABLISHED UNDER THE
32 ORIGINAL CHARTER SCHOOL STATUTES; TO REPEAL SECTIONS 37-28-1
33 THROUGH 37-28-21, MISSISSIPPI CODE OF 1972, WHICH ESTABLISH A
34 MEANS FOR EXISTING PUBLIC SCHOOLS TO APPLY FOR CHARTER STATUS; AND
35 FOR RELATED PURPOSES.

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

37 **SECTION 1.** The Legislature declares that the following are
38 the purposes of this act:

39 (a) To provide increased opportunities in the public
40 school system for students to learn in an educational environment
41 that best meets their needs;

42 (b) To provide new forms of accountability for schools;

43 (c) To encourage increased involvement of parents and
44 teachers in the operation and decision making of a local public
45 school;

46 (d) To encourage innovative and effective teaching
47 methods; and

48 (e) To create new professional opportunities for
49 teachers.

50 **SECTION 2.** For purposes of this act, the following words and
51 phrases have the meanings ascribed in this section unless the
52 context clearly indicates otherwise:

53 (a) "Charter school" means a school that is operating
54 under the terms of a charter granted by a local school district or
55 the State Board of Education.

56 (b) "Conversion school" means an existing public school
57 that has been converted to charter school status.

58 **SECTION 3.** (1) A charter school may be formed in one (1) of
59 the following manners:

60 (a) By the approval of an application for a new charter
61 school made by any person, group of persons, organization or
62 public institution; or

63 (b) By the conversion of an existing school to charter
64 status, which may be accomplished by the local school board
65 converting the school on its own motion or the approval of a
66 petition to convert.

67 (2) The organizers of a proposed charter school under
68 subsection (1)(a) of this section may apply to, and the school may
69 be sponsored by, the school board of the school district in which
70 the proposed charter school is to be located or the State Board of
71 Education.

72 (3) Each local school district shall adopt a policy
73 detailing the process by which a conversion under subsection
74 (1)(b) of this section may occur. The process of conversion may
75 be initiated by parents or teachers at the existing school who

76 petition the local school district in accordance with the
77 district's conversion policy, or may be initiated by the district
78 on its own motion. A petition may not be approved unless a
79 majority of the school's faculty and instructional staff and the
80 parents of students enrolled in the school who are present at the
81 meeting called for the specific purpose of deciding whether or not
82 to convert vote in favor of the conversion.

83 **SECTION 4.** In order for a school to be granted charter
84 status and to maintain charter status, the school must satisfy the
85 following requirements:

86 (a) The school may not charge tuition;

87 (b) The school may not discriminate on the basis of
88 ethnicity, national origin, gender, income level, disabling
89 condition or athletic ability;

90 (c) The school must meet all applicable health, safety
91 and civil rights requirements;

92 (d) The school must be subject to financial audits in
93 the same manner as public school districts;

94 (e) The school must be nonsectarian in its programs,
95 admission policies and employment practices;

96 (f) The school must be accountable to the chartering
97 authority for its performance as required under this act; and

98 (g) The school must issue annual reports to parents and
99 the sponsor and must make the reports available to the public.

100 These reports must include a financial statement, a description of
101 the school's progress in reaching academic goals and a measure of
102 parental satisfaction. The school shall submit a copy of the
103 annual report to the State Department of Education.

104 **SECTION 5.** (1) A charter school sponsored by a local school
105 district must be open to admission to all students residing in
106 that district. However, in conversion schools, an enrollment
107 preference may be given to students who reside within the former
108 attendance area of that school. Students from outside the school

109 district may be admitted if the chartering district and the
110 charter school agree to and establish in the school's charter a
111 procedure for the enrollment and admission of such students. If a
112 student from outside the school district enrolls in the charter
113 school, the school district from which the student comes may
114 submit an amount equal to that student's pro rata share of the
115 school district's local funds to the charter school.

116 (2) A charter school sponsored by the State Board of
117 Education must be open to any student residing in the state.

