

2018 Kansas Statutes

72-4209. Duration of operational status; renewal or revocation of charter, procedure. (a) Whenever a charter school has been approved for establishment or continuation by the board of education of a school district and the state board of education after July 1, 2004, no other approval shall be required for a period of five school years. The board of education may consider renewal of the operational status of the charter school at the conclusion of: (1) A three-year period, if the charter was approved or renewed prior to July 1, 2004; or (2) a five-year period if the charter was approved or renewed after July 1, 2004. The board of education may either renew the charter and continue operation of the school, subject to approval by the state board of education, or nonrenew the charter and discontinue operation of the school.

(b) Renewal of the operational status of the charter school shall be approved only if the charter school has demonstrated progress in achieving the program goals it established pursuant to K.S.A. 72-4208, and amendments thereto. The board of education of a school district shall first determine whether the charter school is demonstrating such progress. If approved by the board of education, the state board shall review such progress and approve or nonrenew the charter or discontinue operation of the school.

(c) The board of education shall revoke the charter of a school if the school:

- (1) Materially violates provisions contained in the charter;
- (2) fails to make progress in achieving the program goals contained in the charter;
- (3) fails to comply with fiscal accountability procedures as specified in the charter; or
- (4) violates rules and regulations of the state board of education that have not been waived by the state board.

(d) Prior to nonrenewing or revoking a charter, a board of education shall hold a hearing on the issues in controversy. Spokespersons for the charter school shall be provided the opportunity to present information refuting the basis upon which the nonrenewal or revocation is premised. At least 30 days notice must be provided to representatives of the charter school prior to the hearing. Within 60 days after the hearing, the board of education shall announce its decision on the nonrenewal or revocation issue. The board may abandon the proposed nonrenewal or revocation, nonrenew or revoke the charter, or continue recognition of the charter contingent upon compliance with specified conditions. The decision of a board of education to nonrenew or revoke a charter shall be in writing to the charter school and shall specify the reasons for the nonrenewal or revocation. The decision is not subject to appeal; however, the charter school authorities may renew procedures for authority to operate a charter school, or within 30 days of the decision, the charter school authorities may submit a request to the board of education for the reconsideration of its decision and may submit an amended petition therewith. The board shall act on such request within 30 days of the request.

History: L. 1994, ch. 289, § 5; L. 2000, ch. 133, § 3; L. 2002, ch. 80, § 5; L. 2004, ch. 53, § 2; July 1.