

SECOND REGULAR SESSION

HOUSE BILL NO. 1479

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE QUADE.

3036H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 160.405 and 160.408, RSMo, and to enact in lieu thereof two new sections relating to charter schools.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 160.405 and 160.408, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 160.405 and 160.408, to read as follows:

160.405. 1. A person, group or organization seeking to establish a charter school shall submit the proposed charter, as provided in this section, to a sponsor. If the sponsor is not a school board, the applicant shall give a copy of its application to the school board of the district in which the charter school is to be located and to the state board of education, within five business days of the date the application is filed with the proposed sponsor. The school board may file objections with the proposed sponsor, and, if a charter is granted, the school board may file objections with the state board of education. The charter shall include a legally binding performance contract that describes the obligations and responsibilities of the school and the sponsor as outlined in sections 160.400 to 160.425 and section 167.349 and shall address the following:

(1) A mission and vision statement for the charter school;

(2) A description of the charter school's organizational structure and bylaws of the governing body, which will be responsible for the policy, financial management, and operational decisions of the charter school, including the nature and extent of parental, professional educator, and community involvement in the governance and operation of the charter school;

(3) A financial plan for the first three years of operation of the charter school including provisions for annual audits;

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

- 18 (4) A description of the charter school's policy for securing personnel services, its
19 personnel policies, personnel qualifications, and professional development plan;
- 20 (5) A description of the grades or ages of students being served;
- 21 (6) The school's calendar of operation, which shall include at least the equivalent of a
22 full school term as defined in section 160.011;
- 23 (7) A description of the charter school's pupil performance standards and academic
24 program performance standards, which shall meet the requirements of subdivision (6) of
25 subsection 4 of this section. The charter school program shall be designed to enable each pupil
26 to achieve such standards and shall contain a complete set of indicators, measures, metrics, and
27 targets for academic program performance, including specific goals on graduation rates and
28 standardized test performance and academic growth;
- 29 (8) A description of the charter school's educational program and curriculum;
- 30 (9) The term of the charter, which shall be five years and may be renewed;
- 31 (10) Procedures, consistent with the Missouri financial accounting manual, for
32 monitoring the financial accountability of the charter, which shall meet the requirements of
33 subdivision (4) of subsection 4 of this section;
- 34 (11) Preopening requirements for applications that require that charter schools meet all
35 health, safety, and other legal requirements prior to opening;
- 36 (12) A description of the charter school's policies on student discipline and student
37 admission, which shall include a statement, where applicable, of the validity of attendance of
38 students who do not reside in the district but who may be eligible to attend under the terms of
39 judicial settlements and procedures that ensure admission of students with disabilities in a
40 nondiscriminatory manner;
- 41 (13) A description of the charter school's grievance procedure for parents or guardians;
- 42 (14) A description of the agreement and time frame for implementation between the
43 charter school and the sponsor as to when a sponsor shall intervene in a charter school, when a
44 sponsor shall revoke a charter for failure to comply with subsection 8 of this section, and when
45 a sponsor will not renew a charter under subsection 9 of this section;
- 46 (15) Procedures to be implemented if the charter school should close, as provided in
47 subdivision (6) of subsection 16 of section 160.400 including:
- 48 (a) Orderly transition of student records to new schools and archival of student records;
- 49 (b) Archival of business operation and transfer or repository of personnel records;
- 50 (c) Submission of final financial reports;
- 51 (d) Resolution of any remaining financial obligations;
- 52 (e) Disposition of the charter school's assets upon closure; and

53 (f) A notification plan to inform parents or guardians of students, the local school
54 district, the retirement system in which the charter school's employees participate, and the state
55 board of education within thirty days of the decision to close;

56 (16) A description of the special education and related services that shall be available
57 to meet the needs of students with disabilities; and

58 (17) For all new or revised charters, procedures to be used upon closure of the charter
59 school requiring that unobligated assets of the charter school be returned to the department of
60 elementary and secondary education for their disposition, which upon receipt of such assets shall
61 return them to the local school district in which the school was located, the state, or any other
62 entity to which they would belong.

63

64 Charter schools operating on August 27, 2012, shall have until August 28, 2015, to meet the
65 requirements of this subsection.