118 (3) A school district may not assign students to a charter
119 school.

120 (4) A charter school is subject to any desegregation court
121 orders in effect in the school district in which the charter
122 school is located.

123 (5) A charter school must enroll an eligible student who
124 submits a timely application for enrollment, unless the number of
125 applications for enrollment in a program, class, grade level or
126 school building exceeds the number of applications the school is
127 prepared to accept in that program, class, grade level or school
128 building. If an excess number of applications are received by the
129 charter school, all applicants must have an equal chance of being
130 admitted under the following guidelines:

131 (a) The school may not limit admission to students on
132 the basis of intellectual ability, measure of achievement or
133 aptitude.

134 (b) The school may give preference in enrollment in the
135 school's first year of operation to children of the organizers and
136 teachers of the charter school. In later years, preference may be
137 given to children of teachers and siblings of students enrolled at
138 the school during the previous year and who will be enrolled in
139 the current school year.

140 (c) The number of students given preference in
141 enrollment may not exceed fifty percent (50%) of the enrollment
142 capacity of a program, class, grade level or school building.

143 (d) Charter schools shall determine enrollment by a
144 random selection method. An applicant in a preference category is
145 eligible for inclusion in the general selection process if the
146 applicant is not selected from the preference category.

147 **SECTION 6.** (1) A charter school, unless it is a conversion
148 school, must organize as a nonprofit corporation and must pursue,
149 with due diligence, tax-exempt status under Section 501(c)(3) of
150 the Internal Revenue Code.

151 (2) A charter school may sue and be sued.

152 (3) A charter school may borrow funds and invest funds.
153 Funds received and earnings from investments on gifts from
154 nongovernmental entities may be accounted for separately. If a
155 charter school closes, all unspent government funds, unspent
156 earnings from those funds and assets purchased with government
157 funds will revert to the school board that chartered the school.
158 Unspent funds from nongovernmental sources, unspent earnings from
159 those funds, assets purchased with those funds and debts of the
160 school (unless otherwise provided for in the charter or debt
161 instrument) shall revert to the nonprofit entity created to
162 operate the school and may be disposed of according to applicable
163 laws for nonprofit corporations. If a conversion school reverts
164 to noncharter status, then all assets will revert to the school
165 board that chartered the school. A government entity shall not be
166 liable for any debt of the charter school unless that entity
167 explicitly authorized the debt and agreed to be liable for
168 nonpayment of the debt. A sponsor's approval of a charter school
169 budget that includes debt does not constitute the sponsor's
170 liability for that debt.

171 (4) Members of a local school board or the State Board of
172 Education are immune from civil or criminal liability with respect

173 to all activities of a charter school approved or sponsored by the
174 local school board or State Board of Education. The local school
175 board or the State Board of Education, in its official capacity as
176 sponsor of a charter school, may be held liable only for matters
177 with which the respective board has been involved directly.

178 **SECTION 7.** (1) The term of a charter shall be five (5)
179 school years.

180 (2) The charter must include the following:

181 (a) Assurances that:

182 (i) The school will not charge tuition or other
183 fees except in those instances when tuition or fees are allowed by
184 law to be charged by public school districts;

185 (ii) The school will comply with federal, state
186 and local rules, regulations and statutes relating to safety,
187 civil rights and insurance. The State Department of Education
188 shall publish a list of relevant rules, regulations and statutes
189 to notify charter schools of their responsibilities under this
190 subparagraph;

191 (iii) The school will be nonsectarian in programs,
192 admission policies and employment practices;

193 (iv) The school will comply with the same audit
194 requirements as public school districts and will cooperate fully
195 in audits conducted under the direction of the State Auditor; and

196 (v) The school will comply with all federal and
197 state laws relating to the education of children with
198 disabilities;

199 (b) A description of the governing body that is
200 responsible for the policy and operational decisions of the
201 charter school, including the names of that body's initial members
202 and a description of the method by which subsequent members will
203 be elected and the method by which fairness and objectivity of
204 those elections will be assured;

