

Senate Bill No. 2105

CHAPTER 466

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

[Approved by Governor September 15, 2000. Filed
with Secretary of State September 18, 2000.]

LEGISLATIVE COUNSEL'S DIGEST

SB 2105, 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 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 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.

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

SECTION 1. Section 47611.3 is added to the Education Code, to read:

47611.3. (a) At the request of a charter school, a school district or county office of education that is the chartering authority of a charter school shall create any reports required by the State Teachers' Retirement System and the Public Employees' Retirement System. The county superintendent of schools, employing agency, or school district that reports to those systems pursuant to Section 23004 of this code or Section 20221 of the Government Code shall submit the required reports on behalf of the charter school. The school district or county office of education may charge the charter school for the actual costs of the reporting services.

(b) As a condition of creating and submitting reports for the State Teachers' Retirement System and the Public Employees Retirement System, the school district or county office of education shall not require a charter school to purchase payroll processing services from the chartering authority. Information submitted on behalf of the charter school to the State Teachers' Retirement System, the Public Employees' Retirement System, or both, shall be in a format conforming to the requirements of those systems.

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

