

114TH CONGRESS
1ST SESSION

H. R. 1639

To amend the charter school programs under the Elementary and Secondary Education Act of 1965.

IN THE HOUSE OF REPRESENTATIVES

MARCH 25, 2015

Mr. TAKANO introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the charter school programs under the Elementary and Secondary Education Act of 1965.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Charter School Trans-
5 parency, Accountability, and Quality Act”.

6 **SEC. 2. REFERENCES.**

7 Except as otherwise expressly provided, whenever in
8 this Act an amendment or repeal is expressed in terms
9 of an amendment to, or repeal of, a section or other provi-
10 sion, the reference shall be considered to be made to a

1 section or other provision of the Elementary and Sec-
2 ondary Education Act of 1965 (20 U.S.C. 6301 et seq.).

3 **SEC. 3. STATE PLANS.**

4 Section 1111(c) (20 U.S.C. 6311(c)) is amended—

5 (1) in paragraph (13), by striking “and” at the
6 end;

7 (2) in paragraph (14) by striking the period at
8 the end and inserting “; and”; and

9 (3) by adding at the end the following:

10 “(15) any State educational agency with a
11 charter school law will support high-quality public
12 charter schools that receive funds under this title
13 by—

14 “(A) ensuring the quality of the authorized
15 public chartering agencies in the State by es-
16 tablishing—

17 “(i) a system of periodic evaluation
18 and certification of public chartering agen-
19 cies using nationally recognized profes-
20 sional standards; or

21 “(ii) a statewide, independent char-
22 tering agency that meets nationally recog-
23 nized professional standards; and

1 “(B) including in the procedure established
2 pursuant to subparagraph (A) requirements
3 for—

4 “(i) the annual filing and public re-
5 porting of independently audited financial
6 statements including disclosure of amount
7 and duration of any nonpublic financial
8 and in-kind contributions of support, by
9 each public chartering agency, for each
10 school authorized by such agency, and by
11 each local educational agency and the
12 State;

13 “(ii) the adoption and enforcement of
14 employee compensation and conflict of in-
15 terest guidelines for all schools authorized,
16 which shall include disclosure of executive
17 pay and affiliated parties with a financial
18 interest in the management, operations, or
19 contractual obligations of a charter school;
20 and

21 “(iii) a legally binding charter or per-
22 formance contract between each charter
23 school and the school’s authorized public
24 chartering agency that—

1 “(I) describes the rights, duties,
2 and remedies of the school and the
3 public chartering agency; and

4 “(II) for each student subgroup
5 described in subsection (b)(2)(C)(v),
6 bases charter renewal and revocation
7 decisions on an accountability plan
8 based on the statewide State account-
9 ability system described in section
10 1111(b)(2).”.

11 **SEC. 4. PURPOSE.**

12 Section 5201 (20 U.S.C. 7221) is amended—

13 (1) by striking “and” at the end of paragraph
14 (3);

15 (2) by striking the period at the end of para-
16 graph (4) and inserting “; and”; and

17 (3) by adding at end the following:

18 “(5) carrying out national activities to sup-
19 port—

20 “(A) stronger charter school authorizing;
21 and

22 “(B) the dissemination of best practices of
23 charter schools for all schools.”.

24 **SEC. 5. APPLICATIONS.**

25 Section 5203 (20 U.S.C. 7221b) is amended—

1 (1) in subsection (b)(2)—

2 (A) by striking “and” at the end of sub-
3 paragraph (B);

4 (B) by striking “and” at the end of sub-
5 paragraph (C);

6 (C) by adding at the end the following:

7 “(D) will ensure that each charter school
8 in the State makes publicly available informa-
9 tion on student support services, and annual
10 performance and enrollment data disaggregated
11 by the categories of students identified in sec-
12 tion 1111(b)(2)(C)(v), except that such
13 disaggregation shall not be required in a case in
14 which the number of students in a category is
15 insufficient to yield statistically reliable infor-
16 mation or the results would reveal personally
17 identifiable information about an individual stu-
18 dent;

19 “(E) will ensure that each charter school
20 board in the State has the right to provide fis-
21 cal oversight of the education management or-
22 ganization that it contracts with;

23 “(F) will work with charter schools in the
24 State on efforts to recruit students who may
25 otherwise have limited opportunities to partici-

1 pate in charter schools and eliminate barriers to
2 enrollment, including for educationally dis-
3 advantaged students, foster youth, and unac-
4 companied homeless youth;

5 “(G) will ensure that each charter school
6 receiving funds under the State educational
7 agency’s charter school grant program meet the
8 educational needs of its students, including stu-
9 dents with disabilities and English learners;

10 “(H) will provide technical assistance to
11 each charter school to recruit, enroll, and retain
12 traditionally underserved students, including
13 students with disabilities and English learners,
14 at rates similar to traditional public schools;
15 and

16 “(I) will share best and promising prac-
17 tices between charter schools and other public
18 schools, including, where appropriate, instruc-
19 tion and professional development in core aca-
20 demic subjects, and science, technology, engi-
21 neering, and math education; and”;

22 (2) by adding at the end the following:

23 “(e) RULE OF CONSTRUCTION.—Nothing in this sub-
24 part shall prohibit the Secretary from awarding grants to
25 State educational agencies under this part that use a

1 weighted lottery to give slightly better chances for admis-
 2 sion to all, or a subset of, educationally disadvantaged stu-
 3 dents if—

4 “(1) the use of weighted lotteries in favor of
 5 such students is not prohibited by State law, and
 6 such State law is consistent with laws described in
 7 section 5210(1)(G); and

8 “(2) such weighted lotteries are not used for
 9 the purpose of creating schools exclusively to serve
 10 a particular subset of students.”.

11 **SEC. 6. ADMINISTRATION.**

12 Section 5204(f)(6)(A) (20 U.S.C. 7221c(f)(6)(A)) is
 13 amended—

14 (1) by striking “and” at the end of clause (ii);

15 (2) by striking the period at the end of clause
 16 (iii); and

17 (3) by adding at the end the following:

18 “(iv) community involvement during
 19 the development and operation of the
 20 school;

21 “(v) has had 3 successful consecutive
 22 annual audits that have not indicated fiscal
 23 difficulties as defined by typical accounting
 24 standards; and

1 “(vi) has maintained a student popu-
 2 lation demographically similar to the local
 3 educational agency that is closest geo-
 4 graphically to the charter school or in
 5 which the charter school is located.”.

6 **SEC. 7. NATIONAL ACTIVITIES.**

7 Section 5205(a)(2) (20 U.S.C. 7221d(a)(2))—

8 (1) in the matter preceding subparagraph (A),
 9 by inserting “and the local educational agency that
 10 is closest geographically to the charter school or in
 11 which the charter school is located” before “, includ-
 12 ing information regarding”;

13 (2) by striking “and” at the end of subpara-
 14 graph (A);

15 (3) by striking the period at the end of sub-
 16 paragraph (B) and inserting a semicolon; and

17 (4) by adding at the end the following:

18 “(C) the impact of charter schools on the
 19 finances of local educational agencies;

20 “(D) demographic trends in enrollment in
 21 both the traditional public school and charter
 22 school sectors;

23 “(E) increasing or easing segregation of
 24 students within the two sectors; and

- 1 “(F) the representation of students with
- 2 special needs in either sector.”.

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