

AMENDED IN ASSEMBLY AUGUST 11, 2000

AMENDED IN SENATE MAY 1, 2000

**SENATE BILL**

**No. 2105**

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**Introduced by Senator Lewis**

February 25, 2000

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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 authorizes a chartering agency to charge for the actual costs of supervisory 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,~~ *at the request of the charter school. The bill would require the county superintendent of schools, employing agency, or school district that reports to those*

*retirement systems to submit the required reports on behalf of the 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 bill would also require information submitted on behalf of the charter school to be in a format conforming to the requirements of the retirement systems.*

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: yes. State-mandated local program: 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) ~~At the request of a charter school, a~~  
4 school district or county office of education that is the  
5 chartering authority of a charter school shall create any  
6 reports required by the State Teachers' Retirement  
7 System and the Public Employees' Retirement System  
8 ~~and submit the reports to those systems. The county~~  
9 *superintendent of schools, employing agency, or school*  
10 *district that reports to those systems pursuant to Section*  
11 *23004 of this code or Section 20221 of the Government*  
12 *Code shall submit the required reports on behalf of the*  
13 *charter school. The school district or county office of*  
14 *education may charge the charter school for the actual*  
15 *costs of the reporting services.*

16 (b) As a condition of creating and submitting reports  
17 ~~to~~ for the State Teachers' Retirement ~~Systems~~ System  
18 and the Public Employees Retirement System, the school



1 district or county office of education shall not require a  
2 charter school to purchase payroll processing services ~~for~~  
3 ~~the charter school~~ from the chartering authority.  
4 *Information submitted on behalf of the charter school to*  
5 *the State Teachers' Retirement System, the Public*  
6 *Employees' Retirement System, or both, shall be in a*  
7 *format conforming to the requirements of those systems.*

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

