

HB 831 -- Charter Schools

Sponsor: Robb

This bill permits charter schools to be established in any district with more than 2,000 students that was designated as unaccredited or provisionally accredited in its last accreditation review, as well as clarifies that charter schools are permitted in any district that contains territory that was formerly part of a district where charter schools were authorized. Sponsorship of charter schools is opened to any four-year college with an approved teacher preparation program, as well as the mayors of the cities of St. Louis and Kansas City, and to the University of Missouri-Rolla specifically for purposes of remediating reading deficiencies. The Department of Elementary and Secondary Education will retain 1.5% of a charter school's aid allocation to defray costs of sponsorship. Nonprofit corporations managing charter schools must maintain a surety bond in an amount no less than the total funds to be received during the year. The current maximum of 5% of a district's buildings being available for conversion to charter schools is repealed, as is the provision that a charter school cannot be located on district property without the district's consent. Each school district where a charter is permitted must offer the right of first refusal to charter schools when the district wishes to dispose of property.

Charter sponsors must ensure that criminal background and child abuse registry checks are conducted for all members of the school's governing board. Charter school governing board members must not be employed by the charter school or any company that provides substantial services to the charter school. Board members are considered to be decision-making public servants for financial disclosure purposes, and companies managing the schools are to be considered quasi-public governmental bodies. Board members are subject to liability as if they were members of school boards, and charter schools may participate in the Missouri Public Entity Risk Management Fund.

The bill makes several technical changes to the charter application process, clarifying what items must be submitted and on what timetable. The State Board of Education may deny a charter based on the sponsor's prior failure to exercise its responsibilities. Charters may be revoked if the school does not furnish compliance information within 45 days of a request. Sponsors must take all reasonable steps to confirm compliance. Alternative charter schools will be judged on their performance on measures selected by the sponsors, as well as standardized public school measures. Charters may be amended when operation or management is transferred to another entity and if a charter

school decides to become a local education agency (LEA) for purposes of seeking direct access to federal grants. If a charter school becomes an LEA, it may receive its aid payment directly from the department rather than from the district. Disputes among the department, the school district, and the charter school will be resolved by the Administrative Hearing Commission, eligible for review by the circuit court.

Charter schools offering a foreign language immersion program are not required to meet the minimum percentage for certificated teachers. No charter school may employ a teacher whose certificate has been revoked or suspended. An employee of an entity providing service to a charter school may elect to participate in the retirement plan of the employer.