

**§2403. Role of the department; commissioner; rules**

**1. Information and technical assistance.** The department shall disseminate information on how to form and operate a public charter school and on how to enroll in a public charter school once the school is created. The department may provide assistance and guidance to authorizers in developing effective authorization and oversight procedures.

[PL 2011, c. 414, §5 (NEW).]

**2. Applications for federal funds.** The department may apply for assistance from the federal charter school grant program on behalf of potential and actual public charter schools in the State.

[PL 2011, c. 414, §5 (NEW).]

**3. Use of federal funds.** If the department receives a grant from the federal charter school grant program on behalf of potential and actual public charter schools, the grant must be used according to the applicable federal law and primarily for planning and start-up grants to public charter school organizers and for such activities as:

A. Providing information and technical assistance to potential and actual public charter school organizers and authorizers; and [PL 2011, c. 414, §5 (NEW).]

B. Allocating funds to support the work of potential and actual authorizers. [PL 2011, c. 414, §5 (NEW).]

[PL 2011, c. 414, §5 (NEW).]

**4. Principles and professional standards.** The department shall establish policies and practices consistent with nationally recognized principles and professional standards for authorizers of public charter schools, including standards relating to:

A. Organizational capacity and infrastructure; [PL 2011, c. 414, §5 (NEW).]

B. Soliciting and evaluating applications; [PL 2011, c. 414, §5 (NEW).]

C. Performance contracting; [PL 2011, c. 414, §5 (NEW).]

D. Ongoing public charter school oversight and evaluation; and [PL 2011, c. 414, §5 (NEW).]

E. Charter renewal decision making. [PL 2011, c. 414, §5 (NEW).]

[PL 2011, c. 414, §5 (NEW).]

**5. Investigation and sanction of authorizers.** Consistent with the policies and practices established in subsection 4, the department may investigate and, as appropriate, institute sanctions in response to deficiencies in authorizer performance or legal compliance. In addition to any other sanction instituted, the commissioner may suspend a deficient authorizer's authority to issue new charters or renew existing charters until the commissioner is satisfied that the deficiencies have been corrected.

[PL 2011, c. 570, §3 (AMD).]

**6. Rules.** The department shall adopt major substantive rules pursuant to Title 5, chapter 375, subchapter 2-A to implement this chapter.

[PL 2011, c. 414, §5 (NEW).]

**7. Reports.** Four years after public charter schools have been in operation, the commissioner shall issue to the Governor, the Legislature and the public a report on the State's public charter school program, drawing from the annual reports submitted by every authorizer pursuant to section 2405, subsection 4, as well as any additional relevant data compiled by the commissioner up to the school year ending in the preceding calendar year. The report must include an assessment of the public charter school program's successes, challenges and areas for improvement in meeting the purposes of this chapter and any suggested changes in state law or policy necessary to strengthen the public charter

school program. The commissioner shall issue a similar report after 8 years of operation of public charter schools.

[PL 2011, c. 414, §5 (NEW).]

#### SECTION HISTORY

PL 2011, c. 414, §5 (NEW). PL 2011, c. 570, §3 (AMD).

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