

HB 2033 -- EDUCATION PROTECTION ACT

SPONSOR: Solon

This bill establishes the Education Protection Act, which changes the laws regarding school transfers. The bill:

- (1) Separates the transfer provisions regarding K-8 districts from those regarding districts that lose their accreditation;
- (2) Specifies that pupils residing in a district that loses its accreditation who are enrolled and attending a public school during the year when the declaration of loss of accreditation is made, or is subsequently made, may transfer to a fully accredited district in the same or an adjacent county;
- (3) Retains the same calculation of tuition as in current law and requires tuition payments to be made to the receiving district within 10 business days after a district receives its state aid payment. Two successive months of failure to remit tuition payments must result in the Department of Elementary and Secondary Education withholding the tuition amount associated with each transferring pupil from the sending district's state aid and distributing that amount to the receiving district;
- (4) Requires, by June 30, 2014, each school district to establish specific criteria through board policy for the admission of nonresident pupils. Subsequently, public notice of the policy or amendments to it must be publicly posted by January 15 for the next year. The primary criteria must be the availability of highly qualified teachers in existing classroom space, taking into account demographic projections of resident pupil enrollment. No resident pupil can be displaced from a school to which he or she would otherwise be assigned to accommodate the admission of a nonresident pupil;
- (5) Requires a receiving school district to institute an admissions process that ensures all applicants an equal chance of admission while allowing preference to siblings of children who are already enrolled;
- (6) Requires the parent or guardian to notify the residence district and the receiving district of his or her intent to enroll a pupil in a school district other than the residence district by February 1 prior to the school year of the transfer;
- (7) Prohibits including the performance accountability data for a transfer student in the building and district annual performance reports of the receiving district until the student has attended

the school or district for three full academic years; and

(8) Allows a transfer student to return to the residence district at the beginning of the school year next following the district's regaining its accreditation.

The bill contains an emergency clause.