205 (c) A description of the objective method or methods
206 that will be used to measure student progress. The method or
207 methods must include the Mississippi Curriculum Test; however, the
208 State Board of Education may grant an exemption from this
209 requirement when there is a compelling reason for an exemption
210 based on the unique circumstances of the school;

211 (d) A description of the school's plan for the
212 transportation of students;

213 (e) A description of the school's plan for handling
214 disruptive students. Notwithstanding any law to the contrary, a
215 local school board may refuse to admit any student who is
216 suspended or expelled from a charter school due to actions that
217 would lead to suspension or expulsion from a school in that
218 district until the period of suspension or expulsion has expired;

219 (f) A description of the school's plan to provide
220 reasonable public notice of the existence, nature and application
221 requirements of the charter school. This notice must include at
222 least one (1) informational meeting to which the public is
223 invited. Local school districts shall provide reasonable
224 assistance, if requested by the charter school, in providing such
225 notice in their districts. However, the actual expenses incurred
226 by the districts in providing the requested assistance must be
227 paid by the charter school;

228 (g) A description of the administrative or other
229 services, if any, that the district will provide for the charter
230 school;

231 (h) A description of the method that will be used to
232 compute per-pupil funding for the school;

233 (i) A description of the types and amount of insurance
234 coverage, including bonding insurance for the principal officers
235 of the school, to be obtained by the charter school;

236 (j) Any other matters required by this act to be
237 included in a charter; and

238 (k) Any other matters that the sponsor and charter
239 school agree to include. Failure to agree on such additional
240 matters shall not constitute grounds for rejection of a charter
241 application.

242 (3) The charter must include the following attachments:

243 (a) A description of the program of instruction. A
244 charter school must provide a comprehensive program of instruction
245 for at least one (1) complete grade level of kindergarten,
246 elementary or secondary education. A school may offer this
247 program of instruction with an emphasis on a specific learning
248 philosophy, style or certain subject area. If the school is a
249 high school, the program of instruction must ensure that in order
250 to be eligible for graduation, a student must have earned the
251 minimum number of units required for graduation from public high
252 schools by the State Board of Education. However, the State Board
253 of Education may grant an exemption from this requirement when
254 there is a compelling reason for an exemption based on the unique
255 circumstances of the school. A school may add grade levels during
256 any year of the charter, if notice of the additional grade levels
257 is submitted to the sponsor of the charter school at least six (6)
258 months before the beginning of the school year in which those
259 grade levels will be offered; and

260 (b) A budget encompassing all necessary items for
261 operating the school, based on one or more projections of the
262 number of students the school anticipates serving in the year for
263 which the budget is prepared.

264 (4) Provisions of the charter may be amended at any time by
265 agreement between the charter school and the school board that
266 approved the charter. The attachments must be submitted to the
267 sponsor by the school on an annual basis and may not be revised by
268 the sponsor unless the information in the submissions indicates a
269 violation of the charter, this act or any other law.

270 **SECTION 8.** (1) An application for a charter consists of a
271 proposed charter and all attachments required under Section 7 of
272 this act.

273 (2) The State Board of Education or a local school board to
274 which an application for a charter has been submitted must respond
275 to the application within forty-five (45) days after receiving the
276 application. The response may be in the form of approval of the
277 application as submitted, rejection, or approval of the
278 application subject to negotiation of details, which negotiation
279 must be conducted in good faith.

280 (3) An application for a charter must be approved unless:

281 (a) The application does not contain all items required
282 by this act;

283 (b) One or more of the application's provisions are not
284 in compliance with applicable law; or

285 (c) The sponsor determines that the applicants are
286 incompetent to carry out one or more of the plans described in the
287 application, in which case the incompetence must be documented by
288 the State Board of Education or the local school district to which
289 the application was submitted.

290 (4) If an application for a charter is rejected, the board
291 to which it was submitted must provide written notice to the
292 applicant of the basis for the rejection.