66 2. Proposed charters shall be subject to the following requirements:

67 (1) A charter shall be submitted to the sponsor, and follow the sponsor's policies and
68 procedures for review and granting of a charter approval, and be approved by the state board of
69 education **or, if subject to the provisions of subdivision (3) of subsection 3 of this section,**
70 **by the voters of the district in which the charter school is to be located** by January thirty-first
71 prior to the school year of the proposed opening date of the charter school;

72 (2) A charter may be approved when the sponsor determines that the requirements of this
73 section are met, determines that the applicant is sufficiently qualified to operate a charter school,
74 and that the proposed charter is consistent with the sponsor's charter sponsorship goals and
75 capacity. The sponsor's decision of approval or denial shall be made within ninety days of the
76 filing of the proposed charter;

77 (3) If the charter is denied, the proposed sponsor shall notify the applicant in writing as
78 to the reasons for its denial and forward a copy to the state board of education within five
79 business days following the denial;

80 (4) If a proposed charter is denied by a sponsor, the proposed charter may be submitted
81 to the state board of education, along with the sponsor's written reasons for its denial. If the state
82 board determines that the applicant meets the requirements of this section, that the applicant is
83 sufficiently qualified to operate the charter school, and that granting a charter to the applicant
84 would be likely to provide educational benefit to the children of the district, the state board may
85 grant a charter and act as sponsor of the charter school. The state board shall review the
86 proposed charter and make a determination of whether to deny or grant the proposed charter
87 within sixty days of receipt of the proposed charter, provided that any charter to be considered
88 by the state board of education under this subdivision shall be submitted no later than March first

89 prior to the school year in which the charter school intends to begin operations. The state board
90 of education shall notify the applicant in writing as to the reasons for its denial, if applicable.
91 **Notwithstanding the above, if a charter application is submitted under this subdivision in**
92 **school year 2021-22 or any subsequent year that proposes operating a charter school in any**
93 **district described in subdivision (3) or (4) of subsection 2 of section 160.400, any decision**
94 **by the state board of education to grant such charter shall not become effective until**
95 **approved by the voters of the district in which the charter school is to be located as**
96 **described in subdivision (3) of subsection 3 of this section; and**

97 (5) The sponsor of a charter school shall give priority to charter school applicants that
98 propose a school oriented to high-risk students and to the reentry of dropouts into the school
99 system. If a sponsor grants three or more charters, at least one-third of the charters granted by
100 the sponsor shall be to schools that actively recruit dropouts or high-risk students as their student
101 body and address the needs of dropouts or high-risk students through their proposed mission,
102 curriculum, teaching methods, and services. For purposes of this subsection, a "high-risk"
103 student is one who is at least one year behind in satisfactory completion of course work or
104 obtaining high school credits for graduation, has dropped out of school, is at risk of dropping out
105 of school, needs drug and alcohol treatment, has severe behavioral problems, has been suspended
106 from school three or more times, has a history of severe truancy, is a pregnant or parenting teen,
107 has been referred for enrollment by the judicial system, is exiting incarceration, is a refugee, is
108 homeless or has been homeless sometime within the preceding six months, has been referred by
109 an area school district for enrollment in an alternative program, or qualifies as high risk under
110 department of elementary and secondary education guidelines. Dropout shall be defined through
111 the guidelines of the school core data report. The provisions of this subsection do not apply to
112 charters sponsored by the state board of education.

113 3. (1) If a charter is approved by a sponsor, the charter application shall be submitted
114 to the state board of education, along with a statement of finding by the sponsor that the
115 application meets the requirements of sections 160.400 to 160.425 and section 167.349 and a
116 monitoring plan under which the charter sponsor shall evaluate the academic performance,
117 including annual performance reports, of students enrolled in the charter school.

118 (2) **Except as otherwise provided in subdivision (3) of this subsection,** the state board
119 of education shall approve or deny a charter application within sixty days of receipt of the
120 application. The state board of education may deny a charter on grounds that the application fails
121 to meet the requirements of sections 160.400 to 160.425 and section 167.349 or that a charter
122 sponsor previously failed to meet the statutory responsibilities of a charter sponsor. Any denial
123 of a charter application made by the state board of education shall be in writing and shall identify
124 the specific failures of the application to meet the requirements of sections 160.400 to 160.425

125 and section 167.349, and the written denial shall be provided within ten business days to the
126 sponsor.

