

HB 939 -- Open School Enrollment

Sponsor: Dieckhaus

This bill allows, beginning with the school year starting July 1, 2012, a student currently enrolled in a public school in a district other than the cities of Kansas City and St. Louis to enroll in a public school in another school district. The student's parent or guardian must notify the child's school district of residence and the receiving district by January 15 of the preceding school year of the intent to change the child's enrollment on an application prescribed by the Department of Elementary and Secondary Education. If a parent or guardian fails to provide notification by January 15, he or she may do so until the third Friday in July of that calendar year if there is good cause as specified in the bill. An application for enrollment may be granted at any time with the approval of the child's school district of residence and the receiving district.

Each school district must adopt a policy for appropriate class size and teacher-pupil ratios for all grade levels. No district is required to admit a student if doing so would violate its class size and teacher-pupil ratio. If a district denies entry to any student, it must state the grounds for the denial. Each district must maintain records on the number of transfers requested into and out of the district, the number of pupils accepted, and the number of pupils denied.

A parent or guardian may return his or her child to the school district of residence at a later time upon proper notification to both districts. If the parent or guardian returns the child to the school district of residence, he or she cannot re-enroll the child in the other school district but may request enrollment in a different school district by following the procedures in the bill.

For a student receiving special education services, a request to enroll in another school district will only be approved if the receiving district maintains a special education program appropriate for the child and the enrollment would not cause the established maximum class size to be exceeded. A member of the individualized education program (IEP) team in the school district of residence must be part of the IEP team in the receiving district for any initial planning sessions. The board of education of the school district of residence must pay the receiving district the actual costs incurred in providing the appropriate special education.

The department will calculate the per-pupil cost for the residence and receiving districts. If the cost is greater in the

receiving district, the board of the receiving district may calculate an amount, not to exceed 25% of the difference between the costs of the two districts or \$1,000, whichever is less, to be paid by the parents. If the cost is greater in the residence district, the board of the receiving district may calculate a payment by the above method for the residence district to pay the receiving district. The school district of residence must also pay the receiving district any other federal or state aid that the district receives on account of the child. If a student enrolled in another school district moves to a different school district during the academic year, the first school district of residence must continue paying the receiving district for the remainder of the school year. The new school district of residence must pay for any subsequent years. The bill specifies the calculation of a late payment fee and the withholding of the amount if it is overdue for more than three months from a school district of residence, certain changes of residence, and enrollment variations that may affect eligibility for a small schools grant.

The parent or guardian is responsible for transporting the student to the receiving school district without reimbursement. A district may provide transportation to and from a point on an existing bus route if the parent or guardian transports the child to that point. Participation in interscholastic athletics will be governed by the requirements and eligibility criteria and standards of the Missouri State High School Activities Association (MSHSAA).