293 (5) The rejection of an application by the State Board of
294 Education or by a local school district to which the application
295 was submitted does not bar submission of the same application to
296 the other chartering authority. The State Board of Education must
297 provide technical assistance to an applicant whose application has
298 been rejected.

299 **SECTION 9.** (1) Before January 1 during the charter school's
300 fifth year of operation, the sponsor of the school must renew the
301 agreement, with any modifications that are the product of a good

302 faith negotiation, for an additional five (5) years if the
303 following conditions have been met:

304 (a) The school substantially has met the requirements
305 for student performance stated in the agreement; and

306 (b) The school substantially has complied with other
307 provisions of the charter.

308 (2) A charter issued under this act may be revoked by the
309 sponsor, and the charter school must be closed, if the sponsor
310 determines that one or more of the following have occurred:

311 (a) Repeated or substantial failure of the charter
312 school to maintain applicable safety standards;

313 (b) Substantial failure of the charter school to meet
314 auditing or other financial standards as required under this act;

315 (c) Blatant and recurrent violations of provisions of
316 the charter; or

317 (d) The existence of one or more grounds for revocation
318 as specified in the charter.

319 (3) If a charter is revoked, the charter school must remain
320 open until the end of the school year in which the revocation
321 takes effect, unless the State Department of Education determines
322 that an extreme emergency situation that jeopardizes the safety
323 and security of the students of the school exists.

324 (4) The revocation or nonrenewal of a charter must be
325 accompanied by a list of specific reasons for the action. The
326 charter school may seek judicial review of the decision to revoke
327 or not to renew a charter.

328 **SECTION 10.** (1) Except as otherwise provided under
329 subsection (2) of this section, all schools chartered under this
330 act are exempt from those statutes applicable to the public
331 schools and the rules, regulations, policies and procedures of the
332 State Board of Education and the local school district. A charter
333 school must comply with general health and safety standards.

334 (2) Charter schools are not exempt from the following
335 statutes:

336 (a) Section 37-9-75, which relates to teacher strikes;

337 (b) Section 37-11-20, which prohibits acts of
338 intimidation intended to keep a student from attending school;

339 (c) Section 37-11-21, which prohibits parental abuse of
340 school staff;

341 (d) Section 37-11-23, which prohibits the willful
342 disruption of school and school meetings;

343 (e) Sections 37-11-29 and 37-11-31, which relate to
344 reporting requirements regarding unlawful or violent acts on
345 school property; and

346 (f) Section 37-19-53, which prohibits false reporting
347 of student counts by school officials.

348 **SECTION 11.** (1) A school district may not assign teachers
349 employed by the district to a charter school. A charter school
350 may hire the teachers to be employed by the school and negotiate
351 contracts.

352 (2) The qualifications of the teachers in a charter school
353 must be disclosed to the students' parents before the beginning of
354 the school year.

355 (3) The instructional staff of the charter school will be
356 deemed employees of the local school district for purposes of
357 providing certain state-funded employee benefits, including
358 membership in the Public Employees' Retirement System and the
359 State and School Employees Life and Health Insurance Plan.
360 Charter schools are public schools, and the employees of charter
361 schools are public school employees. Employees of a charter
362 school that elects to become a participating employer under the
363 Public Employees' Retirement System are teachers for the purpose
364 of membership in the Public Employees' Retirement System. Charter
365 schools may pay for all or part of a teacher's health insurance

366 premiums, including family coverage, as part of the teacher's
367 compensation package.

368 SECTION 12. (1) A school district, school district employee
369 or any other person who has control over personnel actions may not
370 take unlawful reprisal against an employee of the school district
371 because the employee is directly or indirectly involved in an
372 application to establish a charter school. A school district
373 employee may not take unlawful reprisal against an educational
374 program of the school or the school district because an
375 application to establish a charter school proposes the conversion
376 of all or a portion of the educational program to a charter
377 school.

