

AMENDED IN SENATE MAY 1, 2000

SENATE BILL

No. 2105

Introduced by Senator Lewis

February 25, 2000

An act to add Section 47611.3 to the Education Code, relating to charter schools.

LEGISLATIVE COUNSEL'S DIGEST

SB 2105, as amended, Lewis. Charter schools.

Existing law requires that a petition for the establishment of a charter school contain a reasonably comprehensive description of the manner by which staff members of a charter school will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security. Existing law also authorizes two or more public agencies, if authorized by their legislative or other governing bodies, to jointly exercise any power common to the contracting parties.

This bill would authorize a school district or county office of education to take specified actions regarding payroll processing and retirement reporting on behalf of charter schools. The bill would also authorize two or more charter schools, if authorized by their governing bodies, to enter into a joint exercise of powers agreement solely for the purposes of providing payroll processing services for those charter schools and providing reporting services for those charter schools for the purposes of creating and submitting reports required pursuant to the State Teachers' Retirement System or the Public Employees' Retirement System. Existing law

authorizes a chartering agency to charge for the actual costs of supervisorial oversight of a charter school. Existing law permits a charter school to separately purchase administrative or other services from its chartering agency or other source.

This bill would require a school district or county office of education that is the chartering authority of a charter school to create any reports required by the State Teachers' Retirement System and the Public Employees' Retirement System and submit them to those systems on behalf of that charter school, thereby imposing a state-mandated local program. The bill would authorize the chartering authority to charge the charter school for the actual costs of the reporting services. The bill would also prohibit a school district or county office of education from requiring a charter school to purchase payroll processing services from it as a condition of providing the reporting services.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes. State-mandated local program: ~~no~~ yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 47611.3 is added to the
2 Education Code, to read:
3 ~~47611.3. (a) A school district or county office of~~
4 *47611.3. (a) A school district or county office of*
5 *education that is the chartering authority of a charter*
6 *school shall create any reports required by the State*
7 *Teachers' Retirement System and the Public Employees'*
8 *Retirement System and submit the reports to those*
9 *systems on behalf of the charter school. The school district*
10 *or county office of education may charge the charter*
11 *school for the actual costs of the reporting services.*



1 (b) As a condition of creating and submitting reports
2 to the State Teachers' Retirement Systems and the Public
3 Employees Retirement System, the school district or
4 county office of education shall not require a charter
5 school to purchase payroll processing services for the
6 charter school.

7 SEC. 2. No reimbursement is required by this act
8 pursuant to Section 6 of Article XIII B of the California
9 Constitution because a local agency or school district has
10 the authority to levy service charges, fees, or assessments
11 sufficient to pay for the program or level of service
12 mandated by this act, within the meaning of Section 17556
13 of the Government Code.

14 education may do any of the following:

15 ~~(1) Submit reports and payroll data to the State~~
16 ~~Teachers' Retirement System or the Public Employees'~~
17 ~~Retirement System on behalf of a charter school.~~

18 ~~(2) Provide payroll processing services for a charter~~
19 ~~school.~~

20 ~~(3) Provide reporting services for a charter school for~~
21 ~~the purposes of creating and submitting reports to the~~
22 ~~State Teachers' Retirement System or the Public~~
23 ~~Employees' Retirement System.~~

24 ~~(b) If authorized by their governing bodies, two or~~
25 ~~more charter schools may enter into an agreement~~
26 ~~established pursuant to Chapter 5 (commencing with~~
27 ~~Section 6500) of Division 7 of Title 1 of the Government~~
28 ~~Code, solely for the following purposes:~~

29 ~~(1) To provide payroll processing services for the~~
30 ~~charter schools that are parties to the agreement.~~

31 ~~(2) To provide reporting services for the charter~~
32 ~~schools that are parties to the agreement for the purposes~~
33 ~~of creating and submitting reports required pursuant to~~
34 ~~the State Teachers' Retirement System or the Public~~
35 ~~Employees' Retirement System.~~

