

HS HCS HB 543 -- PUBLIC SCHOOL TRANSFERS (Pollitt (52))

COMMITTEE OF ORIGIN: Standing Committee on Elementary and Secondary Education

RESIDENTIAL SCHOOL ENROLLMENT (Sections 167.020 and 167.151, RSMo)

This bill allows beginning in the 2022-23 school year any person that owns residential or agricultural real property in any school district, and pays a school tax in that district for the two most recent tax years, to send children to that district, upon notification to the district at least 30 days prior to enrollment, and the district shall count that child for the districts average daily attendance.

PUBLIC SCHOOL OPEN ENROLLMENT ACT (Sections 167.1200 to 167.1230)

The 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" among other definitions.

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 October 1. Participating districts are not required to add teachers, staff, or classrooms to accommodate transfer applicants. The bill includes a procedure for districts to take when a transferring student has special education needs. Schools may also 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 the modela policy, regardless of participation in the program; however, each school board may modify the model policy based on the districts' needs.

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 2022-23. For school years 2022-23 and 2023-24 districts may restrict the number of transferring students to 5% of the previous school year's enrollment.

#### 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 semester 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.

Students that participate in open enrollment in high school and return to their resident district may not participate in varsity-level activities for 90 days. A student that makes a second transfer to a nonresident high school may not participate in varsity-level activities for 365 days.

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 (Section 167.1211)

The bill allows districts to receive funding from the "Parent Public School Choice Fund" for special education services up to three times the current expenditure per average daily attendance and for transportation costs for students that qualify for free and reduced meals.

#### PARENT PUBLIC SCHOOL CHOICE FUND (Section 167.1212)

This bill establishes the "Parent Public School Choice Fund" with a \$30 million appropriation to be used to supplement open enrollment transfers from any resident district for transportation cost for students that qualify for free and reduced meals, and to reimburse for special needs education as outline in Section 167.1211.

#### NUMBER OF TRANSFER STUDENTS (Section 167.1215)

The bill specifies that annually, before October 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. Superintendents will review and may accept applications in a timely manner, but only the school board of the district may reject an application. The bill explains the reasons that an eligible application may be rejected and notification must be provided in writing by June first. The bill defines "good cause" and allows for consideration of applications that are submitted after December 1st and before July 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 (Section 167.1230)

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