

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 634
99TH GENERAL ASSEMBLY

0986H.04C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 160.400, 160.405, 160.410, 160.415, and 160.425, RSMo, and to enact in lieu thereof five new sections relating to charter schools.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 160.400, 160.405, 160.410, 160.415, and 160.425, RSMo, are
2 repealed and five new sections enacted in lieu thereof, to be known as sections 160.400, 160.405,
3 160.410, 160.415, and 160.425, to read as follows:

160.400. 1. A charter school is an independent public school.

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

4 (1) In a metropolitan school district;

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

7 (3) **In any charter county or county of the first classification;**

8 (4) In a school district that has been classified as unaccredited by the state board of
9 education;

10 [~~4~~] (5) In a school district that has been classified as provisionally accredited by the
11 state board of education and has received scores on its annual performance report consistent with
12 a classification of provisionally accredited or unaccredited for three consecutive school years
13 beginning with the 2012-13 accreditation year under the following conditions:

14 (a) The eligibility for charter schools of any school district whose provisional
15 accreditation is based in whole or in part on financial stress as defined in sections 161.520 to
16 161.529, or on financial hardship as defined by rule of the state board of education, shall be

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 decided by a vote of the state board of education during the third consecutive school year after
18 the designation of provisional accreditation; and

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

22 ~~[(5)]~~ (6) In a school district that has been accredited without provisions, sponsored only
23 by the local school board; provided that no board with a current year enrollment of one thousand
24 five hundred fifty students or greater shall permit more than thirty-five percent of its student
25 enrollment to enroll in charter schools sponsored by the local board under the authority of this
26 subdivision, except that this restriction shall not apply to any school district that subsequently
27 becomes eligible under subdivision ~~[(3) or]~~ (4) or (5) of this subsection or to any district
28 accredited without provisions that sponsors charter schools prior to having a current year student
29 enrollment of one thousand five hundred fifty students or greater.

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

32 (1) The school board of the district in any district which is sponsoring a charter school
33 as of August 27, 2012, as permitted under subdivision (1) or (2) of subsection 2 of this section,
34 the special administrative board of a metropolitan school district during any time in which
35 powers granted to the district's board of education are vested in a special administrative board,
36 or if the state board of education appoints a special administrative board to retain the authority
37 granted to the board of education of an urban school district containing most or all of a city with
38 a population greater than three hundred fifty thousand inhabitants, the special administrative
39 board of such school district;

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

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

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

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

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

51 **4. In the case of a charter school allowed to operate only under subdivision (3) of**
52 **subsection 2 of this section, the person, group, or organization seeking to establish such a**

53 **charter school shall submit the proposed charter to the local school board in which the**
54 **charter school is to be located before or at the same time that the charter school submits**
55 **its proposed charter to any other sponsor. Upon receipt of a proposed charter for a**
56 **location within the district, the local school board shall have forty-five days to consider the**
57 **proposed charter and either enter into a sponsorship agreement or notify the charter**
58 **school that it declines the opportunity to sponsor the charter school. Such notification shall**
59 **be made in writing. If the local school board declines to sponsor the charter school or does**
60 **not respond within the specified time, any other authorized sponsor may enter into a**
61 **sponsorship agreement. No person, group, or organization seeking to establish a charter**
62 **school shall be required to submit its proposed charter to the local school board if the**
63 **school district in which it is to be located is provisionally accredited or unaccredited by the**
64 **state board of education.**

65 **5.** Changes in a school district's accreditation status that affect charter schools shall be
66 addressed as follows, except for the districts described in subdivisions (1) [~~and~~], (2), and (3) of
67 subsection 2 of this section:

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

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

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

79

80 A charter school operating in a school district identified in subdivision (1) or (2) of subsection
81 2 of this section may be sponsored by any of the entities identified in subsection 3 of this section,
82 irrespective of the accreditation classification of the district in which it is located. A charter
83 school in a district described in this subsection whose charter provides for the addition of grade
84 levels in subsequent years may continue to add levels until the planned expansion is complete
85 to the extent of grade levels in comparable schools of the district in which the charter school is
86 operated.

