

HCS HB 1451 -- CHARTER SCHOOLS

SPONSOR: Wood

COMMITTEE ACTION: Voted "Do Pass with Amendments" by the Standing Committee on Elementary and Secondary Education by a vote of 12 to 1. Voted "Do Pass with HCS" by the Select Committee on Education by a vote of 7 to 2.

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

ACADEMIC PERFORMANCE (Section 160.400, RSMo)

Adds to the provisions relating to contracts between charter schools and their sponsors the requirement that performance consequences must be aligned with annual performance report evaluations of public schools.

Adds to the requirement that charter school sponsors develop policies and procedures for a performance contract to require charter schools to meet current state academic performance standards.

Specifies that when a sponsor notifies a charter school of closure, the Department of Elementary and Secondary Education must withhold funds to assure all obligations of the charter school are met.

CHARTER SPONSORSHIP (Section 160.403)

Exempts the Missouri Charter Public School Commission from the application and approval process to be eligible to sponsor a charter school.

Repeals the provision prohibiting an eligible sponsor that is not currently sponsoring a charter school as of August 28, 2012, from commencing charter sponsorship without approval from and a sponsor contract with the State Board of Education within the department.

APPLICATION AND RENEWAL PROCESS (Section 160.405)

Requires the state board to approve a charter by January 31 prior to the school year of the proposed opening date of the charter school. Currently, the state board must approve a charter by December 1 of the year prior to the proposed opening date of the charter school.

Requires the sponsor to prepare the statement of finding that the application meets statutory requirements which is currently

required when a sponsor approves a charter and submits the application to the state board.

Requires the state board to approve or deny a charter application within 60 days of its receipt. If the state board disapproves a charter application, it must do so in writing and identify the specific failures of the application to meet statutory requirements. The written disapproval must be provided to the sponsor within 10 business days.

Specifies that a charter school with an annual performance report consistent with a classification of accredited for three of the last four years and is fiscally viable may have an expedited renewal process.

Requires the department to calculate an annual performance report for each charter school and publish it in the same manner as they are calculated and published for districts and attendance centers.

Requires the Joint Committee on Education to create a committee, comprised of equal members of the charter school sector and the public school sector, to investigate facility access and affordability for charter schools and to report the findings to the General Assembly by December 31, 2015.

HIGH-QUALITY CHARTER SCHOOL (Section 160.408)

Allows high-quality charter schools, as defined in the bill, to be provided expedited opportunities to replicate and expand, subject to specified conditions, into unaccredited districts, the St. Louis City School District, or the Kansas City School District.

ADMISSION (Section 160.410)

Requires a charter school to enroll transfer students provided the charter school is an approved charter school and subject to current transfer law.

Prohibits the lottery system in determining the enrollment of pupils when a school's capacity is insufficient from discriminating based on parents' ability to pay fees or tuition.

Specifies that students who have been enrolled in a charter school for a full academic year must be counted in the performance of that school on the statewide assessments of that year. Currently, students who are present for the January membership are counted in the performance.

FINANCIAL OBLIGATIONS (Sections 160.415 and 160.417)

Requires a charter school to satisfy all its financial obligations within 12 months of notice from the charter sponsor's closure. A charter school must return any remaining state and federal funds to DESE once its financial obligations are met.

Specifies that a charter school will be identified as experiencing financial stress if due to insufficient fund balances or reserves, it incurs debt after January 31 and before July 1 during the most recently completed fiscal year in order to meet expenditures of the charter school.

Early Childhood Education (Section 163.018)

This bill specifies that charter schools become eligible to receive state funding for early childhood education at the same time as the district in which they are located becomes eligible.

APPROVED CHARTER SCHOOL TUITION (Section 167.131)

Requires the board of education of each district in Missouri that does not maintain an accredited school to pay tuition and provide transportation for each pupil resident who attends an accredited school in another district of the same or an adjoining county or who attends an approved charter school in the same or an adjoining county.

Specifies the rate of tuition to be charged by the district attended and the approved charter school.

Defines "approved charter school" as a charter school that has existed for less than three years or a charter school with a three-year average score of 70% or higher on its annual performance report.

TRANSPORTATION (Section 167.241)

Specifies when transportation must be provided and who should pay for it.

This bill includes an emergency clause for Section 163.018.

This bill is similar to HB 550 (2015).

PROPOSERS: Supporters say that this is a good policy for charter schools and based on fair and equitable processes. This bill also achieves many goals relating to charter schools including accountability, financial oversight, and the expedited renewal process.

Testifying for the bill were Representative Wood; Douglas Thaman, Missouri Charter Public Schools Association; Children's Education Council Of Missouri; Emerson; and AFT Missouri.

OPPONENTS: There was no opposition voiced to the committee.

OTHERS: Others testifying on the bill say they are a little cautious about passing a lot of laws with a lot of specific rules and provisions on a process that they hope will be changed within a couple years. A decision process in one locale doesn't always work equally well in other locales.

Testifying on the bill was Missouri National Education Association.