

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 2210, Page 1, Section A, Line 3, by
2 inserting after all of said line the following:

3
4 "160.400. 1. A charter school is an independent public school.

5 2. Except as further provided in subsection 4 of this section, charter schools may be
6 operated only:

7 (1) In a metropolitan school district;

8 (2) In an urban school district containing most or all of a city with a population greater than
9 three hundred fifty thousand inhabitants;

10 (3) In a school district that has been classified as unaccredited by the state board of
11 education;

12 (4) In a school district that has been classified as provisionally accredited by the state board
13 of education and has received scores on its annual performance report consistent with a
14 classification of provisionally accredited or unaccredited for three consecutive school years
15 beginning with the 2012-13 accreditation year under the following conditions:

16 (a) The eligibility for charter schools of any school district whose provisional accreditation
17 is based in whole or in part on financial stress as defined in sections 161.520 to 161.529, or on
18 financial hardship as defined by rule of the state board of education, shall be decided by a vote of
19 the state board of education during the third consecutive school year after the designation of
20 provisional accreditation; and

21 (b) The sponsor is limited to the local school board or a sponsor who has met the standards
22 of accountability and performance as determined by the department based on sections 160.400 to
23 160.425 and section 167.349 and properly promulgated rules of the department; or

24 (5) In a school district that has been accredited without provisions, sponsored only by the
25 local school board; provided that no board with a current year enrollment of one thousand five
26 hundred fifty students or greater shall permit more than thirty-five percent of its student enrollment
27 to enroll in charter schools sponsored by the local board under the authority of this subdivision,
28 except that this restriction shall not apply to any school district that subsequently becomes eligible
29 under subdivision (3) or (4) of this subsection or to any district accredited without provisions that
30 sponsors charter schools prior to having a current year student enrollment of one thousand five
31 hundred fifty students or greater.

32 3. Except as further provided in subsection 4 of this section, the following entities are
33 eligible to sponsor charter schools:

34 (1) The school board of the district in any district which is sponsoring a charter school as of
35 August 27, 2012, as permitted under subdivision (1) or (2) of subsection 2 of this section, the
36 special administrative board of a metropolitan school district during any time in which powers

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1 granted to the district's board of education are vested in a special administrative board, or if the state
2 board of education appoints a special administrative board to retain the authority granted to the
3 board of education of an urban school district containing most or all of a city with a population
4 greater than three hundred fifty thousand inhabitants, the special administrative board of such school
5 district;

6 (2) A public four-year college or university with an approved teacher education program
7 that meets regional or national standards of accreditation;

8 (3) A community college, the service area of which encompasses some portion of the
9 district;

10 (4) Any private four-year college or university with an enrollment of at least one thousand
11 students, with its primary campus in Missouri, and with an approved teacher preparation program;

12 (5) Any two-year private vocational or technical school designated as a 501(c)(3) nonprofit
13 organization under the Internal Revenue Code of 1986, as amended, and accredited by the Higher
14 Learning Commission, with its primary campus in Missouri;

15 (6) The Missouri charter public school commission created in section 160.425.

16 4. Changes in a school district's accreditation status that affect charter schools shall be
17 addressed as follows, except for the districts described in subdivisions (1) and (2) of subsection 2 of
18 this section:

19 (1) As a district transitions from unaccredited to provisionally accredited, the district shall
20 continue to fall under the requirements for an unaccredited district until it achieves three
21 consecutive full school years of provisional accreditation;

22 (2) As a district transitions from provisionally accredited to full accreditation, the district
23 shall continue to fall under the requirements for a provisionally accredited district until it achieves
24 three consecutive full school years of full accreditation;

25 (3) In any school district classified as unaccredited or provisionally accredited where a
26 charter school is operating and is sponsored by an entity other than the local school board, when the
27 school district becomes classified as accredited without provisions, a charter school may continue to
28 be sponsored by the entity sponsoring it prior to the classification of accredited without provisions
29 and shall not be limited to the local school board as a sponsor.

30
31 A charter school operating in a school district identified in subdivision (1) or (2) of subsection 2 of
32 this section may be sponsored by any of the entities identified in subsection 3 of this section,
33 irrespective of the accreditation classification of the district in which it is located. A charter school
34 in a district described in this subsection whose charter provides for the addition of grade levels in
35 subsequent years may continue to add levels until the planned expansion is complete to the extent of
36 grade levels in comparable schools of the district in which the charter school is operated.

37 5. The mayor of a city not within a county may request a sponsor under subdivision (2), (3),
38 (4), (5), or (6) of subsection 3 of this section to consider sponsoring a "workplace charter school",
39 which is defined for purposes of sections 160.400 to 160.425 as a charter school with the ability to
40 target prospective students whose parent or parents are employed in a business district, as defined in
41 the charter, which is located in the city.

42 6. No sponsor shall receive from an applicant for a charter school any fee of any type for
43 the consideration of a charter, nor may a sponsor condition its consideration of a charter on the
44 promise of future payment of any kind.

45 7. The charter school shall be organized as a Missouri nonprofit corporation incorporated
46 pursuant to chapter 355. The charter provided for herein shall constitute a contract between the
47 sponsor and the charter school.

48 8. As a nonprofit corporation incorporated pursuant to chapter 355, the charter school shall

1 select the method for election of officers pursuant to section 355.326 based on the class of
2 corporation selected. Meetings of the governing board of the charter school shall be subject to the
3 provisions of sections 610.010 to 610.030.

4 9. A sponsor of a charter school, its agents and employees are not liable for any acts or
5 omissions of a charter school that it sponsors, including acts or omissions relating to the charter
6 submitted by the charter school, the operation of the charter school and the performance of the
7 charter school.

8 10. A charter school may affiliate with a four-year college or university, including a private
9 college or university, or a community college as otherwise specified in subsection 3 of this section
10 when its charter is granted by a sponsor other than such college, university or community college.
11 Affiliation status recognizes a relationship between the charter school and the college or university
12 for purposes of teacher training and staff development, curriculum and assessment development, use
13 of physical facilities owned by or rented on behalf of the college or university, and other similar
14 purposes. A university, college or community college may not charge or accept a fee for affiliation
15 status.

16 11. The expenses associated with sponsorship of charter schools shall be defrayed by the
17 department of elementary and secondary education retaining one and five-tenths percent of the
18 amount of state and local funding allocated to the charter school under section 160.415, not to
19 exceed one hundred twenty-five thousand dollars, adjusted for inflation. The department of
20 elementary and secondary education shall remit the retained funds for each charter school to the
21 school's sponsor, provided the sponsor remains in good standing by fulfilling its sponsorship
22 obligations under sections 160.400 to 160.425 and 167.349 with regard to each charter school it
23 sponsors, including appropriate demonstration of the following:

24 (1) Expends no less than ninety percent of its charter school sponsorship funds in support of
25 its charter school sponsorship program, or as a direct investment in the sponsored schools;

26 (2) Maintains a comprehensive application process that follows fair procedures and rigorous
27 criteria and grants charters only to those developers who demonstrate strong capacity for
28 establishing and operating a quality charter school;

29 (3) Negotiates contracts with charter schools that clearly articulate the rights and
30 responsibilities of each party regarding school autonomy, expected outcomes, measures for
31 evaluating success or failure, performance consequences based on the annual performance report,
32 and other material terms;

33 (4) Conducts contract oversight that evaluates performance, monitors compliance, informs
34 intervention and renewal decisions, and ensures autonomy provided under applicable law; and

35 (5) Designs and implements a transparent and rigorous process that uses comprehensive
36 data to make merit-based renewal decisions.

37 12. Sponsors receiving funds under subsection 11 of this section shall be required to submit
38 annual reports to the joint committee on education demonstrating they are in compliance with
39 subsection ~~[47]~~ 19 of this section.

40 13. No university, college or community college shall grant a charter to a nonprofit
41 corporation if an employee of the university, college or community college is a member of the
42 corporation's board of directors.

43 14. No sponsor shall grant a charter under sections 160.400 to 160.425 and 167.349 without
44 ensuring that a criminal background check and family care safety registry check are conducted for
45 all members of the governing board of the charter schools or the incorporators of the charter school
46 if initial directors are not named in the articles of incorporation, nor shall a sponsor renew a charter
47 without ensuring a criminal background check and family care safety registry check are conducted
48 for each member of the governing board of the charter school.

15. (1) No member of the governing board of a charter school shall hold any office or employment from the board or the charter school while serving as a member, nor shall the member have any substantial interest, as defined in section 105.450, in any entity employed by or contracting with the board. No board member shall be an employee of a company that provides substantial services to the charter school. All members of the governing board of the charter school shall be considered decision-making public servants as defined in section 105.450 for the purposes of the financial disclosure requirements contained in sections 105.483, 105.485, 105.487, and 105.489.

(2) A member of a governing board of a charter school shall meet the same legal requirements to be an elected member of the school board in the school district in which the charter school is located before being appointed to the governing board of the charter school and during the appointment. Members appointed to the governing board of a charter school shall receive sixteen hours of training within one year of appointment by a provider approved by the state board of education in accordance with section 162.203.

16. Charter schools shall be accredited by the state board of education using the same standards applicable to school districts. A charter school that is designated as provisionally accredited shall receive the same oversight from the state board of education that is provided or mandated for school districts that are provisionally accredited. An unaccredited charter school shall not have its charter renewed and may have its charter revoked by the state board of education.

17. Notwithstanding any other provision of law, the state board of education shall approve new charter schools on or after January 1, 2020, only if they are solely sponsored by the elected school board of the school district in which the charter school will be located. Notwithstanding any other provision of law, all charter schools that receive renewal of their charters by the state board of education after January 1, 2020, shall be sponsored by the elected school board of the district in which the charter school is located.