87 [~~5-~~] **6.** The mayor of a city not within a county may request a sponsor under subdivision
88 (2), (3), (4), (5), or (6) of subsection 3 of this section to consider sponsoring a "workplace charter

89 school", which is defined for purposes of sections 160.400 to 160.425 as a charter school with
90 the ability to target prospective students whose parent or parents are employed in a business
91 district, as defined in the charter, which is located in the city.

92 ~~[6-]~~ 7. No sponsor shall receive from an applicant for a charter school any fee of any
93 type for the consideration of a charter, nor may a sponsor condition its consideration of a charter
94 on the promise of future payment of any kind.

95 ~~[7-]~~ 8. The charter school shall be organized as a Missouri nonprofit corporation
96 incorporated pursuant to chapter 355. The charter provided for herein shall constitute a contract
97 between the sponsor and the charter school.

98 ~~[8-]~~ 9. As a nonprofit corporation incorporated pursuant to chapter 355, the charter
99 school shall select the method for election of officers pursuant to section 355.326 based on the
100 class of corporation selected. Meetings of the governing board of the charter school shall be
101 subject to the provisions of sections 610.010 to 610.030.

102 ~~[9-]~~ 10. A sponsor of a charter school, its agents and employees are not liable for any
103 acts or omissions of a charter school that it sponsors, including acts or omissions relating to the
104 charter submitted by the charter school, the operation of the charter school and the performance
105 of the charter school.

106 ~~[10-]~~ 11. A charter school may affiliate with a four-year college or university, including
107 a private college or university, or a community college as otherwise specified in subsection 3 of
108 this section when its charter is granted by a sponsor other than such college, university or
109 community college. Affiliation status recognizes a relationship between the charter school and
110 the college or university for purposes of teacher training and staff development, curriculum and
111 assessment development, use of physical facilities owned by or rented on behalf of the college
112 or university, and other similar purposes. A university, college or community college may not
113 charge or accept a fee for affiliation status.

114 ~~[11-]~~ 12. The expenses associated with sponsorship of charter schools shall be defrayed
115 by the department of elementary and secondary education retaining one and five-tenths percent
116 of the amount of state and local funding allocated to the charter school under section 160.415,
117 not to exceed one hundred twenty-five thousand dollars, adjusted for inflation. The department
118 of elementary and secondary education shall remit the retained funds for each charter school to
119 the school's sponsor, provided the sponsor remains in good standing by fulfilling its sponsorship
120 obligations under sections 160.400 to 160.425 and 167.349 with regard to each charter school
121 it sponsors, including appropriate demonstration of the following:

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

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

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

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

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

136 ~~[12-]~~ **13.** Sponsors receiving funds under subsection ~~[11]~~ **12** of this section shall be
137 required to submit annual reports to the joint committee on education demonstrating they are in
138 compliance with subsection ~~[17]~~ **18** of this section.

139 ~~[13-]~~ **14.** No university, college ~~[or]~~, community college, **or school board** shall grant
140 a charter to a nonprofit corporation if an employee of the university, college ~~[or]~~, community
141 college, **or school board** is a member of the corporation's board of directors.

142 ~~[14-]~~ **15.** No sponsor shall grant a charter under sections 160.400 to 160.425 and
143 167.349 without ensuring that a criminal background check and family care safety registry check
144 are conducted for all members of the governing board of the charter schools or the incorporators
145 of the charter school if initial directors are not named in the articles of incorporation, nor shall
146 a sponsor renew a charter without ensuring a criminal background check and family care safety
147 registry check are conducted for each member of the governing board of the charter school.

148 ~~[15-]~~ **16.** No member of the governing board of a charter school shall hold any office
149 or employment from the board or the charter school while serving as a member, nor shall the
150 member have any substantial interest, as defined in section 105.450, in any entity employed by
151 or contracting with the board. No board member shall be an employee of a company that
152 provides substantial services to the charter school. All members of the governing board of the
153 charter school shall be considered decision-making public servants as defined in section 105.450
154 for the purposes of the financial disclosure requirements contained in sections 105.483, 105.485,
155 105.487, and 105.489.