127 **(3) (a) If a charter application is submitted to the state board of education in school**
128 **year 2021-22 or any subsequent year that proposes operating a charter school in any**
129 **district described in subdivision (3), (4), or (5) of subsection 2 of section 160.400, the state**
130 **board of education shall review the application and determine within sixty days of receipt**
131 **whether the application meets the requirements of sections 160.400 to 160.425 and section**
132 **167.349.**

133 **(b) If the application fails to meet the requirements of sections 160.400 to 160.425**
134 **and section 167.349, the state board of education shall deny the charter in writing, identify**
135 **the specific failures of the application to meet the requirements of sections 160.400 to**
136 **160.425 and section 167.349 in the written denial, and provide the written denial within ten**
137 **business days to the sponsor.**

138 **(c) If the application meets the requirements of sections 160.400 to 160.425 and**
139 **section 167.349, the state board of education shall direct the board of directors of the**
140 **school district in which the charter school is proposed to be located to cause the question**
141 **of charter approval to be submitted to the voters of the district at the next municipal**
142 **election or, if the next annual school election is more than sixty days away, cause the**
143 **question to be submitted to the voters in the district at a special election called in**
144 **accordance with law on a date set by the state board of education. The election shall be**
145 **conducted in the manner provided by law for the conducting of school district elections**
146 **generally. A majority affirmative vote for approval is required for approval of the charter**
147 **school application.**

148 4. A charter school shall, as provided in its charter:

149 (1) Be nonsectarian in its programs, admission policies, employment practices, and all
150 other operations;

151 (2) Comply with laws and regulations of the state, county, or city relating to health,
152 safety, and state minimum educational standards, as specified by the state board of education,
153 including the requirements relating to student discipline under sections 160.261, 167.161,
154 167.164, and 167.171, notification of criminal conduct to law enforcement authorities under
155 sections 167.115 ~~[tø]~~ **and** 167.117, academic assessment under section 160.518, transmittal of
156 school records under section 167.020, the minimum amount of school time required under
157 section 171.031, and the employee criminal history background check and the family care safety
158 registry check under section 168.133;

159 (3) Except as provided in sections 160.400 to 160.425 and as specifically provided in
160 other sections, be exempt from all laws and rules relating to schools, governing boards and
161 school districts;

162 (4) Be financially accountable, use practices consistent with the Missouri financial
163 accounting manual, provide for an annual audit by a certified public accountant, publish audit
164 reports and annual financial reports as provided in chapter 165, provided that the annual financial
165 report may be published on the department of elementary and secondary education's internet
166 website in addition to other publishing requirements, and provide liability insurance to indemnify
167 the school, its board, staff and teachers against tort claims. A charter school that receives local
168 educational agency status under subsection 6 of this section shall meet the requirements imposed
169 by the Elementary and Secondary Education Act for audits of such agencies and comply with all
170 federal audit requirements for charters with local educational agency status. For purposes of an
171 audit by petition under section 29.230, a charter school shall be treated as a political subdivision
172 on the same terms and conditions as the school district in which it is located. For the purposes
173 of securing such insurance, a charter school shall be eligible for the Missouri public entity risk
174 management fund pursuant to section 537.700. A charter school that incurs debt shall include
175 a repayment plan in its financial plan;

176 (5) Provide a comprehensive program of instruction for at least one grade or age group
177 from early childhood through grade twelve, as specified in its charter;

178 (6) (a) Design a method to measure pupil progress toward the pupil academic standards
179 adopted by the state board of education pursuant to section 160.514, establish baseline student
180 performance in accordance with the performance contract during the first year of operation,
181 collect student performance data as defined by the annual performance report throughout the
182 duration of the charter to annually monitor student academic performance, and to the extent
183 applicable based upon grade levels offered by the charter school, participate in the statewide
184 system of assessments, comprised of the essential skills tests and the nationally standardized
185 norm-referenced achievement tests, as designated by the state board pursuant to section 160.518,
186 complete and distribute an annual report card as prescribed in section 160.522, which shall also
187 include a statement that background checks have been completed on the charter school's board
188 members, and report to its sponsor, the local school district, and the state board of education as
189 to its teaching methods and any educational innovations and the results thereof. No charter
190 school shall be considered in the Missouri school improvement program review of the district
191 in which it is located for the resource or process standards of the program.

192 (b) For proposed high-risk or alternative charter schools, sponsors shall approve
193 performance measures based on mission, curriculum, teaching methods, and services. Sponsors
194 shall also approve comprehensive academic and behavioral measures to determine whether

195 students are meeting performance standards on a different time frame as specified in that school's
196 charter. Student performance shall be assessed comprehensively to determine whether a
197 high-risk or alternative charter school has documented adequate student progress. Student
198 performance shall be based on sponsor-approved comprehensive measures as well as
199 standardized public school measures. Annual presentation of charter school report card data to
200 the department of elementary and secondary education, the state board, and the public shall
201 include comprehensive measures of student progress.