378 (2) As used in this section, the term "unlawful reprisal"
379 means:

380 (a) With respect to a school district employee, an
381 action that is taken by another school district employee as a
382 direct result of a lawful application to establish a charter
383 school and which is adverse to the employee and results in one or
384 more of the following for the employee:

- 385 (i) Disciplinary or corrective action;
386 (ii) Detail, transfer or reassignment;
387 (iii) Suspension, demotion or dismissal;
388 (iv) An unfavorable performance evaluation;
389 (v) A reduction in pay, benefits or awards;
390 (vi) Elimination of the employee's position
391 without a reduction in force by reason of lack of monies or work;
392 or

393 (vii) Other significant changes in duties or
394 responsibilities which are inconsistent with the employee's salary
395 or employment classification; and

396 (b) With respect to an educational program, an action
397 that is taken by a school district employee as a direct result of
398 a lawful application to establish a charter school and which is

399 adverse to the educational program and results in one or more of
400 the following:

- 401 (i) Suspension or termination of the program;
- 402 (ii) Transfer or reassignment of the program to a
403 less favorable department;
- 404 (iii) Relocation of the program to a less
405 favorable site within the school or school district; or
- 406 (iv) Significant reduction or termination of
407 funding for the program.

408 **SECTION 13.** (1) A charter school's funding must be based on
409 the number of students enrolled in and in attendance at the
410 school.

411 (2) A charter school student must be included in the average
412 daily attendance reports of the student's home district. The
413 State Board of Education shall define the means by which a charter
414 school must verify the residency and attendance of a student at
415 the school.

416 (3) State funding for a charter school student, including
417 transportation funds, will be distributed to the student's home
418 district as if the student were attending any other public school
419 in that district.

420 (4) A charter school chartered by a local district shall
421 request state and local funds from the district in an amount per
422 pupil as specified in the charter. Federal funds must be
423 distributed as dictated by federal law.

424 (5) A charter school chartered by the State Board of
425 Education shall request state, local and federal funds from the
426 home school district of each student attending the school. Local
427 and state per-pupil funding must be equal to the local and state
428 portion of the per-pupil expenditures in the student's home
429 district two (2) school years preceding the school year being
430 funded. Federal funds must be distributed as dictated by federal

431 law. The charter school also shall send a copy of each request
432 for funding to the State Department of Education.

433 (6) A school district must remit requested funds in a timely
434 fashion, as defined by the State Board of Education. When
435 contributions are not forwarded in a timely manner, the state
436 shall assess a ten percent (10%) penalty payable to the charter
437 school for failure to forward the contribution.

438 (7) For a new charter school, pre-enrollment or other
439 reasonable information shall be the basis for initial funding.
440 The State Board of Education shall define the types of information
441 that may be used for this purpose, as well as methods of
442 correcting any discrepancies between the original estimates on
443 which funding is based and the actual average daily attendance.

444 (8) The charter school may receive gifts and grants from any
445 public or private source.

446 **SECTION 14.** (1) A school district may lease space or sell
447 services to a charter school. A school district must make unused
448 buildings available to a charter school and must bargain in good
449 faith over the terms of the lease.

450 (2) A charter school may lease space or secure services from
451 another public body, nonprofit organization or private
452 organization or individual.

453 (3) A sponsor may issue a charter to a charter school
454 applicant before the applicant has secured space, equipment and
455 personnel if the applicant indicates authorization is necessary
456 for the school to raise working capital.

457 **SECTION 15.** (1) There is established in the State Treasury
458 a fund to be known as the "Charter Schools Stimulus Revolving Loan
459 Fund." The purpose of the fund is to provide financial support to
460 charter school applicants and charter schools for start-up costs
461 and costs associated with renovating or remodeling existing
462 buildings and structures. The fund shall consist of monies
463 obtained from grants from the federal government, funds

464 appropriated by the Legislature, repaid loans from borrowers and
465 grants, gifts, devises and donations from any public or private
466 source. The State Board of Education shall administer the fund
467 and may apply for any grants from the federal government or
468 private sources.