18. A sponsor shall develop the policies and procedures for:

(1) The review of a charter school proposal including an application that provides sufficient information for rigorous evaluation of the proposed charter and provides clear documentation that the education program and academic program are aligned with the state standards and grade-level expectations, and provides clear documentation of effective governance and management structures, and a sustainable operational plan;

(2) The granting of a charter;

(3) The performance contract that the sponsor will use to evaluate the performance of charter schools. Charter schools shall meet current state academic performance standards as well as other standards agreed upon by the sponsor and the charter school in the performance contract;

(4) The sponsor's intervention, renewal, and revocation policies, including the conditions under which the charter sponsor may intervene in the operation of the charter school, along with actions and consequences that may ensue, and the conditions for renewal of the charter at the end of the term, consistent with subsections 8 and 9 of section 160.405;

(5) Additional criteria that the sponsor will use for ongoing oversight of the charter; and

(6) Procedures to be implemented if a charter school should close, consistent with the provisions of subdivision (15) of subsection 1 of section 160.405.

The department shall provide guidance to sponsors in developing such policies and procedures.

[47:] 19. (1) A sponsor shall provide timely submission to the state board of education of all data necessary to demonstrate that the sponsor is in material compliance with all requirements of sections 160.400 to 160.425 and section 167.349. The state board of education shall ensure each sponsor is in compliance with all requirements under sections 160.400 to 160.425 and 167.349 for

1 each charter school sponsored by any sponsor. The state board shall notify each sponsor of the
2 standards for sponsorship of charter schools, delineating both what is mandated by statute and what
3 best practices dictate. The state board shall evaluate sponsors to determine compliance with these
4 standards every three years. The evaluation shall include a sponsor's policies and procedures in the
5 areas of charter application approval; required charter agreement terms and content; sponsor
6 performance evaluation and compliance monitoring; and charter renewal, intervention, and
7 revocation decisions. Nothing shall preclude the department from undertaking an evaluation at any
8 time for cause.

9 (2) If the department determines that a sponsor is in material noncompliance with its
10 sponsorship duties, the sponsor shall be notified and given reasonable time for remediation. If
11 remediation does not address the compliance issues identified by the department, the commissioner
12 of education shall conduct a public hearing and thereafter provide notice to the charter sponsor of
13 corrective action that will be recommended to the state board of education. Corrective action by the
14 department may include withholding the sponsor's funding and suspending the sponsor's authority to
15 sponsor a school that it currently sponsors or to sponsor any additional school until the sponsor is
16 reauthorized by the state board of education under section 160.403.

17 (3) The charter sponsor may, within thirty days of receipt of the notice of the
18 commissioner's recommendation, provide a written statement and other documentation to show
19 cause as to why that action should not be taken. Final determination of corrective action shall be
20 determined by the state board of education based upon a review of the documentation submitted to
21 the department and the charter sponsor.

22 (4) If the state board removes the authority to sponsor a currently operating charter school
23 under any provision of law, the Missouri charter public school commission shall become the sponsor
24 of the school.

25 [18-] 20. If a sponsor notifies a charter school of closure under subsection 8 of section
26 160.405, the department of elementary and secondary education shall exercise its financial
27 withholding authority under subsection 12 of section 160.415 to assure all obligations of the charter
28 school shall be met. The state, charter sponsor, or resident district shall not be liable for any
29 outstanding liability or obligations of the charter school.

30 160.405. 1. A person, group or organization seeking to establish a charter school shall
31 submit the proposed charter, as provided in this section, to a sponsor. If the sponsor is not a school
32 board, the applicant shall give a copy of its application to the school board of the district in which
33 the charter school is to be located and to the state board of education, within five business days of
34 the date the application is filed with the proposed sponsor. The school board may file objections
35 with the proposed sponsor, and, if a charter is granted, the school board may file objections with the
36 state board of education. The charter shall include a legally binding performance contract that
37 describes the obligations and responsibilities of the school and the sponsor as outlined in sections
38 160.400 to 160.425 and section 167.349 and shall address the following:

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

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

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

46 (4) A description of the charter school's policy for securing personnel services, its personnel
47 policies, personnel qualifications, and professional development plan;

48 (5) A description of the grades or ages of students being served;

(6) The school's calendar of operation, which shall include at least the equivalent of a full school term as defined in section 160.011;

(7) A description of the charter school's pupil performance standards and academic program performance standards, which shall meet the requirements of subdivision (6) of subsection 4 of this section. The charter school program shall be designed to enable each pupil to achieve such standards and shall contain a complete set of indicators, measures, metrics, and targets for academic program performance, including specific goals on graduation rates and standardized test performance and academic growth;

(8) A description of the charter school's educational program and curriculum;

(9) The term of the charter, which shall be five years and may be renewed;

(10) Procedures, consistent with the Missouri financial accounting manual, for monitoring the financial accountability of the charter, which shall meet the requirements of subdivision (4) of subsection 4 of this section;

(11) Preopening requirements for applications that require that charter schools meet all health, safety, and other legal requirements prior to opening;

(12) A description of the charter school's policies on student discipline and student admission, which shall include a statement, where applicable, of the validity of attendance of students who do not reside in the district but who may be eligible to attend under the terms of judicial settlements and procedures that ensure admission of students with disabilities in a nondiscriminatory manner;

(13) A description of the charter school's grievance procedure for parents or guardians;

(14) A description of the agreement and time frame for implementation between the charter school and the sponsor as to when a sponsor shall intervene in a charter school, when a sponsor shall revoke a charter for failure to comply with subsection 8 of this section, and when a sponsor will not renew a charter under subsection 9 of this section;

(15) Procedures to be implemented if the charter school should close, as provided in subdivision (6) of subsection ~~[16]~~ 18 of section 160.400 including:

(a) Orderly transition of student records to new schools and archival of student records;

(b) Archival of business operation and transfer or repository of personnel records;

(c) Submission of final financial reports;

(d) Resolution of any remaining financial obligations;

(e) Disposition of the charter school's assets upon closure; and

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

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

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

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

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

(1) A charter shall be submitted to the sponsor, and follow the sponsor's policies and procedures for review and granting of a charter approval, and be approved by the state board of

1 education by January thirty-first prior to the school year of the proposed opening date of the charter
2 school;

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

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

11 (4) If a proposed charter is denied by a sponsor, the proposed charter may be submitted to
12 the state board of education, along with the sponsor's written reasons for its denial. If the state
13 board determines that the applicant meets the requirements of this section, that the applicant is
14 sufficiently qualified to operate the charter school, and that granting a charter to the applicant would
15 be likely to provide educational benefit to the children of the district, the state board may grant a
16 charter and act as sponsor of the charter school. The state board shall review the proposed charter
17 and make a determination of whether to deny or grant the proposed charter within sixty days of
18 receipt of the proposed charter, provided that any charter to be considered by the state board of
19 education under this subdivision shall be submitted no later than March first prior to the school year
20 in which the charter school intends to begin operations. The state board of education shall notify
21 the applicant in writing as the reasons for its denial, if applicable; and

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

38 3. If a charter is approved by a sponsor, the charter application shall be submitted to the
39 state board of education, along with a statement of finding by the sponsor that the application meets
40 the requirements of sections 160.400 to 160.425 and section 167.349 and a monitoring plan under
41 which the charter sponsor shall evaluate the academic performance, including annual performance
42 reports, of students enrolled in the charter school. The state board of education shall approve or
43 deny a charter application within sixty days of receipt of the application. The state board of
44 education may deny a charter on grounds that the application fails to meet the requirements of
45 sections 160.400 to 160.425 and section 167.349 or that a charter sponsor previously failed to meet
46 the statutory responsibilities of a charter sponsor. Any denial of a charter application made by the
47 state board of education shall be in writing and shall identify the specific failures of the application
48 to meet the requirements of sections 160.400 to 160.425 and section 167.349, and the written denial

1 shall be provided within ten business days to the sponsor.

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

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

5 (2) Comply with laws and regulations of the state, county, or city relating to health, safety,
6 and state minimum educational standards, as specified by the state board of education, including the
7 requirements relating to student discipline under sections 160.261, 167.161, 167.164, and 167.171,
8 notification of criminal conduct to law enforcement authorities under sections 167.115 [tø] and
9 167.117, academic assessment under section 160.518, transmittal of school records under section
10 167.020, the minimum amount of school time required under section 171.031, and the employee
11 criminal history background check and the family care safety registry check under section 168.133;

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

15 (4) Be financially accountable, use practices consistent with the Missouri financial
16 accounting manual, provide for an annual audit by a certified public accountant, publish audit
17 reports and annual financial reports as provided in chapter 165, provided that the annual financial
18 report may be published on the department of elementary and secondary education's internet website
19 in addition to other publishing requirements, and provide liability insurance to indemnify the
20 school, its board, staff and teachers against tort claims. A charter school that receives local
21 educational agency status under subsection 6 of this section shall meet the requirements imposed by
22 the Elementary and Secondary Education Act for audits of such agencies and comply with all
23 federal audit requirements for charters with local educational agency status. For purposes of an
24 audit by petition under section 29.230, a charter school shall be treated as a political subdivision on
25 the same terms and conditions as the school district in which it is located. For the purposes of
26 securing such insurance, a charter school shall be eligible for the Missouri public entity risk
27 management fund pursuant to section 537.700. A charter school that incurs debt shall include a
28 repayment plan in its financial plan. The state auditor shall annually complete an audit of at least
29 one charter school in the state;

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

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

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

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

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

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

(8) Comply with all applicable federal and state laws regarding the education of students who are English language learners; and

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

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

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

5. (1) Proposed or existing high-risk or alternative charter schools may include alternative arrangements for students to obtain credit for satisfying graduation requirements in the school's charter application and charter. Alternative arrangements may include, but not be limited to, credit for off-campus instruction, embedded credit, work experience through an internship arranged through the school, and independent studies. When the state board of education approves the charter, any such alternative arrangements shall be approved at such time.