202 (c) Nothing in this subdivision shall be construed as permitting a charter school to be
203 held to lower performance standards than other public schools within a district; however, the
204 charter of a charter school may permit students to meet performance standards on a different time
205 frame as specified in its charter. The performance standards for alternative and special purpose
206 charter schools that target high-risk students as defined in subdivision (5) of subsection 2 of this
207 section shall be based on measures defined in the school's performance contract with its
208 sponsors;

209 (7) Comply with all applicable federal and state laws and regulations regarding students
210 with disabilities, including sections 162.670 to 162.710, the Individuals with Disabilities
211 Education Act (20 U.S.C. Section 1400, **et seq.**) and Section 504 of the Rehabilitation Act of
212 1973 (29 U.S.C. Section 794) or successor legislation;

213 (8) Provide along with any request for review by the state board of education the
214 following:

215 (a) Documentation that the applicant has provided a copy of the application to the school
216 board of the district in which the charter school is to be located, except in those circumstances
217 where the school district is the sponsor of the charter school; and

218 (b) A statement outlining the reasons for approval or denial by the sponsor, specifically
219 addressing the requirements of sections 160.400 to 160.425 and 167.349.

220 5. (1) Proposed or existing high-risk or alternative charter schools may include
221 alternative arrangements for students to obtain credit for satisfying graduation requirements in
222 the school's charter application and charter. Alternative arrangements may include, but not be
223 limited to, credit for off-campus instruction, embedded credit, work experience through an
224 internship arranged through the school, and independent studies. When the state board of
225 education approves the charter, any such alternative arrangements shall be approved at such
226 time; **except that, if a charter is subject to the provisions of subdivision (3) of subsection 3**
227 **of this section, the state board of education shall approve or deny such alternative**
228 **arrangements before the question of charter approval is submitted to the voters.**

229 (2) The department of elementary and secondary education shall conduct a study of any
230 charter school granted alternative arrangements for students to obtain credit under this subsection

231 after three years of operation to assess student performance, graduation rates, educational
232 outcomes, and entry into the workforce or higher education.

233 6. The charter of a charter school may be amended at the request of the governing body
234 of the charter school and on the approval of the sponsor. The sponsor and the governing board
235 and staff of the charter school shall jointly review the school's performance, management and
236 operations during the first year of operation and then every other year after the most recent
237 review or at any point where the operation or management of the charter school is changed or
238 transferred to another entity, either public or private. The governing board of a charter school
239 may amend the charter, if the sponsor approves such amendment, or the sponsor and the
240 governing board may reach an agreement in writing to reflect the charter school's decision to
241 become a local educational agency. In such case the sponsor shall give the department of
242 elementary and secondary education written notice no later than March first of any year, with the
243 agreement to become effective July first. The department may waive the March first notice date
244 in its discretion. The department shall identify and furnish a list of its regulations that pertain
245 to local educational agencies to such schools within thirty days of receiving such notice.

246 7. Sponsors shall annually review the charter school's compliance with statutory
247 standards including:

248 (1) Participation in the statewide system of assessments, as designated by the state board
249 of education under section 160.518;

250 (2) Assurances for the completion and distribution of an annual report card as prescribed
251 in section 160.522;

252 (3) The collection of baseline data during the first three years of operation to determine
253 the longitudinal success of the charter school;

254 (4) A method to measure pupil progress toward the pupil academic standards adopted
255 by the state board of education under section 160.514; and

256 (5) Publication of each charter school's annual performance report.

257 8. (1) (a) A sponsor's policies shall give schools clear, adequate, evidence-based, and
258 timely notice of contract violations or performance deficiencies and mandate intervention based
259 upon findings of the state board of education of the following:

260 a. The charter school provides a high school program which fails to maintain a
261 graduation rate of at least seventy percent in three of the last four school years unless the school
262 has dropout recovery as its mission;

263 b. The charter school's annual performance report results are below the district's annual
264 performance report results based on the performance standards that are applicable to the grade
265 level configuration of both the charter school and the district in which the charter school is
266 located in three of the last four school years; and

267 c. The charter school is identified as a persistently lowest achieving school by the
268 department of elementary and secondary education.

