

HB 1228 -- Charter Schools

Sponsor: Jones (63)

This bill changes the laws regarding charter schools. In its main provisions, the bill:

- (1) Authorizes the State Auditor to audit a charter school;
- (2) Expands the area of operation of charter schools to include an unaccredited district or a provisionally accredited district. In a school district that is accredited without provisions, only the local school board may sponsor a charter school in the district;
- (3) Expands the entities that are eligible to sponsor a charter school to include all public four-year colleges and universities and any private four-year college or university with its primary campus in the state; certain two-year private nonprofit vocational or technical schools; the Missouri Charter Public School Commission established in the bill; and certain charitable organizations that are not sectarian or religious. The bill also expands the list of community colleges that are allowed to sponsor charter schools and clarifies the status of school boards that currently sponsor charter schools and other current sponsors;
- (4) Requires a sponsor receiving sponsorship funds to report annually to the Joint Committee on Education that it is in compliance with the requirement on timely submission of data;
- (5) Requires a sponsor to develop policies and procedures for the review of a charter school proposal, granting of a charter, performance framework to evaluate the performance of charter schools and the sponsor's renewal, nonrenewal, and revocation process and closure procedures;
- (6) Requires the State Board of Education within the Department of Elementary and Secondary Education to evaluate sponsors for compliance with standards every three years and removes the one-year limitation on the state board's authority to withhold funds and suspend the sponsor's authority and allows this authority until the sponsor is reauthorized by the state board;
- (7) Establishes an annual procedure for the application and approval of sponsors who are not sponsoring a charter school as of August 28, 2012;
- (8) Revises the requirements for the contents of a charter by:

(a) Replacing the goals and objectives with a legally binding performance contract;

(b) Adding a procedure to ensure admission of students with disabilities and a description of the parental grievance procedure;

(c) Requiring a charter to be approved by the state board by December 1 of the year prior to the proposed opening date; and

(d) Repealing the requirement that a sponsor of three or more charter schools must ensure that at least one of every three charter schools it sponsors is geared toward high risk students and revising the definition of "high risk";

(9) Clarifies what alternative arrangements are allowed for students to obtain academic credit and requires a study of the effects of the alternative arrangements to assess student performance, graduation rates, educational outcomes, and entry into the workforce or higher education;

(10) Limits a sponsor's ability to place a charter school on probation to no more than 12 months for the duration of the charter;

(11) Changes the appeal body for a sponsor's revocation decision from judicial review to the state board;

(12) Revises the charter renewal process by setting August 1 as the date for demonstrating that the school is in compliance with state and federal law and its performance contract and submitting a revised charter application so that its charter may be renewed by the state board at its next meeting;

(13) Clarifies:

(a) The terms under which a charter school may purchase or rent a school district facility, offering a charter school the right of first refusal;

(b) The residence status of nonresident pupils from certain facilities;

(c) Admission preference for high risk students;

(d) Limitation of admission based on gender; and

(e) The status of students for inclusion in charter school performance on state assessments;

(14) Requires that a copy of any contract between the governing board of a charter school and a management company for services be available for public inspection;

(15) Establishes a charter student's right to complete the current semester if the student moves out of the district and to complete the year if a district boundary change affects the student's residence status;

(16) Clarifies that foster children's educational rights are applicable to charter schools;

(17) Requires a proposed charter school that intends to contract with an education service provider for substantial services to require the applicant in the request for proposal to:

(a) Provide evidence of the service provider's success in serving student populations similar to the charter school's target population;

(b) Provide a term sheet covering the duration of services, roles and responsibilities, scope of resources, evaluation measures, compensation structure, oversight methods, investment disclosure, and contract renewal and termination processes;

(c) Disclose any known conflicts of interest;

(d) Disclose and explain any termination or nonrenewal for charter school services in the past five years;

(e) Ensure that the legal counsel for the charter school directly reports to the school's governing board; and

(f) Provide a process to ensure prior approval by the governing board for the payment of service provider expenditures billable to the charter school;

(18) Authorizes the department to withhold charter school funding during a charter school's last year of operating until the department determines that all records, liabilities, and reporting requirements, including a full audit, of the school are satisfied;

(19) Establishes procedures to determine if a charter school is financially stressed and to guide its recovery from financial stress; and

(20) Establishes the Missouri Charter Public School Commission with authority to sponsor high quality charter schools. The commission is to consist of nine members appointed by the

Governor with the advice and consent of the Senate. Five of the members are to be appointed directly by Governor and one member is to be selected by the Governor from a slate of three nominees recommended by each of following:

- (a) The Commissioner of Education;
- (b) The Commissioner of Higher Education within the Department of Higher Education;
- (c) The President Pro Tem of the Senate; and
- (d) The Speaker of the House of Representatives.