(2) The department of elementary and secondary education shall conduct a study of any charter school granted alternative arrangements for students to obtain credit under this subsection after three years of operation to assess student performance, graduation rates, educational outcomes, and entry into the workforce or higher education.

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

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

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

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

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

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

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

12 8. (1) (a) A sponsor's policies shall give schools clear, adequate, evidence-based, and
13 timely notice of contract violations or performance deficiencies and mandate intervention based
14 upon findings of the state board of education of the following:

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

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

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

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

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

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

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

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

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

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

48 (5) A termination shall be effective only at the conclusion of the school year, unless the

1 sponsor determines that continued operation of the school presents a clear and immediate threat to
2 the health and safety of the children.

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

6 9. (1) A sponsor shall take all reasonable steps necessary to confirm that each charter
7 school sponsored by such sponsor is in material compliance and remains in material compliance
8 with all material provisions of the charter and sections 160.400 to 160.425 and 167.349. Every
9 charter school shall provide all information necessary to confirm ongoing compliance with all
10 provisions of its charter and sections 160.400 to 160.425 and 167.349 in a timely manner to its
11 sponsor.

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

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

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

20 a. A negative balance in its operating funds;

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

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

24 (c) The charter is in compliance with its legally binding performance contract and sections
25 160.400 to 160.425 and section 167.349; and

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

30 (3) (a) Beginning August first during the year in which a charter is considered for renewal,
31 a charter school sponsor shall demonstrate to the state board of education that the charter school is
32 in compliance with federal and state law as provided in sections 160.400 to 160.425 and section
33 167.349 and the school's performance contract including but not limited to those requirements
34 specific to academic performance.

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

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

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

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

45 11. A governing board or a school district employee who has control over personnel actions
46 shall not take unlawful reprisal against another employee at the school district because the employee
47 is directly or indirectly involved in an application to establish a charter school. A governing board
48 or a school district employee shall not take unlawful reprisal against an educational program of the

1 school or the school district because an application to establish a charter school proposes the
 2 conversion of all or a portion of the educational program to a charter school. As used in this
 3 subsection, "unlawful reprisal" means an action that is taken by a governing board or a school
 4 district employee as a direct result of a lawful application to establish a charter school and that is
 5 adverse to another employee or an educational program.

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

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

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

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

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

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

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

27 160.410. 1. A charter school shall enroll:

28 (1) All pupils resident in the district in which it operates;

29 (2) Nonresident pupils eligible to attend a district's school under an urban voluntary transfer
 30 program;

31 (3) Nonresident pupils who transfer from an unaccredited district under section 167.131,
 32 provided that the charter school is an approved charter school, as defined in section 167.131, and
 33 subject to all other provisions of section 167.131;

34 (4) In the case of a charter school whose mission includes student drop-out prevention or
 35 recovery, any nonresident pupil from the same or an adjacent county who resides in a residential
 36 care facility, a transitional living group home, or an independent living program whose last school
 37 of enrollment is in the school district where the charter school is established, who submits a timely
 38 application; and

39 (5) In the case of a workplace charter school, any student eligible to attend under
 40 subdivision (1) or (2) of this subsection whose parent is employed in the business district, who
 41 submits a timely application, unless the number of applications exceeds the capacity of a program,
 42 class, grade level or building. The configuration of a business district shall be set forth in the
 43 charter and shall not be construed to create an undue advantage for a single employer or small
 44 number of employers.

45 2. If capacity is insufficient to enroll all pupils who submit a timely application, the charter
 46 school shall have an admissions process that assures all applicants of an equal chance of gaining
 47 admission and does not discriminate based on parents' ability to pay fees or tuition except that:

48 (1) A charter school may establish a geographical area around the school whose residents

1 will receive a preference for enrolling in the school, provided that such preferences do not result in
2 the establishment of racially or socioeconomically isolated schools and provided such preferences
3 conform to policies and guidelines established by the state board of education;

4 (2) A charter school may also give a preference for admission of children whose siblings
5 attend the school or whose parents are employed at the school or in the case of a workplace charter
6 school, a child whose parent is employed in the business district or at the business site of such
7 school; and

8 (3) Charter alternative and special purpose schools may also give a preference for admission
9 to high-risk students, as defined in subdivision (5) of subsection 2 of section 160.405, when the
10 school targets these students through its proposed mission, curriculum, teaching methods, and
11 services.

12 3. A charter school shall not limit admission based on race, ethnicity, national origin,
13 disability, income level, proficiency in the English language or athletic ability, but may limit
14 admission to pupils within a given age group or grade level. Charter schools may limit admission
15 based on gender only when the school is a single-gender school. Students of a charter school who
16 have been enrolled for a full academic year shall be counted in the performance of the charter
17 school on the statewide assessments in that calendar year, unless otherwise exempted as English
18 language learners. For purposes of this subsection, "full academic year" means the last Wednesday
19 in September through the administration of the Missouri assessment program test without
20 transferring out of the school and re-enrolling.

21 4. A charter school shall make available for public inspection, post on its website, and
22 provide upon request, to the parent, guardian, or other custodian of any school-age pupil resident in
23 the district in which the school is located the following information:

24 (1) The school's charter;

25 (2) The school's most recent annual report card published according to section 160.522;

26 (3) The results of background checks on the charter school's board members; and

27 (4) If a charter school is operated by a management company, a copy of the written contract
28 between the governing board of the charter school and the educational management organization or
29 the charter management organization for services. The charter school may charge reasonable fees,
30 not to exceed the rate specified in section 610.026 for furnishing copies of documents under this
31 subsection.

32 5. When a student attending a charter school who is a resident of the school district in which
33 the charter school is located moves out of the boundaries of such school district, the student may
34 complete the current semester and shall be considered a resident student. The student's parent or
35 legal guardian shall be responsible for the student's transportation to and from the charter school.

36 6. If a change in school district boundary lines occurs under section 162.223, 162.431,
37 162.441, or 162.451, or by action of the state board of education under section 162.081, including
38 attachment of a school district's territory to another district or dissolution, such that a student
39 attending a charter school prior to such change no longer resides in a school district in which the
40 charter school is located, then the student may complete the current academic year at the charter
41 school. The student shall be considered a resident student. The student's parent or legal guardian
42 shall be responsible for the student's transportation to and from the charter school.

43 7. The provisions of sections 167.018 and 167.019 concerning foster children's educational
44 rights are applicable to charter schools.

45 8. The department of elementary and secondary education shall annually review the
46 enrollment in all charter schools in the state in comparison with the enrollment in the school
47 districts in which the charter schools are located. If the demographics of the students enrolled in
48 any charter school vary significantly from the demographics of the students enrolled in the school

district in which the charter school is located, the department of elementary and secondary education shall notify the state auditor's office. Upon notification, the state auditor's office shall audit the charter school's enrollment and attendance records to ensure that the charter school is adequately advertising and enrolling all eligible students and not discouraging students of particular demographic groups from enrolling in the charter school or remaining in the charter school. The review of demographics under this subsection shall be a review of the percentage of students from each major racial and ethnic group, the percentage of students from each gender, the percentage of students who are economically disadvantaged in comparison to those who are not so disadvantaged, the percentage of students with disabilities in comparison to those without disabilities, the percentage of students who are English language learners in comparison to those who are not English language learners, and the percentage of students who are migrants in comparison to those who are not migrants.

160.415. 1. For the purposes of calculation and distribution of state school aid under section 163.031, pupils enrolled in a charter school shall be included in the pupil enrollment of the school district within which each pupil resides. Each charter school shall report the names, addresses, and eligibility for free and reduced price lunch, special education, or limited English proficiency status, as well as eligibility for categorical aid, of pupils resident in a school district who are enrolled in the charter school to the school district in which those pupils reside. The charter school shall report the average daily attendance data, free and reduced price lunch count, special education pupil count, and limited English proficiency pupil count to the state department of elementary and secondary education. Each charter school shall promptly notify the state department of elementary and secondary education and the pupil's school district when a student discontinues enrollment at a charter school.

2. Except as provided in subsections 3 and 4 of this section, the aid payments for charter schools shall be as described in this subsection.

(1) A school district having one or more resident pupils attending a charter school shall pay to the charter school an annual amount equal to the product of the charter school's weighted average daily attendance and the state adequacy target, multiplied by the dollar value modifier for the district, plus local tax revenues per weighted average daily attendance from the incidental and teachers' funds in excess of the performance levy as defined in section 163.011 plus all other state aid attributable to such pupils.

(2) The district of residence of a pupil attending a charter school shall also pay to the charter school any other federal or state aid that the district receives on account of such child.

(3) If the department overpays or underpays the amount due to the charter school, such overpayment or underpayment shall be repaid by the public charter school or credited to the public charter school in twelve equal payments in the next fiscal year.

(4) The amounts provided pursuant to this subsection shall be prorated for partial year enrollment for a pupil.

(5) A school district shall pay the amounts due pursuant to this subsection as the disbursal agent and no later than twenty days following the receipt of any such funds. The department of elementary and secondary education shall pay the amounts due when it acts as the disbursal agent within five days of the required due date.

3. A workplace charter school shall receive payment for each eligible pupil as provided under subsection 2 of this section, except that if the student is not a resident of the district and is participating in a voluntary interdistrict transfer program, the payment for such pupils shall be the same as provided under section 162.1060.