269 (b) A sponsor shall have a policy to revoke a charter during the charter term if there is:

270 a. Clear evidence of underperformance as demonstrated in the charter school's annual
271 performance report in three of the last four school years; or

272 b. A violation of the law or the public trust that imperils students or public funds.

273 (c) A sponsor shall revoke a charter or take other appropriate remedial action, which may
274 include placing the charter school on probationary status for no more than twenty-four months,
275 provided that no more than one designation of probationary status shall be allowed for the
276 duration of the charter contract, at any time if the charter school commits a serious breach of one
277 or more provisions of its charter or on any of the following grounds: failure to meet the
278 performance contract as set forth in its charter, failure to meet generally accepted standards of
279 fiscal management, failure to provide information necessary to confirm compliance with all
280 provisions of the charter and sections 160.400 to 160.425 and 167.349 within forty-five days
281 following receipt of written notice requesting such information, or violation of law.

282 (2) The sponsor may place the charter school on probationary status to allow the
283 implementation of a remedial plan, which may require a change of methodology, a change in
284 leadership, or both, after which, if such plan is unsuccessful, the charter may be revoked.

285 (3) At least sixty days before acting to revoke a charter, the sponsor shall notify the
286 governing board of the charter school of the proposed action in writing. The notice shall state
287 the grounds for the proposed action. The school's governing board may request in writing a
288 hearing before the sponsor within two weeks of receiving the notice.

289 (4) The sponsor of a charter school shall establish procedures to conduct administrative
290 hearings upon determination by the sponsor that grounds exist to revoke a charter. Final
291 decisions of a sponsor from hearings conducted pursuant to this subsection are subject to an
292 appeal to the state board of education, which shall determine whether the charter shall be
293 revoked.

294 (5) A termination shall be effective only at the conclusion of the school year, unless the
295 sponsor determines that continued operation of the school presents a clear and immediate threat
296 to the health and safety of the children.

297 (6) A charter sponsor shall make available the school accountability report card
298 information as provided under section 160.522 and the results of the academic monitoring
299 required under subsection 3 of this section.

300 9. (1) A sponsor shall take all reasonable steps necessary to confirm that each charter
301 school sponsored by such sponsor is in material compliance and remains in material compliance
302 with all material provisions of the charter and sections 160.400 to 160.425 and 167.349. Every

303 charter school shall provide all information necessary to confirm ongoing compliance with all
304 provisions of its charter and sections 160.400 to 160.425 and 167.349 in a timely manner to its
305 sponsor.

306 (2) The sponsor's renewal process of the charter school shall be based on the thorough
307 analysis of a comprehensive body of objective evidence and consider if:

308 (a) The charter school has maintained results on its annual performance report that meet
309 or exceed the district in which the charter school is located based on the performance standards
310 that are applicable to the grade-level configuration of both the charter school and the district in
311 which the charter school is located in three of the last four school years;

312 (b) The charter school is organizationally and fiscally viable determining at a minimum
313 that the school does not have:

314 a. A negative balance in its operating funds;

315 b. A combined balance of less than three percent of the amount expended for such funds
316 during the previous fiscal year; or

317 c. Expenditures that exceed receipts for the most recently completed fiscal year;

318 (c) The charter is in compliance with its legally binding performance contract and
319 sections 160.400 to 160.425 and section 167.349; and

320 (d) The charter school has an annual performance report consistent with a classification
321 of accredited for three of the last four years and is fiscally viable as described in paragraph (b)
322 of this subdivision. If such is the case, the charter school may have an expedited renewal process
323 as defined by rule of the department of elementary and secondary education.

324 (3) (a) Beginning August first during the year in which a charter is considered for
325 renewal, a charter school sponsor shall demonstrate to the state board of education that the
326 charter school is in compliance with federal and state law as provided in sections 160.400 to
327 160.425 and section 167.349 and the school's performance contract including but not limited to
328 those requirements specific to academic performance.

329 (b) Along with data reflecting the academic performance standards indicated in
330 paragraph (a) of this subdivision, the sponsor shall submit a revised charter application to the
331 state board of education for review.

332 (c) Using the data requested and the revised charter application under paragraphs (a) and
333 (b) of this subdivision, the state board of education shall determine if compliance with all
334 standards enumerated in this subdivision has been achieved. The state board of education at its
335 next regularly scheduled meeting shall vote on the revised charter application.