156 ~~[16-]~~ **17.** A sponsor shall develop the policies and procedures for:

157 (1) The review of a charter school proposal including an application that provides
158 sufficient information for rigorous evaluation of the proposed charter and provides clear
159 documentation that the education program and academic program are aligned with the state

160 standards and grade-level expectations, and provides clear documentation of effective
161 governance and management structures, and a sustainable operational plan;

162 (2) The granting of a charter;

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

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

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

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

173

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

175 ~~[17-]~~ **18.** (1) A sponsor shall provide timely submission to the state board of education
176 of all data necessary to demonstrate that the sponsor is in material compliance with all
177 requirements of sections 160.400 to 160.425 and section 167.349. The state board of education
178 shall ensure each sponsor is in compliance with all requirements under sections 160.400 to
179 160.425 and 167.349 for each charter school sponsored by any sponsor. The state board shall
180 notify each sponsor of the standards for sponsorship of charter schools, delineating both what
181 is mandated by statute and what best practices dictate. The state board shall evaluate sponsors
182 to determine compliance with these standards every three years. The evaluation shall include a
183 sponsor's policies and procedures in the areas of charter application approval; required charter
184 agreement terms and content; sponsor performance evaluation and compliance monitoring; and
185 charter renewal, intervention, and revocation decisions. Nothing shall preclude the department
186 from undertaking an evaluation at any time for cause.

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

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

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

204 ~~[18-]~~ **19.** If a sponsor notifies a charter school of closure under subsection 8 of section
205 160.405, the department of elementary and secondary education shall exercise its financial
206 withholding authority under subsection 12 of section 160.415 to assure all obligations of the
207 charter school shall be met. The state, charter sponsor, or resident district shall not be liable for
208 any outstanding liability or obligations of the charter school.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

46 (15) Procedures to be implemented if the charter school should close, as provided in
47 subdivision (6) of subsection ~~[46]~~ 17 of section 160.400 including:

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

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

50 (c) Submission of final financial reports;

51 (d) Resolution of any remaining financial obligations;

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

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

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

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

63

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

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

67 (1) A charter shall be submitted to the sponsor, and follow the sponsor's policies and
68 procedures for review and granting of a charter approval, and be approved by the state board of
69 education by January thirty-first prior to the school year of the proposed opening date of the
70 charter school;

71 (2) A charter may be approved when the sponsor determines that the requirements of this
72 section are met, determines that the applicant is sufficiently qualified to operate a charter school,
73 and that the proposed charter is consistent with the sponsor's charter sponsorship goals and
74 capacity. The sponsor's decision of approval or denial shall be made within ninety days of the
75 filing of the proposed charter; **except that, if a proposed charter is submitted to the local**
76 **school board under subsection 4 of section 160.400, the local school board has forty-five**
77 **days to accept or decline sponsorship;**

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

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

92 (5) The sponsor of a charter school shall give priority to charter school applicants that
93 propose a school oriented to high-risk students and to the reentry of dropouts into the school

94 system. If a sponsor grants three or more charters, at least one-third of the charters granted by
95 the sponsor shall be to schools that actively recruit dropouts or high-risk students as their student
96 body and address the needs of dropouts or high-risk students through their proposed mission,
97 curriculum, teaching methods, and services. For purposes of this subsection, a "high-risk"
98 student is one who is at least one year behind in satisfactory completion of course work or
99 obtaining high school credits for graduation, has dropped out of school, is at risk of dropping out
100 of school, needs drug and alcohol treatment, has severe behavioral problems, has been suspended
101 from school three or more times, has a history of severe truancy, is a pregnant or parenting teen,
102 has been referred for enrollment by the judicial system, is exiting incarceration, is a refugee, is
103 homeless or has been homeless sometime within the preceding six months, has been referred by
104 an area school district for enrollment in an alternative program, or qualifies as high risk under
105 department of elementary and secondary education guidelines. Dropout shall be defined through
106 the guidelines of the school core data report. The provisions of this subsection do not apply to
107 charters sponsored by the state board of education.

108 3. If a charter is approved by a sponsor, the charter application shall be submitted to the
109 state board of education, along with a statement of finding by the sponsor that the application
110 meets the requirements of sections 160.400 to 160.425 and section 167.349 and a monitoring
111 plan under which the charter sponsor shall evaluate the academic performance, including annual
112 performance reports, of students enrolled in the charter school. The state board of education
113 shall approve or deny a charter application within sixty days of receipt of the application. The
114 state board of education may deny a charter on grounds that the application fails to meet the
115 requirements of sections 160.400 to 160.425 and section 167.349 or that a charter sponsor
116 previously failed to meet the statutory responsibilities of a charter sponsor. Any denial of a
117 charter application made by the state board of education shall be in writing and shall identify the
118 specific failures of the application to meet the requirements of sections 160.400 to 160.425 and
119 section 167.349, and the written denial shall be provided within ten business days to the sponsor.