4. A charter school that has declared itself as a local educational agency shall receive from the department of elementary and secondary education an annual amount equal to the product of the

1 charter school's weighted average daily attendance and the state adequacy target, multiplied by the
 2 dollar value modifier for the district, plus local tax revenues per weighted average daily attendance
 3 from the incidental and teachers funds in excess of the performance levy as defined in section
 4 163.011 plus all other state aid attributable to such pupils. If a charter school declares itself as a
 5 local educational agency, the department of elementary and secondary education shall, upon notice
 6 of the declaration, reduce the payment made to the school district by the amount specified in this
 7 subsection and pay directly to the charter school the annual amount reduced from the school
 8 district's payment.

9 5. If a school district fails to make timely payments of any amount for which it is the
 10 disbursal agent, the state department of elementary and secondary education shall authorize payment
 11 to the charter school of the amount due pursuant to subsection 2 of this section and shall deduct the
 12 same amount from the next state school aid apportionment to the owing school district. If a charter
 13 school is paid more or less than the amounts due pursuant to this section, the amount of
 14 overpayment or underpayment shall be adjusted equally in the next twelve payments by the school
 15 district or the department of elementary and secondary education, as appropriate. Any dispute
 16 between the school district and a charter school as to the amount owing to the charter school shall be
 17 resolved by the department of elementary and secondary education, and the department's decision
 18 shall be the final administrative action for the purposes of review pursuant to chapter 536. During
 19 the period of dispute, the department of elementary and secondary education shall make every
 20 administrative and statutory effort to allow the continued education of children in their current
 21 public charter school setting.

22 6. The charter school and a local school board may agree by contract for services to be
 23 provided by the school district to the charter school. The charter school may contract with any other
 24 entity for services. Such services may include but are not limited to food service, custodial service,
 25 maintenance, management assistance, curriculum assistance, media services and libraries and shall
 26 be subject to negotiation between the charter school and the local school board or other entity.
 27 Documented actual costs of such services shall be paid for by the charter school. Bidding and
 28 selection of service providers shall be done in accordance with state and federal laws applicable to
 29 school districts.

30 7. In the case of a proposed charter school that intends to contract with an education service
 31 provider for substantial educational services or management services, the request for proposals shall
 32 additionally require the charter school applicant to:

33 (1) Provide evidence of the education service provider's success in serving student
 34 populations similar to the targeted population, including demonstrated academic achievement as
 35 well as successful management of nonacademic school functions, if applicable;

36 (2) Provide a term sheet setting forth the proposed duration of the service contract; roles and
 37 responsibilities of the governing board, the school staff, and the service provider; scope of services
 38 and resources to be provided by the service provider; performance evaluation measures and time
 39 lines; compensation structure, including clear identification of all fees to be paid to the service
 40 provider; methods of contract oversight and enforcement; investment disclosure; and conditions for
 41 renewal and termination of the contract;

42 (3) Disclose any known conflicts of interest between the school governing board and
 43 proposed service provider or any affiliated business entities;

44 (4) Disclose and explain any termination or nonrenewal of contracts for equivalent services
 45 for any other charter school in the United States within the past five years;

46 (5) Ensure that the legal counsel for the charter school shall report directly to the charter
 47 school's governing board; and

48 (6) Provide a process to ensure that the expenditures that the education service provider

intends to bill to the charter school shall receive prior approval of the governing board or its designee.

8. A charter school may enter into contracts with community partnerships and state agencies acting in collaboration with such partnerships that provide services to children and their families linked to the school.

9. A charter school shall provide transportation to and from school for all students living more than three and one-half miles from school and may provide transportation for all students. A charter school shall be eligible for transportation state aid pursuant to section 163.161 and shall be free to contract with the local district, or any other entity, for the provision of transportation to the students of the charter school.

10. (1) The proportionate share of state and federal resources generated by students with disabilities or staff serving them shall be paid in full to charter schools enrolling those students by their school district where such enrollment is through a contract for services described in this section. The proportionate share of money generated under other federal or state categorical aid programs shall be directed to charter schools serving such students eligible for that aid.

(2) A charter school shall provide the special services provided pursuant to section 162.705 and may provide the special services pursuant to a contract with a school district or any provider of such services.

11. A charter school may not charge tuition or impose fees that a school district is prohibited from charging or imposing, except that a charter school may receive tuition payments from districts in the same or an adjoining county for nonresident students who transfer to an approved charter school, as defined in section 167.131, from an unaccredited district.

12. A charter school is authorized to incur debt in anticipation of receipt of funds. A charter school may also borrow to finance facilities and other capital items. A school district may incur bonded indebtedness or take other measures to provide for physical facilities and other capital items for charter schools that it sponsors or contracts with. Except as otherwise specifically provided in sections 160.400 to 160.425, upon the dissolution of a charter school, any liabilities of the corporation will be satisfied through the procedures of chapter 355. A charter school shall satisfy all its financial obligations within twelve months of notice from the sponsor of the charter school's closure under subsection 8 of section 160.405. After satisfaction of all its financial obligations, a charter school shall return any remaining state and federal funds to the department of elementary and secondary education for disposition as stated in subdivision (17) of subsection 1 of section 160.405. The department of elementary and secondary education may withhold funding at a level the department determines to be adequate during a school's last year of operation until the department determines that school records, liabilities, and reporting requirements, including a full audit, are satisfied.

13. Charter schools shall not have the power to acquire property by eminent domain.

14. The governing body of a charter school is authorized to accept grants, gifts or donations of any kind and to expend or use such grants, gifts or donations. A grant, gift or donation may not be accepted by the governing body if it is subject to any condition contrary to law applicable to the charter school or other public schools, or contrary to the terms of the charter.

160.420. 1. Any school district in which charter schools may be established under sections 160.400 to 160.425 shall establish a uniform policy which provides that if a charter school offers to retain the services of an employee of a school district, and the employee accepts a position at the charter school, an employee at the employee's option may remain an employee of the district and the charter school shall pay to the district the district's full costs of salary and benefits provided to the employee. The district's policy shall provide that any teacher who accepts a position at a charter school and opts to remain an employee of the district retains such teacher's permanent teacher status

1 and retains such teacher's seniority rights in the district for three years. The school district shall not
2 be liable for any such employee's acts while an employee of the charter school.

3 2. ~~[A charter school may employ noncertificated instructional personnel; provided that no
4 more than twenty percent of the full-time equivalent instructional staff positions at the school are
5 filled by noncertificated personnel. All noncertificated instructional personnel shall be supervised by
6 certificated instructional personnel. A charter school that has a foreign language immersion
7 experience as its chief educational mission, as stated in its charter, shall not be subject to the twenty-
8 percent requirement of this subsection but shall ensure that any teachers whose duties include
9 instruction given in a foreign language have current valid credentials in the country in which such
10 teacher received his or her training and shall remain subject to the remaining requirements of this
11 subsection.]~~ The charter school shall ensure that all instructional employees of the charter school
12 have experience, training and skills appropriate to the instructional duties of the employee, and the
13 charter school shall ensure that a criminal background check and family care safety registry check
14 are conducted for each employee of the charter school prior to the hiring of the employee under the
15 requirements of section 168.133. The charter school may not employ instructional personnel whose
16 certificate of license to teach has been revoked or is currently suspended by the state board of
17 education. ~~[Appropriate experience, training and skills of noncertificated instructional personnel
18 shall be determined considering:~~

- 19 ——— (1) Teaching certificates issued by another state or states;
- 20 ——— (2) Certification by the National Board for Professional Teaching Standards;
- 21 ——— (3) College degrees in the appropriate field;
- 22 ——— (4) Evidence of technical training and competence when such is appropriate; and
- 23 ——— (5) The level of supervision and coordination with certificated instructional staff.]

24 3. Personnel employed by the charter school shall participate in the retirement system of the
25 school district in which the charter school is located, subject to the same terms, conditions,
26 requirements and other provisions applicable to personnel employed by the school district. For
27 purposes of participating in the retirement system, the charter school shall be considered to be a
28 public school within the school district, and personnel employed by the charter school shall be
29 public school employees. In the event of a lapse of the school district's corporate organization as
30 described in subsections 1 and 4 of section 162.081, personnel employed by the charter school shall
31 continue to participate in the retirement system and shall do so on the same terms, conditions,
32 requirements and other provisions as they participated prior to the lapse.

33 160.430. 1. For purposes of this section and sections 160.432 and 160.435, "school of
34 innovation" means a program approved by the school board of a school district with a curriculum,
35 delivery method, or instructional model different from the traditional school model. A program
36 qualifies as a school of innovation even if it does not have a building or facility that is separate from
37 other district grade-level school buildings.

38 2. Students may attend a school of innovation and still be considered enrolled in a
39 traditional school building for the purposes of cocurricular activities, extracurricular activities, and
40 general courses available to both students in the school of innovation and students in the traditional
41 public school setting.

42 3. The board of education of a school district may, by a majority vote of the entire board,
43 establish a school of innovation. Before the vote, the board members shall prepare and distribute to
44 all members a written description of the educational mission of the school of innovation, the
45 research that supports that mission, the educational goals for the school of innovation, and the
46 process the district intends to use to determine if the school of innovation is meeting those goals.

47 4. The school day, school hours, and school term of a school of innovation may be different
48 from other schools in the district. Schools of innovation shall be required to meet the minimum

1 school day or school term requirements in sections 160.011, 160.041, 171.031, and 171.033.

2 5. For purposes of calculation and distribution of state school funding, attendance of a
3 student enrolled in a school of innovation shall equal, upon completion of the school year, one
4 hundred five percent of the hours of attendance possible for the same or similar program delivered
5 in the traditional school setting offered in the district. State funding shall be calculated in two
6 increments, fifty percent completion and one hundred percent completion, based on the student's
7 completion of the program, with distribution of state funding to a school district at each increment
8 equal to fifty-two and one-half percent of hours of attendance possible for the same or similar
9 program delivered in the traditional program in the district.