336 (d) If a charter school sponsor demonstrates the objectives identified in this subdivision,
337 the state board of education shall renew the school's charter.

338 10. A school district may enter into a lease with a charter school for physical facilities.

339 11. A governing board or a school district employee who has control over personnel
340 actions shall not take unlawful reprisal against another employee at the school district because
341 the employee is directly or indirectly involved in an application to establish a charter school. A
342 governing board or a school district employee shall not take unlawful reprisal against an
343 educational program of the school or the school district because an application to establish a
344 charter school proposes the conversion of all or a portion of the educational program to a charter
345 school. As used in this subsection, "unlawful reprisal" means an action that is taken by a
346 governing board or a school district employee as a direct result of a lawful application to
347 establish a charter school and that is adverse to another employee or an educational program.

348 12. Charter school board members shall be subject to the same liability for acts while
349 in office as if they were regularly and duly elected members of school boards in any other public
350 school district in this state. The governing board of a charter school may participate, to the same
351 extent as a school board, in the Missouri public entity risk management fund in the manner
352 provided under sections 537.700 to 537.756.

353 13. Any entity, either public or private, operating, administering, or otherwise managing
354 a charter school shall be considered a quasi-public governmental body and subject to the
355 provisions of sections 610.010 to 610.035.

356 14. The chief financial officer of a charter school shall maintain:

357 (1) A surety bond in an amount determined by the sponsor to be adequate based on the
358 cash flow of the school; or

359 (2) An insurance policy issued by an insurance company licensed to do business in
360 Missouri on all employees in the amount of five hundred thousand dollars or more that provides
361 coverage in the event of employee theft.

362 15. The department of elementary and secondary education shall calculate an annual
363 performance report for each charter school and shall publish it in the same manner as annual
364 performance reports are calculated and published for districts and attendance centers.

365 16. The joint committee on education shall create a committee to investigate facility
366 access and affordability for charter schools. The committee shall be comprised of equal numbers
367 of the charter school sector and the public school sector and shall report its findings to the
368 general assembly by December 31, 2016.

160.408. 1. For purposes of this section, "high-quality charter school" means a charter
2 school operating in the state of Missouri that meets the following requirements:

3 (1) Receives eighty-five percent or more of the total points on the annual performance
4 report for three out of the last four school years by comparing points earned to the points possible
5 on the annual performance report for three of the last four school years;

6 (2) Maintains a graduation rate of at least eighty percent for three of the last four school
7 years, if the charter school provides a high school program;

8 (3) Is in material compliance with its legally binding performance contract and sections
9 160.400 to 160.425 and section 167.349; and

10 (4) Is organizationally and fiscally viable as described in paragraph (b) of subdivision
11 (2) of subsection 9 of section 160.405.

12 2. Notwithstanding any other provision of law, high-quality charter schools shall be
13 provided expedited opportunities to replicate and expand into unaccredited districts, a
14 metropolitan district, or an urban school district containing most or all of a home rule city with
15 more than four hundred thousand inhabitants and located in more than one county. Such
16 replication and expansion shall be subject to the following:

17 (1) The school seeking to replicate or expand shall submit its proposed charter to a
18 proposed sponsor. The charter shall include a legally binding performance contract that meets
19 the requirements of sections 160.400 to 160.425 and section 167.349;

20 (2) The sponsor's decision to approve or deny shall be made within sixty days of the
21 filing of the proposed charter with the proposed sponsor;

22 (3) If a charter is approved by a sponsor, the charter application shall be filed with the
23 state board of education with a statement of finding from the sponsor that the application meets
24 the requirements of sections 160.400 to 160.425 and section 167.349 and a monitoring plan
25 under which the sponsor shall evaluate the academic performance of students enrolled in the
26 charter school. Such filing shall be made by January thirty-first prior to the school year in which
27 the charter school intends to begin operations; **and**

28 **(4) If the charter application is filed with the state board of education in school year**
29 **2021-22 or any subsequent year and proposes replicating and expanding into an**
30 **unaccredited district, the charter application shall not be approved until the voters have**
31 **approved it as described in subdivision (3) of subsection 3 of section 160.405.**

32 3. The term of the charter for schools operating under this section shall be five years, and
33 the charter may be renewed for terms of up to ten years. Renewal shall be subject to the
34 provisions of paragraphs (a) to (d) of subdivision (3) of subsection 9 of section 160.405.

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