469 (2) The State Board of Education shall adopt rules and
470 regulations necessary for the implementation of this section,
471 including application and notification requirements. If
472 sufficient funds are available for this purpose, monies from the
473 Charter Schools Stimulus Revolving Loan Fund will be distributed
474 to qualifying charter school applicants and charter schools in the
475 following manner:

476 (a) Each qualifying charter school applicant or charter
477 school will be awarded an initial loan of not more than Fifty
478 Thousand Dollars (\$50,000.00) before or during the first year of
479 the charter school's operation. This loan must be repaid over a
480 period of no more than five (5) years. If any applicant for a
481 charter school receives an initial loan under this paragraph and
482 fails to begin operating a charter school within the following
483 eighteen (18) months, the applicant must reimburse the Charter
484 Schools Stimulus Revolving Loan Fund for the amount of the initial
485 loan plus interest calculated at a rate of ten percent (10%) per
486 year.

487 (b) Applicants for charter schools and charter schools
488 that receive initial loans under paragraph (a) of this subsection
489 may apply for an additional loan of not more than Fifty Thousand
490 Dollars (\$50,000.00). This loan must be repaid over a period of
491 no more than five (5) years. If an applicant for a charter school
492 receives an additional loan under this paragraph and fails to
493 begin operating a charter school within the following eighteen
494 (18) months, the applicant must reimburse the Charter Schools
495 Stimulus Revolving Loan Fund for the amount of the additional
496 loan, plus interest calculated at a rate of ten percent (10%) per

497 year. A reimbursement required by this paragraph is in addition
498 to any reimbursement required under paragraph (a) of this
499 subsection.

500 **SECTION 16.** (1) The initial board of directors of a charter
501 school must be designated by the applicants who have been granted
502 the charter. This initial board shall govern the school's first
503 year of operation.

504 (2) Not less than six (6) months before the beginning of the
505 charter school's second school year, the school shall hold an
506 election for members of the school's board of directors. The term
507 of office for this board shall be set according to the charter.

508 (3) Administrative and instructional personnel of the
509 charter school and all parents of children enrolled in the school
510 are eligible to participate in any election of members of the
511 board of directors.

512 (4) Meetings of the charter school's board of directors will
513 be subject to Sections 25-41-1 through 25-41-17 governing open
514 meetings.

515 **SECTION 17.** A charter school may not levy taxes or issue
516 bonds secured by tax revenues.

517 **SECTION 18.** All applications for charter schools must be
518 submitted to the State Department of Education before December 1
519 in the school year preceding the first school year the charter
520 school intends to open.

521 **SECTION 19.** Not more than five (5) applications for charter
522 schools may be approved in the first three (3) years after the
523 enactment of this act. After the third year, not more than ten
524 (10) applications may be approved each year.

525 **SECTION 20.** The State Department of Education shall
526 disseminate information to the public, directly and through
527 sponsors, on how to form and operate a charter school and how
528 students can enroll in charter schools once they are created.

529 Local school districts shall cooperate in the dissemination of
530 this information.

531 **SECTION 21.** The State Department of Education shall provide
532 to the Legislature an evaluation of the charter schools created
533 under this act. The evaluation must be presented before the
534 beginning of the 2011 Regular Session.

535 **SECTION 22.** Any charter school that is operating under the
536 terms of a charter granted under the authority of Sections 37-28-1
537 through 37-28-21 may continue to operate under the terms of that
538 charter for the duration of its term, notwithstanding the repeal
539 of Sections 37-28-1 through 37-28-21. Upon the expiration of the
540 charter, the charter school's sponsor may seek to renew the
541 school's charter by modifying the charter so that the school fully
542 complies with the requirements for being awarded, maintaining and
543 renewing charter status under Sections 1 through 21 of this act.

544 **SECTION 23.** Section 37-28-1 through Section 37-28-21,
545 Mississippi Code of 1972, which establish a means for existing
546 public schools to apply for charter status, are repealed.

547 **SECTION 24.** This act shall take effect and be in force from
548 and after July 1, 2007.