10 6. For the first three years a school of innovation exists, the graduation rates, attendance
11 rates, and scores on the statewide assessments established under section 160.518 of the students
12 enrolled in the school of innovation shall not be considered when determining a district's
13 accreditation status, unless the district chooses for those scores and rates to be considered.

14 7. The board of a school district that has established a school of innovation shall annually
15 review the overall academic performance of the school of innovation and the progress the school of
16 innovation has made toward achieving the educational goals set when the school was established.
17 The board may, by a majority vote of the entire board, alter, amend, extend, or change the goals or
18 educational mission of the school of innovation. The board may at any time vote to revoke the
19 school's status as a school of innovation.

20 8. A superintendent of a school district with a school of innovation, or his or her designee,
21 may assign specific teachers and district employees to a school of innovation, regardless of existing
22 policies, practices, or collective bargaining agreements.

23 9. (1) The board of a school district that has established a school of innovation may, at its
24 discretion, pay a teacher assigned to and teaching in the school of innovation more than what the
25 teacher would otherwise receive on the teacher salary schedule in order to compensate for the
26 additional training, alternative lesson plans, extended hours, and additional duties associated with
27 the position.

28 (2) Teachers assigned to a school of innovation may earn tenure in the district, but the
29 teachers have no right or entitlement to continue to work in a school of innovation.

30 (3) Teaching contracts for teachers assigned to a school of innovation shall not include a set
31 number of days, months, or working hours. A teacher assigned to a school of innovation shall
32 receive a school calendar outlining general attendance expectations.

33 (4) If a district reassigns a teacher from a school of innovation and then pays the teacher on
34 the teacher salary schedule for the district, the reassignment shall not be considered a demotion
35 under sections 168.102 to 168.130, even if the teacher's compensation is reduced.

36 10. Notwithstanding any provision of chapter 169 or any other provision of law, a teacher
37 receiving retirement benefits under chapter 169 may, without losing his or her retirement benefits,
38 teach on a full-time or part-time basis in a school of innovation if the teacher is certificated and has
39 teaching experience in a subject that is essential to the mission of the school of innovation and the
40 district can demonstrate that it has been unsuccessful in employing a teacher with the same
41 certification and relevant experience in the subject area. A retired teacher who is employed to work
42 at a school of innovation under this subsection shall not be eligible to earn tenure.

43 11. A school district that establishes a school of innovation may allow students who are not
44 residents of the district to attend the school of innovation upon payment of tuition by the student,
45 parents, or the student's resident school district or charter school. The school district that
46 establishes the school of innovation shall not be responsible for the transportation of nonresident
47 students. A school district may enter into an agreement with the district that has established the
48 school of innovation to share staff, facilities, or other resources in lieu of or in addition to tuition.

12. (1) The board of a school district that has established or that seeks to establish a school of innovation may apply to the state board of education for a waiver of a state statute or regulation that impedes the establishment of a school of innovation or that is otherwise a barrier to the innovative educational mission.

(2) The state board of education shall hold a public hearing to determine if a waiver should be granted. The state board of education may, by a majority vote of the entire state board, waive a state statute or regulation for the limited purpose of operating the school of innovation. Such waiver shall last three years and may be extended by the state board of education for three-year terms upon evidence that the waiver has resulted in the desired educational innovation and opportunity.

13. The department of elementary and secondary education shall review all existing laws, regulations, and processes and take action to remove any identified barriers to school districts using innovative education models. The department of elementary and secondary education shall report to the governor before December 1, 2018, any state or federal statutes or regulations that could impede the establishment of schools of innovation.

14. Subject to appropriation, the governor, or a task force appointed by the governor, shall annually award ten competitive grants to school districts for the establishment, implementation, or expansion of schools of innovation.

160.432. A school district may enter into an agreement with one or more other school districts to provide students access to courses or schools, including schools of innovation. School districts may enter into agreements to share staff, facilities, or other resources in lieu of or in addition to tuition paid by a district for its students to access the courses or schools, including schools of innovation. The school district sponsoring the course or school, including the school of innovation, shall retain financial and legal responsibility unless determined otherwise in the agreement.

160.435. 1. A school district may enter into an agreement with one or more other school districts to cooperatively provide schools to educate resident students of all participating districts. Such schools shall be known as "cooperative schools". Cooperative school services may be provided in the facilities of any of the cooperating districts or in facilities leased by the cooperating districts or through a third-party vendor. The agreement shall describe the nature of the services to be provided. Services may include full-day instruction, individual courses, a specialized program of studies, or the establishment of a shared school of innovation.

2. Districts participating in a cooperative school shall equally share financial and legal responsibility for the school, courses, and employees assigned to such schools and courses, unless otherwise determined in the agreement. Participating districts shall contribute funds, facilities, staff, or other resources to operate the cooperative school as determined in the agreement.

3. A cooperative school shall be governed by a committee, with one appointed representative from each participating school district. The committee shall have the legal authority to create and oversee a budget, enter into contracts, employ staff, and pay bills associated with the cooperative school. The financial resources devoted to the cooperative school by the participating districts shall be kept in a separate account, shall be solely devoted to the cooperative school, and shall carry over from year to year to the benefit of the cooperative school.

4. If an agreement under this section expires and no new agreement is reached, a cooperative school may be dissolved by a unanimous vote of the representatives on the committee governing the cooperative school or by a vote of the boards of education of all the participating school districts. If dissolved, all resources, debt, or legal liability incurred shall be divided in accordance with the agreement.

5. Eligible students from participating districts shall have an equal opportunity to attend the

1 cooperative school, as determined by the agreement. Any student enrolled in a participating district
 2 shall be reported by the sending participating district for state aid purposes. The cooperative school
 3 shall share information and student records with the school districts in which students are enrolled.

4 6. The committee governing the cooperative school shall employ teachers and other staff
 5 necessary to operate the cooperative school. The teaching or administrative contracts shall be with
 6 the committee governing the cooperative school rather than with the participating school districts.
 7 Teachers teaching at a cooperative school may earn tenure in the cooperative school in accordance
 8 with sections 168.102 to 168.130 but shall not earn tenure with any participating district based on
 9 employment in the cooperative school.

10 7. Teachers who were employed by a participating school district immediately before their
 11 employment with the cooperative school shall not lose years toward tenure in the participating
 12 district or lose tenure previously earned in the participating school district. However, the teacher
 13 shall not continue to earn years toward tenure in the participating district during his or her
 14 employment with the cooperative school.

15 8. If the committee governing the cooperative school determines that the school needs to
 16 reduce or rearrange staff due to a decrease in student enrollment, reorganization of the program, or
 17 financial conditions, teaching staff shall be placed on leaves of absence from the cooperative school
 18 in accordance with section 168.124. If a teacher is placed on leave of absence from the cooperative
 19 school but has previously earned tenure in a participating district immediately before his or her
 20 employment in the cooperative school, the participating district may reemploy the tenured teacher,
 21 and the teacher shall be considered tenured upon reemployment. If a teacher is placed on leave of
 22 absence from the cooperative school but was a probationary teacher in a participating district
 23 immediately before his or her employment with the cooperative school, and the participating district
 24 reemploys the teacher, the teacher shall not have lost years toward tenure previously earned with the
 25 participating district.

26 160.545. 1. There is hereby established [~~within the department of elementary and~~
 27 ~~secondary education~~] the “A+ Schools Program” to be administered by the commissioner of
 28 education. The program shall consist of grant awards made to public secondary schools that
 29 demonstrate a commitment to ensure that:

30 (1) All students be graduated from school;
 31 (2) All students complete a selection of high school studies that is challenging and for which
 32 there are identified learning expectations; and

33 (3) All students proceed from high school graduation to a college or postsecondary
 34 vocational or technical school or high-wage job with work place skill development opportunities.

35 2. The state board of education shall promulgate rules and regulations for the approval of
 36 grants made under the program to schools that:

37 (1) Establish measurable districtwide performance standards for the goals of the program
 38 outlined in subsection 1 of this section; and

39 (2) Specify the knowledge, skills and competencies, in measurable terms, that students must
 40 demonstrate to successfully complete any individual course offered by the school, and any course of
 41 studies which will qualify a student for graduation from the school; and

42 (3) [~~Do not offer a general track of courses that, upon completion, can lead to a high school~~
 43 ~~diploma; and~~

44 ———(4)] Require rigorous coursework with standards of competency in basic academic subjects
 45 for students pursuing vocational and technical education as prescribed by rule and regulation of the
 46 state board of education; and

47 [(5)] (4) Have a partnership plan developed in cooperation and with the advice of local
 48 business persons, labor leaders, parents, and representatives of college and postsecondary vocational

1 and technical school representatives, with the plan then approved by the local board of education.
2 The plan shall specify a mechanism to receive information on an annual basis from those who
3 developed the plan in addition to senior citizens, community leaders, and teachers to update the plan
4 in order to best meet the goals of the program as provided in subsection 1 of this section. Further,
5 the plan shall detail the procedures used in the school to identify students that may drop out of
6 school and the intervention services to be used to meet the needs of such students. The plan shall
7 outline counseling and mentoring services provided to students who will enter the work force upon
8 graduation from high school, address apprenticeship and intern programs, and shall contain
9 procedures for the recruitment of volunteers from the community of the school to serve in schools
10 receiving program grants.

11 3. Any nonpublic school in this state may apply to the state board of education for
12 certification that it meets the requirements of this section subject to the same criteria as public high
13 schools. Every nonpublic school that applies and has met the requirements of this section shall have
14 its students eligible for reimbursement of postsecondary education under subsection 8 of this section
15 on an equal basis to students who graduate from public schools that meet the requirements of this
16 section. Any nonpublic school that applies shall not be eligible for any grants under this section.
17 Students of certified nonpublic schools shall be eligible for reimbursement of postsecondary
18 education under subsection 8 of this section so long as they meet the other requirements of such
19 subsection. For purposes of subdivision [(5)] (4) of subsection 2 of this section, the nonpublic
20 school shall be included in the partnership plan developed by the public school district in which the
21 nonpublic school is located. For purposes of subdivision (1) of subsection 2 of this section, the
22 nonpublic school shall establish measurable performance standards for the goals of the program for
23 every school and grade level over which the nonpublic school maintains control.

