

SEC. 4308. [20 U.S.C. 7221g] RECORDS TRANSFER.

State educational agencies and local educational agencies, as quickly as possible and to the extent practicable, shall ensure that a student's records and, if applicable, a student's individualized education program as defined in section 602 of the Individuals with Disabilities Education Act, are transferred to a charter school upon the transfer of the student to the charter school, and to another public school upon the transfer of the student from a charter school to another public school, in accordance with applicable State law.

SEC. 4309. [20 U.S.C. 7221h] PAPERWORK REDUCTION.

To the extent practicable, the Secretary and each authorized public chartering agency shall ensure that implementation of this subpart results in a minimum of paperwork for any eligible applicant or charter school.

SEC. 4310. [20 U.S.C. 7221i] DEFINITIONS.

In this part:

(1) **AUTHORIZED PUBLIC CHARTERING AGENCY.**—The term “authorized public chartering agency” means a State educational agency, local educational agency, or other public entity that has the authority pursuant to State law and approved by the Secretary to authorize or approve a charter school.

(2) **CHARTER SCHOOL.**—The term “charter school” means a public school that—

(A) in accordance with a specific State statute authorizing the granting of charters to schools, is exempt from significant State or local rules that inhibit the flexible operation and management of public schools, but not from any rules relating to the other requirements of this paragraph;

(B) is created by a developer as a public school, or is adapted by a developer from an existing public school, and is operated under public supervision and direction;

(C) operates in pursuit of a specific set of educational objectives determined by the school's developer and agreed to by the authorized public chartering agency;

(D) provides a program of elementary or secondary education, or both;

(E) is nonsectarian in its programs, admissions policies, employment practices, and all other operations, and is not affiliated with a sectarian school or religious institution;

(F) does not charge tuition;

(G) complies with the Age Discrimination Act of 1975, title VI of the Civil Rights Act of 1964, title IX of the Education Amendments of 1972, section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (commonly referred to as the “Family Educational Rights and Privacy Act of 1974”), and part B of the Individuals with Disabilities Education Act;

(H) is a school to which parents choose to send their children, and that—

(i) admits students on the basis of a lottery, consistent with section 4303(c)(3)(A), if more students apply for admission than can be accommodated; or

(ii) in the case of a school that has an affiliated charter school (such as a school that is part of the same network of schools), automatically enrolls students who are enrolled in the immediate prior grade level of the affiliated charter school and, for any additional student openings or student openings created through regular attrition in student enrollment in the affiliated charter school and the enrolling school, admits students on the basis of a lottery as described in clause (i);

(I) agrees to comply with the same Federal and State audit requirements as do other elementary schools and secondary schools in the State, unless such State audit requirements are waived by the State;

(J) meets all applicable Federal, State, and local health and safety requirements;

(K) operates in accordance with State law;

(L) has a written performance contract with the authorized public chartering agency in the State that includes a description of how student performance will be measured in charter schools pursuant to State assessments that are required of other schools and pursuant to any other assessments mutually agreeable to the authorized public chartering agency and the charter school; and

(M)⁷ may serve students in early childhood education programs or postsecondary students.

(3) CHARTER MANAGEMENT ORGANIZATION.—The term “charter management organization” means a nonprofit organization that operates or manages a network of charter schools linked by centralized support, operations, and oversight.

(4) CHARTER SCHOOL SUPPORT ORGANIZATION.—The term “charter school support organization” means a nonprofit, non-governmental entity that is not an authorized public chartering agency and provides, on a statewide basis—

(A) assistance to developers during the planning, program design, and initial implementation of a charter school; and

(B) technical assistance to operating charter schools.

(5) DEVELOPER.—The term “developer” means an individual or group of individuals (including a public or private nonprofit organization), which may include teachers, administrators and other school staff, parents, or other members of the local community in which a charter school project will be carried out.

(6) ELIGIBLE APPLICANT.—The term “eligible applicant” means a developer that has—

(A) applied to an authorized public chartering authority to operate a charter school; and

⁷Margin so in law.

(B) provided adequate and timely notice to that authority.

(7) EXPAND.—The term “expand”, when used with respect to a high-quality charter school, means to significantly increase enrollment or add one or more grades to the high-quality charter school.

(8) HIGH-QUALITY CHARTER SCHOOL.—The term “high-quality charter school” means a charter school that—

(A) shows evidence of strong academic results, which may include strong student academic growth, as determined by a State;

(B) has no significant issues in the areas of student safety, financial and operational management, or statutory or regulatory compliance;

(C) has demonstrated success in significantly increasing student academic achievement, including graduation rates where applicable, for all students served by the charter school; and

(D) has demonstrated success in increasing student academic achievement, including graduation rates where applicable, for each of the subgroups of students, as defined in section 1111(c)(2), except that such demonstration is not required in a case in which the number of students in a group is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student.

(9) REPLICATE.—The term “replicate”, when used with respect to a high-quality charter school, means to open a new charter school, or a new campus of a high-quality charter school, based on the educational model of an existing high-quality charter school, under an existing charter or an additional charter, if permitted or required by State law.

SEC. 4311. [20 U.S.C. 7221j] AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this part—

- (1) \$270,000,000 for fiscal year 2017;
- (2) \$270,000,000 for fiscal year 2018;
- (3) \$300,000,000 for fiscal year 2019; and
- (4) \$300,000,000 for fiscal year 2020.

【casterkx: Part D below transferred from part C of title V inserted so as to appear after part C (as so transferred and reds). Redes. sections 5301-5307 as sections 4401-4407. Strike section 5308 and 5310 and redes. secs. 5309 and 5311 as 4408 and 4409.】

PART D—MAGNET SCHOOLS ASSISTANCE

SEC. 4401. [20 U.S.C. 7231] FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress makes the following findings:

(1) Magnet schools are a significant part of the Nation’s effort to achieve voluntary desegregation in our Nation’s schools.

(2) The use of magnet schools has increased dramatically since the inception of the magnet schools assistance program