

HB 543 -- PUBLIC SCHOOL TRANSFERS

SPONSOR: Pollitt (52)

This bill adds Sections 167.1200 to 167.1230, RSMo, creating the "Public School Open Enrollment Act".

DEFINITIONS (SECTION 167.1200)

The bill defines "non-resident district", "public school choice student", and "resident district" and distinguishes between "resident local revenue" and "nonresident local revenue".

TRANSFER POLICY AND PARTICIPATION (SECTION 167.1205)

The bill specifies that any student beginning kindergarten or already enrolled in a public school may attend a public school in any nonresident district. Districts must declare participation in the open enrollment program by February 1st. Participating districts are not required to add teachers, staff, or classrooms to accommodate transfer applicants and the school may establish standards for transfer applications and post the information on the school website and in the student handbook.

The Department of Elementary and Secondary Education (DESE) shall develop a model open enrollment transfer policy as outlined in the bill. A school board may modify the model policy but all public schools must adopt a policy regardless of participation in the program.

Students who wish to attend nonresident schools that have an academic or competitive entrance process shall furnish proof that they meet the admission requirements.

Students that participate in open enrollment in high school may not participate in varsity sports during the first 90 days of enrollment in a non-resident district with exceptions outlined in the bill.

No transfers under this act may begin until the school year 2023-24.

APPLYING FOR TRANSFER (SECTION 167.1210)

Any student that applies for a transfer may only accept one transfer per school year, although the student may return to their resident district and must complete a full year before applying for another transfer. Students may complete all remaining school years in their nonresident district and any sibling may enroll if the

district has the capacity as provided by the bill.

For the purposes of federal and state aid the student shall be counted as a resident pupil of the non resident district. Resident districts will calculate the per-pupil average daily local effort amount and upon notification by the non-resident district of the number of days the student was enrolled send such amount for each day.

Parents will be responsible for transportation to the nonresident school or to an existing bus stop location in the nonresident district. Students that qualify for free and reduced meals may have transportation expenses reimbursed quarterly as outlined in the bill.

REVENUE CALCULATION (167.1211)

The bill establishes a calculation for resident districts local revenue to be sent for each transferring student to the nonresident district. The calculation takes into consideration additional costs for students with special education needs and districts whose local revenue is below the state adequacy target. DESE may withhold any amount that is owed and not sent by a resident district by June 30th from a resident districts monthly revenue distribution.

PARENT PUBLIC SCHOOL CHOICE FUND (SECTION 167.1212)

This bill establishes the "Parent Public School Choice Fund" with a \$60 million appropriation to be used to supplement open enrollment transfers from any resident district whose local revenue is less than the state adequacy target and the nonresident districts local revenue.

NUMBER OF TRANSFER STUDENTS (SECTION 167.1215)

The bill establishes that annually, before February 1, each school district shall set and publish the number of transfer students the district is willing to receive for the following school year. This number does not have to be more than zero. Districts will also develop a policy for a wait list.

APPLICATION PROCESS (SECTION 167.1220)

The processes for a transfer application, and the details for notifications of acceptance or rejection are specified within the bill. The bill explains the reasons that an eligible application may be rejected and notification must be provided in writing by July 1 of the school year for which the student wishes to attend. The bill defines "good cause" and allows for consideration of

applications that are submitted after April 1st and before October 1st.

ALLOWED EXEMPTIONS (SECTION 167.1225)

This bill provides that, prior to April 1, a school district may annually declare an exemption for the upcoming school year, from the requirements set forth in this bill, provided that the school district is subject to a desegregation order or mandate of a federal court or agency remedying the effects of past racial segregation or subject to a settlement agreement remedying the effects of past racial segregation. Additional exemptions are specified for students who qualify for transfers under other listed sections.

APPEAL AND ANNUAL REPORTING

The bill establishes when a student may be denied a transfer based on his or her discipline record and includes an appeal procedure.

DESE shall collect and report data annually from school districts on the number of applications and study the effects of the public school choice program transfers (Section 167.1230).

Some provisions of this bill have a delayed effective date of July 1, 2022