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

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

123 (2) Comply with laws and regulations of the state, county, or city relating to health,
124 safety, and state minimum educational standards, as specified by the state board of education,
125 including the requirements relating to student discipline under sections 160.261, 167.161,
126 167.164, and 167.171, notification of criminal conduct to law enforcement authorities under
127 sections 167.115 ~~[to]~~ and 167.117, academic assessment under section 160.518, transmittal of
128 school records under section 167.020, the minimum amount of school time required under

129 section 171.031, and the employee criminal history background check and the family care safety
130 registry check under section 168.133;

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

134 (4) Be financially accountable, use practices consistent with the Missouri financial
135 accounting manual, provide for an annual audit by a certified public accountant, publish audit
136 reports and annual financial reports as provided in chapter 165, provided that the annual financial
137 report may be published on the department of elementary and secondary education's internet
138 website in addition to other publishing requirements, and provide liability insurance to indemnify
139 the school, its board, staff and teachers against tort claims. A charter school that receives local
140 educational agency status under subsection 6 of this section shall meet the requirements imposed
141 by the Elementary and Secondary Education Act for audits of such agencies and comply with all
142 federal audit requirements for charters with local educational agency status. For purposes of an
143 audit by petition under section 29.230, a charter school shall be treated as a political subdivision
144 on the same terms and conditions as the school district in which it is located. For the purposes
145 of securing such insurance, a charter school shall be eligible for the Missouri public entity risk
146 management fund pursuant to section 537.700. A charter school that incurs debt shall include
147 a repayment plan in its financial plan;

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

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

164 (b) For proposed high-risk or alternative charter schools, sponsors shall approve
165 performance measures based on mission, curriculum, teaching methods, and services. Sponsors
166 shall also approve comprehensive academic and behavioral measures to determine whether
167 students are meeting performance standards on a different time frame as specified in that school's
168 charter. Student performance shall be assessed comprehensively to determine whether a
169 high-risk or alternative charter school has documented adequate student progress. Student
170 performance shall be based on sponsor-approved comprehensive measures as well as
171 standardized public school measures. Annual presentation of charter school report card data to
172 the department of elementary and secondary education, the state board, and the public shall
173 include comprehensive measures of student progress.

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

181 (7) Comply with all applicable federal and state laws and regulations regarding students
182 with disabilities, including sections 162.670 to 162.710, the Individuals with Disabilities
183 Education Act (20 U.S.C. Section 1400, **et seq.**) and Section 504 of the Rehabilitation Act of
184 1973 (29 U.S.C. Section 794) or successor legislation;

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

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

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

192 5. (1) Proposed or existing high-risk or alternative charter schools may include
193 alternative arrangements for students to obtain credit for satisfying graduation requirements in
194 the school's charter application and charter. Alternative arrangements may include, but not be
195 limited to, credit for off-campus instruction, embedded credit, work experience through an
196 internship arranged through the school, and independent studies. When the state board of
197 education approves the charter, any such alternative arrangements shall be approved at such time.

198 (2) The department of elementary and secondary education shall conduct a study of any
199 charter school granted alternative arrangements for students to obtain credit under this subsection

200 after three years of operation to assess student performance, graduation rates, educational
201 outcomes, and entry into the workforce or higher education.

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

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

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

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

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

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

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

226 8. (1) (a) A sponsor's policies shall give schools clear, adequate, evidence-based, and
227 timely notice of contract violations or performance deficiencies and mandate intervention based
228 upon findings of the state board of education of the following:

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

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

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

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

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

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

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

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

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

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

263 (5) A termination shall be effective only at the conclusion of the school year, unless the
264 sponsor determines that continued operation of the school presents a clear and immediate threat
265 to the health and safety of the children.