24 4. A school district may participate in the program irrespective of its accreditation
25 classification by the state board of education, provided it meets all other requirements.

26 5. By rule and regulation, the state board of education may determine a local school district
27 variable fund match requirement in order for a school or schools in the district to receive a grant
28 under the program. However, no school in any district shall receive a grant under the program
29 unless the district designates a salaried employee to serve as the program coordinator, with the
30 district assuming a minimum of one-half the cost of the salary and other benefits provided to the
31 coordinator. Further, no school in any district shall receive a grant under the program unless the
32 district makes available facilities and services for adult literacy training as specified by rule of the
33 state board of education.

34 6. For any school that meets the requirements for the approval of the grants authorized by
35 this section and specified in subsection 2 of this section for three successive school years, by August
36 first following the third such school year, the commissioner of education shall present a plan to the
37 superintendent of the school district in which such school is located for the waiver of rules and
38 regulations to promote flexibility in the operations of the school and to enhance and encourage
39 efficiency in the delivery of instructional services in the school. The provisions of other law to the
40 contrary notwithstanding, the plan presented to the superintendent shall provide a summary waiver,
41 with no conditions, for the pupil testing requirements pursuant to section 160.257 in the school.
42 Further, the provisions of other law to the contrary notwithstanding, the plan shall detail a means for
43 the waiver of requirements otherwise imposed on the school related to the authority of the state
44 board of education to classify school districts pursuant to subdivision (9) of section 161.092 and
45 such other rules and regulations as determined by the commissioner of education, except such
46 waivers shall be confined to the school and not other schools in the school district unless such other
47 schools meet the requirements of this subsection. However, any waiver provided to any school as
48 outlined in this subsection shall be void on June thirtieth of any school year in which the school fails

1 to meet the requirements for the approval of the grants authorized by this section as specified in
2 subsection 2 of this section.

3 7. For any school year, grants authorized by subsections 1, 2, and 5 of this section shall be
4 funded with the amount appropriated for this program, less those funds necessary to reimburse
5 eligible students pursuant to subsection 8 of this section.

6 8. The department of higher education shall, by rule, establish a procedure for the
7 reimbursement of the cost of tuition, books and fees to any public community college or vocational
8 or technical school or within the limits established in subsection ~~[40]~~ 11 of this section for any two-
9 year private vocational or technical school for any student:

10 (1) Who has attended a high school in the state for at least ~~[three]~~ two years ~~[immediately~~
11 ~~prior to graduation]~~ that meets the requirements of subsection 2 of this section; except that, students
12 who are active duty military dependents, and students who are ~~[dependants]~~ dependents of retired
13 military who relocate to Missouri within one year of the date of the parent's retirement from active
14 duty, who ~~[in the school year immediately preceding graduation,]~~ meet all other requirements of
15 this subsection and are attending a school that meets the requirements of subsection 2 of this section
16 shall be exempt from the ~~[three-year]~~ two-year attendance requirement of this subdivision; and

17 (2) Who has made a good faith effort to first secure all available federal sources of funding
18 that could be applied to the reimbursement described in this subsection; and

19 (3) Who has earned a minimal grade average while in high school or through the semester
20 immediately before taking the course for which he or she seeks reimbursement as determined by
21 rule of the department of higher education, and other requirements for the reimbursement authorized
22 by this subsection as determined by rule and regulation of the department; and

23 (4) Who is a citizen or permanent resident of the United States.

24 9. A student who meets the requirements established in subsection 8 of this section
25 immediately before taking the course for which he or she seeks reimbursement shall receive
26 reimbursement of the cost of tuition, books, and fees for any dual credit or dual enrollment course
27 offered in a high school in association with a public community college or vocational or technical
28 school, subject to the requirements of subsection 11 of this section. Eligible students who qualify
29 for reimbursement under this subsection shall also receive reimbursement for the costs associated
30 with an advanced placement course or test.

31 10. The commissioner of education shall develop a procedure for evaluating the
32 effectiveness of the program described in this section. Such evaluation shall be conducted annually
33 with the results of the evaluation provided to the governor, speaker of the house, and president pro
34 tempore of the senate.

35 ~~[40-]~~ 11. For a two-year private vocational or technical school to obtain reimbursements
36 under subsection 8 of this section, the following requirements shall be satisfied:

37 (1) Such two-year private vocational or technical school shall be a member of the North
38 Central Association and be accredited by the Higher Learning Commission as of July 1, 2008, and
39 maintain such accreditation;

40 (2) Such two-year private vocational or technical school shall be designated as a 501(c)(3)
41 nonprofit organization under the Internal Revenue Code of 1986, as amended;

42 (3) No two-year private vocational or technical school shall receive tuition reimbursements
43 in excess of the tuition rate charged by a public community college for course work offered by the
44 private vocational or technical school within the service area of such college; and

45 (4) The reimbursements provided to any two-year private vocational or technical school
46 shall not violate the provisions of Article IX, Section 8, or Article I, Section 7, of the Missouri
47 Constitution or the first amendment of the United States Constitution.

48 162.1250. 1. School districts shall receive state school funding under sections 163.031,

163.043, and 163.087 for resident students who are enrolled in the school district and who are taking a virtual course or full-time virtual program offered by the school district. The school district may offer instruction in a virtual setting using technology, intranet, and internet methods of communications that could take place outside of the regular school district facility. The school district may develop a virtual program for any grade level, kindergarten through twelfth grade, with the courses available in accordance with district policy to any resident student of the district who is enrolled in the school district. Nothing in this section shall preclude a private, parochial, or home school student residing within a school district offering virtual courses or virtual programs from enrolling in the school district in accordance with the combined enrollment provisions of section 167.031 for the purposes of participating in the virtual courses or virtual programs.

2. Charter schools shall receive state school funding under section 160.415 for students enrolled in the charter school who are completing a virtual course or full-time virtual program offered by the charter school. Charter schools may offer instruction in a virtual setting using technology, intranet, and internet methods of communications. The charter school may develop a virtual program for any grade level, kindergarten through twelfth grade, with the courses available in accordance with school policy and the charter school's charter to any student enrolled in the charter school.

3. For purposes of calculation and distribution of state school funding, attendance of a student enrolled in a district or charter school virtual class shall equal, upon course completion, ~~[ninety-four]~~ ninety-five percent of the hours of attendance possible for such class delivered in the nonvirtual program in the student's resident district or charter school. Course completion shall be calculated in two increments, fifty percent completion and one hundred percent completion, based on the student's completion of defined assignments and assessments, with distribution of state funding to a school district or charter school at each increment equal to forty-seven and one-half percent of hours of attendance possible for such course delivered in the nonvirtual program in a student's school district of residence or charter school.

4. When courses are purchased from an outside vendor, the district or charter school shall ensure that they are aligned with the ~~[show-me-curriculum]~~ state learning standards and comply with state requirements for teacher certification. The state board of education reserves the right to request information and materials sufficient to evaluate the online course. Online classes should be considered like any other class offered by the school district or charter school.

5. Any school district or charter school that offers instruction in a virtual setting, develops a virtual course or courses, or develops a virtual program of instruction shall ensure that the following standards are satisfied:

(1) The virtual course or virtual program utilizes appropriate content-specific tools and software;

(2) Orientation training is available for teachers, instructors, and students as needed;

(3) Privacy policies are stated and made available to teachers, instructors, and students;

(4) Academic integrity and internet etiquette expectations regarding lesson activities, discussions, electronic communications, and plagiarism are stated to teachers, instructors, and students prior to the beginning of the virtual course or virtual program;

(5) Computer system requirements, including hardware, web browser, and software, are specified to participants;

(6) The virtual course or virtual program architecture, software, and hardware permit the online teacher or instructor to add content, activities, and assessments to extend learning opportunities;

(7) The virtual course or virtual program makes resources available by alternative means, including but not limited to, video and podcasts;

(8) Resources and notes are available for teachers and instructors in addition to assessment and assignment answers and explanations;

(9) Technical support and course management are available to the virtual course or virtual program teacher and school coordinator;

(10) The virtual course or virtual program includes assignments, projects, and assessments that are aligned with students' different visual, auditory, and hands-on learning styles;

(11) The virtual course or virtual program demonstrates the ability to effectively use and incorporate subject-specific and developmentally appropriate software in an online learning module; and

(12) The virtual course or virtual program arranges media and content to help transfer knowledge most effectively in the online environment.

6. Any special school district shall count any student's completion of a virtual course or program in the same manner as the district counts completion of any other course or program for credit.

7. A school district or charter school may contract with multiple providers of virtual courses or virtual programs, provided they meet the criteria for virtual courses or virtual programs under this section.

162.1251. 1. Any individual, organization, company, or charter school that offers a virtual course in Missouri, other than a school district, may request certification of the course by the department of elementary and secondary education. The department shall certify only courses that meet the following requirements as well as other factors determined relevant by the department to verify quality:

(1) The course is aligned with the state learning standards;

(2) The course is taught by a teacher who is certificated to teach in the state of Missouri;

(3) The course and its delivery method meet federal accessibility requirements to accommodate those who are disabled;

(4) The course complies with state and federal privacy requirements for student records;

(5) The course meets the same requirements imposed on virtual courses under section 162.1250;

(6) The course provider does not discriminate on the basis of race, color, religion, sex, national origin, ancestry, disability, English language learner status, or income level; and

(7) If the department requires that school districts administer a statewide assessment or end-of-course assessment in relation to the course, the course provider pays for and administers the assessment to students enrolled in the course.

