

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE BILL 1227*

Short Title: Lift Charter Cap/Lunch Requirements. (Public)

Sponsors: Senators Jones; and Berger of Franklin.

Referred to: Education/Higher Education.

May 19, 2010

A BILL TO BE ENTITLED

AN ACT TO RAISE THE CAP ON THE NUMBER OF CHARTER SCHOOLS FROM 100 TO 106; TO GIVE PREFERENCE TO SCHOOLS IN CERTAIN LOW-WEALTH COUNTIES; TO REQUIRE NEW CHARTER SCHOOLS TO PROVIDE A FREE AND REDUCED PRICE LUNCH PROGRAM; AND TO REQUIRE EACH NEW CHARTER SCHOOL TO ACCEPT A MINIMUM NUMBER OF STUDENTS ELIGIBLE FOR THE FREE AND REDUCED PRICE LUNCH PROGRAM, AS RECOMMENDED BY THE JOINT LEGISLATIVE STUDY COMMISSION ON POVERTY REDUCTION AND ECONOMIC RECOVERY.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-238.29D(b) reads as rewritten:

"(b) The State Board shall authorize no more than five charter schools per year in one local school administrative unit. The State Board shall give priority to new applications for schools that focus on expanded learning experiences for students (i) who are identified as at risk of academic failure or (ii) who are low income and qualify for free and reduced price lunch programs and to new applications for schools in the following counties: Alleghany, Avery, Bladen, Columbus, Edgecombe, Graham, Halifax, Hoke, Northampton, Robeson, Scotland, Tyrrell, Warren, Watauga, and Yancey. The State Board shall authorize no more than ~~400~~106 charter schools statewide. If more than five charter schools in one local school administrative unit or more than ~~400~~ 106 schools statewide meet the standards for final approval, the State Board shall give priority to applications that are most likely to further State education policies and to strengthen the educational program offered in the local school administrative units in which they are located."

SECTION 2. Part 6A of Article 16 of Chapter 115C of the General Statutes is amended by adding the following new section to read:

"§ 115C-238.29L. Additional requirements for certain charter schools.

In addition to all of the other charter school requirements in Part 6A of Article 16 of this Chapter, any charter school that opens on or after July 1, 2012, shall meet all of the following additional requirements:

- (1) The charter school shall accept a minimum number of students who are eligible for free and reduced price lunch programs. The minimum shall be determined according to criteria set by the State Board of Education.
- (2) Admission policies and procedures shall include a description of how the school will comply with subdivision (1) of this section.
- (3) During each period of enrollment, the charter school shall enroll an eligible student who submits a timely application, unless the number of applications exceeds the capacity of a program, class, grade level, or building. In this



1 case, students shall be accepted by lot, except for students required to be
2 granted admission under subdivision (1) of this section. Once enrolled,
3 students are not required to reapply in subsequent enrollment periods.
4 (4) The charter school shall participate in the National School Lunch Program
5 established by the federal government. At the request of the charter school
6 and if the local board of the local school administrative unit in which the
7 charter school is located operates a free and reduced price lunch program,
8 that local board may contract with the charter school to provide lunch. A
9 local board may charge the charter school a reasonable charge that is
10 sufficient to cover the cost of providing this lunch program."

11 **SECTION 3.** This act becomes effective when it becomes law and shall apply to
12 all charter schools that open after July 1, 2012.