

HB 1868 -- ELEMENTARY AND SECONDARY EDUCATION

SPONSOR: Stream

This bill changes the laws regarding elementary and secondary education. In its main provisions, the bill:

- (1) Defines "borderline district," "transiency rate," and "underperforming" as the terms relate to the accreditation of schools and districts (Section 160.011, RSMo);
- (2) Authorizes additional entities to be eligible to sponsor a charter school in an unaccredited district including the school board of a district that is accredited without provisions, a combination of the school boards of districts that are accredited without provisions, or a cooperative association of school districts;
- (3) Repeals the provision requiring the Department of Elementary and Secondary Education provide guidance to sponsors in developing policies and procedures for the review of a charter proposal; the granting of a charter; the performance framework that the sponsor will use to evaluate the performance of charter schools; the sponsor's intervention, renewal, and revocation policies; and the procedures to be implemented if a charter school should close;
- (4) Changes the deadline that the State Board of Education within the department must approve a proposed charter from December 1 of the prior year to January 31 of the year that is the proposed opening date of the charter school;
- (5) Requires the state board to renew a charter application within 60 days of receipt of any application received on or before November 15. After 60 days, the charter must be deemed approved unless the state board disapproves the charter on specified grounds. Any disapproval must be in writing, specify how the application failed to meet the requirements, and be provided to the sponsor within five business days after the board issues the disapproval;
- (6) Requires the state board's decision not to renew a charter to be based solely on the school's failure to meet specific academic performance standards;
- (7) Specifies the requirements in order to be considered a high-quality charter school or a high-quality charter management organization and requires that they be given expedited opportunities to replicate and expand into unaccredited districts and the city school districts of St. Louis and Kansas City subject

to conditions and timelines specified in the bill;

(8) Sets the terms for levels of accreditation and the point standards for the various levels and requires that three years of data be used in making accreditation decisions (Sections 161.091.1 - 161.091.8);

(9) Requires the State Board of Education to develop and implement a process to provide assistance teams to borderline and provisionally accredited districts and to continue to monitor the schools that remain assigned to an unaccredited district (Sections 161.091.9 and 161.091.10);

(10) Establishes a statewide achievement school district, effective January 1, 2015, which will be a political subdivision to which the State Board of Education must transfer all underperforming schools in an unaccredited district. An exception is made for any unaccredited district of 15,000 or more enrollment that is governed by a special administrative board; the State Board may waive assignment of the schools in the district if the special administrative board submits an acceptable plan and timetable. The governing board of the achievement district consists of three members, appointed by the Governor, with the Speaker of the House and the President Pro Tem of the Senate each presenting a slate of three nominees from which the Governor will select one member. Timetables for nomination and for selection of officers are specified in the bill. The powers and duties of the district include managing schools assigned to it, with the authority to close or reconfigure grades; oversight of facility planning and operation; employment of staff, including the authority to require staff to reapply for employment; continuation of certain contracts not relating to personnel; and community engagement. The bill provides a method for determining the allocation of fiscal resources, gives preference to high quality charter school operators for short-term contracts for services, and specifies that no school can remain assigned to the district for longer than five years (Section 162.1110);

(11) Requires an unaccredited school district to provide tuition remission to private nonsectarian schools from its state funds when a student at an underperforming school in an unaccredited district has not succeeded in gaining enrollment at a fully accredited school in the district or in a district in the same or adjoining county (Section 163.021). The tuition is the lower of the private school's tuition rate or 70% of the nonresident tuition rate set by the school district in which the private school is located. Private schools must be accredited, have been in continuous operation for three school years prior to accepting transfer students, and administer the statewide assessments in language arts

and mathematics to the transfer students (Section 167.828);

(12) Restores the provisions on student transfers from K-8 districts (Section 167.131);

(13) Creates a new section covering student transfers from districts that become unaccredited. The tuition rate uses the current method of calculating tuition but is limited to 75% of that amount. Seventy percent of the tuition goes to the receiving district, while 5% goes to the transportation assistance fund. A student who attends an underperforming school in the unaccredited district must first apply to be assigned to an accredited school within the district. In a school district that exceeds 15,000 in enrollment, the students in an unaccredited school may transfer in the first year after the declaration, and students in provisionally accredited schools may transfer in the second year. Students must have resided in the district for 12 months to qualify for transfer and must maintain residency. The date for a receiving district to set its admission standards is August 1, 2014, and January 15 each subsequent year. A student who has not been able to obtain a seat in a public school in his or her own district or a receiving district may apply for tuition reimbursement to a private nonsectarian school. If a transfer to a receiving district takes more than a 75-minute bus ride, the student is not required to attend that district instead of applying to a private school as permitted under the bill. Students may continue in their receiving school until they finish the highest grade available or graduation (Section 167.132);

(14) Limits the requirement to provide transportation for a transfer student from an unaccredited district to no more than 75 minutes one way (Section 167.241);

(15) Establishes the "Transportation Assistance Fund" to assist districts whose students choose to attend another district. The achievement district may use funds to assist with cost-effective transportation arrangements and districts with unusually high transportation needs may apply for grants from the fund (Section 167.243); and

(16) Allows an unaccredited school district to extend the length of its school day or school year by a vote of the board; and requires, unless the achievement district agrees to a waiver, the arrangement of school terms to have no more than six consecutive weeks between school years, three consecutive weeks between grading periods, and five consecutive days during a grading period when attendance is not required (Section 171.031).

The bill contains an emergency clause.