2. The department of elementary and secondary education may charge a fee to all virtual course providers to pay for the costs of certification and recertification of virtual courses. The department may at any time request information and materials or interview staff or students to evaluate or reevaluate the virtual course or to verify continuing compliance with the requirements established by the department. The department shall investigate any complaint made against a virtual course provider. The department may revoke certification of a course or refuse to recertify a course if the course does not meet the requirements of this section or other relevant laws, the course provider does not comply with requests for information, or the department has articulable concerns regarding the quality of the course or the instruction provided in the course.

3. Each virtual course provider offering a course certified under this section shall annually report to the department of elementary and secondary education and post on the provider's website a report card detailing the number of students who have enrolled in the course and the number of students who have completed the course with a passing grade. If there is a statewide assessment or end-of-course assessment related to the course, the report card shall include the aggregate

1 assessment scores of the students who took the assessment.

2 4. A virtual course provider offering a course certified under this section shall immediately
 3 transfer records upon the request of the parent, the student, or the school district or charter school
 4 that has paid for part or all of the virtual course for which the records are requested, regardless of
 5 whether additional tuition or fees are owed for the course. School districts and charter schools are
 6 required to accept transferred credit from any virtual course certified by the department of
 7 elementary and secondary education upon receipt of adequate records verifying completion of the
 8 course by the student.

9 5. The department of elementary and secondary education may promulgate rules to
 10 implement the provisions of this section. Any rule or portion of a rule, as that term is defined in
 11 section 536.010, that is created under the authority delegated in this section shall become effective
 12 only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable,
 13 section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested
 14 with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to
 15 disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking
 16 authority and any rule proposed or adopted after August 28, 2018, shall be invalid and void.

17 162.1252. 1. (1) If a school district or charter school does not offer a particular course a
 18 student wishes to take or a course substantially similar to the course a student wishes to take in the
 19 school the student attends and the school the student attends gives instruction in a grade or grades
 20 not lower than the sixth nor higher than the twelfth grade, the student or his or her parent may
 21 submit a written request to the superintendent or his or her designee or the principal of the charter
 22 school for the district or charter school to provide the course to the student virtually or otherwise.
 23 The written request shall explain why the district or charter school should provide the course to the
 24 student. The superintendent or his or her designee or the principal of the charter school shall notify
 25 the student or parent of his or her decision with respect to the request within forty-five days of
 26 receipt.

27 (2) If the superintendent or his or her designee or the principal of the charter school declines
 28 to offer the course virtually or otherwise, the parent or student may submit a written request to the
 29 school board or the governing board of the charter school to provide the course to the student. The
 30 school board or the governing board of the charter school shall act on the request within forty-five
 31 days of receipt. If the request is denied or not acted upon, and there is a certified virtual course
 32 offered in accordance with section 162.1251, the district or charter school shall pay the tuition for
 33 the student to take the course if the student meets the requirements of subsection 2 of this section;
 34 except that, the district or charter school is required to pay for only one virtual course each semester
 35 for a student.

36 2. To qualify for payment of a virtual course by the district or charter school, the student
 37 shall be currently enrolled in the school district or charter school and shall have been enrolled in and
 38 regularly attending the school district or charter school for at least one school year. If the student is
 39 receiving special educational services, as defined in section 162.675, the student's individualized
 40 education program team shall approve the course as appropriate for the student. The district or
 41 charter school is not required to pay the tuition for a student to take a virtual course if the student
 42 has dropped out of or failed to complete a virtual course within the past three years.

43 3. No school district or charter school shall pay, for any one course for a student, more than
 44 fourteen percent of the state adequacy target, as defined in section 163.011. The virtual course
 45 provider shall bill the school district or charter school on a monthly basis. If a student discontinues
 46 enrollment in the district or charter school, drops out of the course, or fails to adequately participate
 47 in the course, the district or charter school may stop making monthly payments to the virtual course
 48 provider.

4. If a school district or charter school pays for a virtual course as required in this section, the district or charter school may collect state aid for the course. For purposes of calculation and distribution of state school funding, attendance of a student enrolled in a virtual course shall equal, upon course completion, ninety-five percent of the hours of attendance possible for a similar course delivered in the nonvirtual program in the student's resident district or charter school. Course completion shall be calculated in two increments, fifty percent completion and one hundred percent completion, based on the student's completion of defined assignments and assessments, with distribution of state funding to a school district or charter school at each increment equal to forty-seven and one-half percent of hours of attendance possible for such course delivered in the nonvirtual program in the student's school district of residence or charter school.

5. The virtual course provider shall provide the school district or charter school all student records and progress reports regarding the performance and attendance of the district or charter school students taking the course.

6. Nothing in this section shall require any school district, any charter school, or the state to provide computers, equipment, or internet access to any student.

7. For purposes of this section, "charter school" shall mean a charter school that has declared itself a local educational agency."; and

Further amend said bill, Page 4, Section 165.121, Line 55, by inserting after all of said section and line the following:

"167.231. 1. Within all school districts except metropolitan districts the board of education shall provide transportation to and from school for all pupils living more than three and one-half miles from school and may provide transportation for all pupils. State aid for transportation shall be paid as provided in section 163.161 only on the basis of the cost of pupil transportation for those pupils living one mile or more from school, including transportation provided to and from publicly operated university laboratory schools. The board of education may provide transportation for pupils living less than one mile from school at the expense of the district and may prescribe reasonable rules and regulations as to eligibility of pupils for transportation, and, notwithstanding any other provision of law, no such district shall be subject to an administrative penalty when the district demonstrates pursuant to rule established by the state board of education that such students are required to cross a state highway or county arterial in the absence of sidewalks, traffic signals, or a crossing guard and that no existing bus stop location has been changed to permit a district to evade such penalty. If no increase in the tax levy of the school district is required to provide transportation for pupils living less than one mile from the school, the board may transport said pupils. If an increase in the tax levy of the school district is required to provide transportation for pupils living less than one mile from school, the board shall submit the question at a public election. If a two-thirds majority of the voters voting on the question at the election are in favor of providing the transportation, the board shall arrange and provide therefor.

2. The proposal and the ballots may be in substantially the following form:

Shall the board of education of the _____ school district provide transportation at the expense of the district for pupils living less than one mile from school and be authorized to levy an additional tax of _____ cents on the one hundred dollars assessed valuation to provide funds to pay for such transportation service?

☐ YES ☐ NO

(If you are in favor of the proposition (or question), place an X in the box opposite "YES". If you are opposed to the proposition (or question), place an X in the box opposite "NO".)

3. The board of education of any school district may provide transportation to and from

1 school for any public school pupil not otherwise eligible for transportation under the provisions of
 2 state law, and may prescribe reasonable rules and regulations as to eligibility for transportation, if
 3 the parents or guardian of the pupil agree in writing to pay the actual cost of transporting the pupil.
 4 The minimum charge would be the actual cost of transporting the pupil for ninety school days,
 5 which actual cost is to be determined by the average per-pupil cost of transporting children in the
 6 school district during the preceding school year. The full actual cost shall be paid by the parent or
 7 guardian of the pupil and shall not be paid out of any state school aid funds or out of any other
 8 revenues of the school district. The cost of transportation may be paid in installments, and the
 9 board of education shall establish the cost of the transportation and the time or times and method of
 10 payment.

11 4. A school district or charter school may arrange to have students transported using
 12 alternative methods such as existing public transportation or vehicles other than a school bus, as
 13 long as the district or charter school pays the cost of the transportation or provides for the
 14 transportation without cost to the student.

15 168.011. 1. No person shall be employed to teach in any position in a public school until he
 16 or she has received a valid certificate of license entitling him or her to teach in that position.

17 2. Teaching in the state of Missouri, performing other related education duties, school
 18 administration, and teacher education are hereby declared to be professions with all the appropriate
 19 rights, responsibilities and privileges accorded to other recognized professions.

20 3. A district may collect state aid for a student attending a course virtually, through
 21 videoconferencing or electronically, even if the supervising employee in the classroom is not a
 22 certificated employee as long as the person teaching the course has a valid certificate of license
 23 entitling him or her to teach in that position or is employed by a postsecondary institution and is
 24 teaching a dual credit, dual enrollment, or advanced placement course.

