

HB 763 -- Enrollment of Students from Unaccredited School Districts

Sponsor: Stream

This bill changes the laws regarding enrollment options for students from school districts that have been declared unaccredited by the State Board of Education within the Department of Elementary and Secondary Education by establishing provisions for districts that are not K-8 districts. Current provisions that govern K-8 districts will remain the same, with clarification that attendance is at a public school.

A student who is enrolled and attending a public school in the district that has been declared unaccredited when the declaration is made or in a subsequent year and any student who resides in the unaccredited district and becomes eligible for kindergarten or first grade after the effective date of the bill will be eligible to transfer to an accredited district in the same or adjoining county. The tuition paid by the unaccredited district will be the lesser of the nonresident tuition established by each district or, in the absence of an established tuition, the lesser of the two districts' average expenditure per pupil for the most recent year for which data are available. The residence district must pay the cost of education in the receiving district for any transfer student with an individualized education plan. The residence district's responsibility for transportation remains unchanged.

A school district must develop criteria by June 30, 2011, for the admission of nonresident pupils from unaccredited districts, based primarily upon the availability of highly qualified teachers in existing classroom space. A district must take demographic projections into account when establishing these policies so that it will not be required to hire extra teachers or build new classrooms. No resident student can be displaced by a transfer student. The receiving district will assign the transfer student to a particular building.

An accepted transfer student is allowed to complete the education program in the building to which he or she is assigned, even if the sending district regains its accreditation, but the student must return to the residence district upon the transition to another building if the sending district regains its accreditation.

The bill contains an emergency clause.