25 168.021. 1. Certificates of license to teach in the public schools of the state shall be granted
 26 as follows:

27 (1) By the state board, under rules and regulations prescribed by it:

28 (a) Upon the basis of college credit;

29 (b) Upon the basis of examination;

30 (2) By the state board, under rules and regulations prescribed by the state board with advice
 31 from the advisory council established by section 168.015 to any individual who presents to the state
 32 board a valid doctoral degree from an accredited institution of higher education accredited by a
 33 regional accrediting association such as North Central Association. Such certificate shall be limited
 34 to the major area of postgraduate study of the holder, shall be issued only after successful
 35 completion of the examination required for graduation pursuant to rules adopted by the state board
 36 of education, and shall be restricted to those certificates established pursuant to subdivision (1) of
 37 subsection 3 of this section;

38 (3) By the state board, which shall issue the professional certificate classification in both the
 39 general and specialized areas most closely aligned with the current areas of certification approved
 40 by the state board, commensurate with the years of teaching experience of the applicant, and based
 41 upon the following criteria:

42 (a) Recommendation of a state-approved baccalaureate-level teacher preparation program;

43 (b) Successful attainment of the Missouri qualifying score on the exit assessment for
 44 teachers or administrators designated by the state board of education. Applicants who have not
 45 successfully achieved a qualifying score on the designated examinations will be issued a two-year
 46 nonrenewable provisional certificate; and

47 (c) Upon completion of a background check as prescribed in section 168.133 and possession
 48 of a valid teaching certificate in the state from which the applicant's teacher preparation program

1 was completed;

2 (4) By the state board, under rules prescribed by it, on the basis of a relevant bachelor's
3 degree, or higher degree, and a passing score for the designated exit examination, for individuals
4 whose academic degree and professional experience are suitable to provide a basis for instruction
5 solely in the subject matter of banking or financial responsibility, at the discretion of the state board.
6 Such certificate shall be limited to the major area of study of the holder and shall be restricted to
7 those certificates established under subdivision (1) of subsection 3 of this section. Holders of
8 certificates granted under this subdivision shall be exempt from the teacher tenure act under sections
9 168.102 to 168.130 and each school district shall have the decision-making authority on whether to
10 hire the holders of such certificates; [Ø]

11 (5) By the state board, under rules and regulations prescribed by it, on the basis of
12 certification by the American Board for Certification of Teacher Excellence (ABCTE) and
13 verification of ability to work with children as demonstrated by sixty contact hours in any one of the
14 following areas as validated by the school principal: sixty contact hours in the classroom, of which
15 at least forty-five must be teaching; sixty contact hours as a substitute teacher, with at least thirty
16 consecutive hours in the same classroom; sixty contact hours of teaching in a private school; or sixty
17 contact hours of teaching as a paraprofessional, for an initial four-year ABCTE certificate of license
18 to teach, except that such certificate shall not be granted for the areas of early childhood education,
19 or special education. For certification in the area of elementary education, ninety contact hours in
20 the classroom shall be required, of which at least thirty shall be in an elementary classroom. Upon
21 the completion of the requirements listed in paragraphs (a), (b), (c), and (d) of this subdivision, an
22 applicant shall be eligible to apply for a career continuous professional certificate under subdivision
23 (2) of subsection 3 of this section:

24 (a) Completion of thirty contact hours of professional development within four years, which
25 may include hours spent in class in an appropriate college curriculum;

26 (b) Validated completion of two years of the mentoring program of the American Board for
27 Certification of Teacher Excellence or a district mentoring program approved by the state board of
28 education;

29 (c) Attainment of a successful performance-based teacher evaluation; and

30 (d) ~~[Participate]~~ Participation in a beginning teacher assistance program; or

31 (6) By the state board, under rules and regulations prescribed by it, on the basis of
32 specialized knowledge and experience in a discrete subject area for which the certificate is issued.

33 2. All valid teaching certificates issued pursuant to law or state board policies and
34 regulations prior to September 1, 1988, shall be exempt from the professional development
35 requirements of this section and shall continue in effect until they expire, are revoked or suspended,
36 as provided by law. When such certificates are required to be renewed, the state board or its
37 designee shall grant to each holder of such a certificate the certificate most nearly equivalent to the
38 one so held. Anyone who holds, as of August 28, 2003, a valid PC-I, PC-II, or continuous
39 professional certificate shall, upon expiration of his or her current certificate, be issued the
40 appropriate level of certificate based upon the classification system established pursuant to
41 subsection 3 of this section.

42 3. Certificates of license to teach in the public schools of the state shall be based upon
43 minimum requirements prescribed by the state board of education which shall include completion of
44 a background check as prescribed in section 168.133. The state board shall provide for the
45 following levels of professional certification: an initial professional certificate and a career
46 continuous professional certificate.

47 (1) The initial professional certificate shall be issued upon completion of requirements
48 established by the state board of education and shall be valid based upon verification of actual

1 teaching within a specified time period established by the state board of education. The state board
2 shall require holders of the four-year initial professional certificate to:

3 (a) Participate in a mentoring program approved and provided by the district for a minimum
4 of two years;

5 (b) Complete thirty contact hours of professional development, which may include hours
6 spent in class in an appropriate college curriculum, or for holders of a certificate under subdivision
7 (4) of subsection 1 of this section, an amount of professional development in proportion to the
8 certificate holder's hours in the classroom, if the certificate holder is employed less than full time;
9 and

10 (c) Participate in a beginning teacher assistance program.

11 (2) (a) The career continuous professional certificate shall be issued upon verification of
12 completion of four years of teaching under the initial professional certificate and upon verification
13 of the completion of the requirements articulated in paragraphs (a), (b), and (c) of subdivision (1) of
14 this subsection or paragraphs (a), (b), (c), and (d) of subdivision (5) of subsection 1 of this section.

15 (b) The career continuous professional certificate shall be continuous based upon
16 verification of actual employment in an educational position as provided for in state board
17 guidelines and completion of fifteen contact hours of professional development per year which may
18 include hours spent in class in an appropriate college curriculum. Should the possessor of a valid
19 career continuous professional certificate fail, in any given year, to meet the fifteen-hour
20 professional development requirement, the possessor may, within two years, make up the missing
21 hours. In order to make up for missing hours, the possessor shall first complete the fifteen-hour
22 requirement for the current year and then may count hours in excess of the current year requirement
23 as make-up hours. Should the possessor fail to make up the missing hours within two years, the
24 certificate shall become inactive. In order to reactivate the certificate, the possessor shall complete
25 twenty-four contact hours of professional development which may include hours spent in the
26 classroom in an appropriate college curriculum within the six months prior to or after reactivating
27 his or her certificate. The requirements of this paragraph shall be monitored and verified by the
28 local school district which employs the holder of the career continuous professional certificate.

29 (c) A holder of a career continuous professional certificate shall be exempt from the
30 professional development contact hour requirements of paragraph (b) of this subdivision if such
31 teacher has a local professional development plan in place within such teacher's school district and
32 meets two of the three following criteria:

33 a. Has ten years of teaching experience as defined by the state board of education;

34 b. Possesses a master's degree; or

35 c. Obtains a rigorous national certification as approved by the state board of education.

36 4. Policies and procedures shall be established by which a teacher who was not retained due
37 to a reduction in force may retain the current level of certification. There shall also be established
38 policies and procedures allowing a teacher who has not been employed in an educational position
39 for three years or more to reactivate his or her last level of certification by completing twenty-four
40 contact hours of professional development which may include hours spent in the classroom in an
41 appropriate college curriculum within the six months prior to or after reactivating his or her
42 certificate.

43 5. The state board shall, upon completion of a background check as prescribed in section
44 168.133, issue a professional certificate classification in the areas most closely aligned with an
45 applicant's current areas of certification, commensurate with the years of teaching experience of the
46 applicant, to any person who is hired to teach in a public school in this state and who possesses a
47 valid teaching certificate from another state or certification under subdivision (4) of subsection 1 of
48 this section, provided that the certificate holder shall annually complete the state board's

requirements for such level of certification, and shall establish policies by which residents of states other than the state of Missouri may be assessed a fee for a certificate of license to teach in the public schools of Missouri. Such fee shall be in an amount sufficient to recover any or all costs associated with the issuing of a certificate of license to teach. The board shall promulgate rules to authorize the issuance of a provisional certificate of license, which shall allow the holder to assume classroom duties pending the completion of a criminal background check under section 168.133, for any applicant who:

- (1) Is the spouse of a member of the Armed Forces stationed in Missouri;
- (2) Relocated from another state within one year of the date of application;
- (3) Underwent a criminal background check in order to be issued a teaching certificate of license from another state; and
- (4) Otherwise qualifies under this section.

6. The state board may assess to holders of an initial professional certificate a fee, to be deposited into the excellence in education revolving fund established pursuant to section 160.268, for the issuance of the career continuous professional certificate. However, such fee shall not exceed the combined costs of issuance and any criminal background check required as a condition of issuance. Applicants for the initial ABCTE certificate shall be responsible for any fees associated with the program leading to the issuance of the certificate, but nothing in this section shall prohibit a district from developing a policy that permits fee reimbursement.

7. Any member of the public school retirement system of Missouri who entered covered employment with ten or more years of educational experience in another state or states and held a certificate issued by another state and subsequently worked in a school district covered by the public school retirement system of Missouri for ten or more years who later became certificated in Missouri shall have that certificate dated back to his or her original date of employment in a Missouri public school.

170.039. 1. (1) School districts and charter schools sponsored by local boards of education may award an enrolled student credit for a high school course if the student is able to demonstrate proficiency in the knowledge, skills, and competencies in the subject area to the satisfaction of the district or charter school sponsored by a local board of education, regardless of whether the student has enrolled in the course with the district or charter school sponsored by a local board of education or completed the course.

(2) Districts and charter schools sponsored by local boards of education that offer proficiency-based credit as described in this section shall notify parents and students in the student handbook or, if a district or charter school sponsored by a local board of education does not provide a student handbook, through other means determined by the district or charter school sponsored by a local board of education.

(3) A student who chooses to demonstrate competency to earn credit as described in this section shall take any statewide assessments associated with any course for which the student earns proficiency-based credit.

2. A student who earns proficiency-based credits shall not be required to graduate earlier than his or her age-related cohorts even if the student earns more credits than necessary to graduate. However, if a student graduates from high school earlier than his or her age-related cohorts due to proficiency-based credits earned by the student, the district may continue to collect state aid for the student until the student's age-related cohorts graduate. The state aid earned in this manner shall be used to provide services to students who are at risk of not graduating on time or at all or to increase the number of students attending a career center from the number of students who attended in the 2017-18 school year.

3. If a student graduates early due to proficiency-based credits earned by the student, the

1 district's collection of state aid for the student as described in subsection 2 of this section shall be
2 determined by counting each course for which the student earned proficiency-based credit as
3 equaling ninety-five percent of the hours of attendance possible for such course even though the
4 student never actually attended the course. The district shall count only those courses necessary for
5 the district to claim full-time status for the student until the student's age-related cohorts graduate.";
6 and

7
8 Further amend said bill by amending the title, enacting clause, and intersectional references
9 accordingly.