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

269 9. (1) A sponsor shall take all reasonable steps necessary to confirm that each charter
270 school sponsored by such sponsor is in material compliance and remains in material compliance
271 with all material provisions of the charter and sections 160.400 to 160.425 and 167.349. Every

272 charter school shall provide all information necessary to confirm ongoing compliance with all
273 provisions of its charter and sections 160.400 to 160.425 and 167.349 in a timely manner to its
274 sponsor.

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

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

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

283 a. A negative balance in its operating funds;

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

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

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

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

293 (3) (a) Beginning August first during the year in which a charter is considered for
294 renewal, a charter school sponsor shall demonstrate to the state board of education that the
295 charter school is in compliance with federal and state law as provided in sections 160.400 to
296 160.425 and section 167.349 and the school's performance contract including but not limited to
297 those requirements specific to academic performance.

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

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

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

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

308 11. A governing board or a school district employee who has control over personnel
309 actions shall not take unlawful reprisal against another employee at the school district because
310 the employee is directly or indirectly involved in an application to establish a charter school. A
311 governing board or a school district employee shall not take unlawful reprisal against an
312 educational program of the school or the school district because an application to establish a
313 charter school proposes the conversion of all or a portion of the educational program to a charter
314 school. As used in this subsection, "unlawful reprisal" means an action that is taken by a
315 governing board or a school district employee as a direct result of a lawful application to
316 establish a charter school and that is adverse to another employee or an educational program.

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

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

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

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

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

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

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

160.410. 1. A charter school shall enroll:

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

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

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

8 (4) **Nonresident pupils who are residents of a provisionally accredited or**
9 **unaccredited district located in a charter county or county of the first classification, only**
10 **for enrollment in a charter school located in a district that is located, in whole or in part,**
11 **in the charter county or county of the first classification wherein the pupil is a resident, or**
12 **a county adjacent to such county, unless the pupil's enrollment will cause a resident**
13 **student to be denied enrollment;**

14 (5) **Nonresident pupils who are residents of Missouri and have at least one parent**
15 **employed by the charter school at which the nonresident pupil is seeking enrollment, unless**
16 **the pupil's enrollment will cause a resident student to be denied enrollment;**

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

22 ~~[(5)]~~ (7) In the case of a workplace charter school, any student eligible to attend under
23 subdivision (1) or (2) of this subsection whose parent is employed in the business district, who
24 submits a timely application, unless the number of applications exceeds the capacity of a
25 program, class, grade level or building. The configuration of a business district shall be set forth
26 in the charter and shall not be construed to create an undue advantage for a single employer or
27 small number of employers.

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

32 (1) A charter school may establish a geographical area around the school whose residents
33 will receive a preference for enrolling in the school, provided that such preferences do not result
34 in the establishment of racially or socioeconomically isolated schools and provided such
35 preferences conform to policies and guidelines established by the state board of education;

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

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

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

53 4. A charter school shall make available for public inspection, and provide upon request,
54 to the parent, guardian, or other custodian of any school-age pupil resident in the district in
55 which the school is located the following information:

56 (1) The school's charter;

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

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

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

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

69 6. If a change in school district boundary lines occurs under section 162.223, 162.431,
70 162.441, or 162.451, or by action of the state board of education under section 162.081,
71 including attachment of a school district's territory to another district or dissolution, such that a
72 student attending a charter school prior to such change no longer resides in a school district in
73 which the charter school is located, then the student may complete the current academic year at
74 the charter school. The student shall be considered a resident student. The student's parent or
75 legal guardian shall be responsible for the student's transportation to and from the charter school.

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

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

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

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

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

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

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

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

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

35 4. **(1)** A charter school that has declared itself as a local educational agency shall receive
36 from the department of elementary and secondary education an annual amount equal to the
37 product of the charter school's weighted average daily attendance and the state adequacy target,
38 multiplied by the dollar value modifier for the district, plus local tax revenues per weighted
39 average daily attendance from the incidental and teachers funds in excess of the performance
40 levy as defined in section 163.011 plus all other state aid attributable to such pupils. If a charter
41 school declares itself as a local educational agency, the department of elementary and secondary
42 education shall, upon notice of the declaration, reduce the payment made to the school district
43 **from any source** by the amount specified in this ~~subsection~~ **subdivision** and pay directly to
44 the charter school the annual amount reduced from the school district's payment.

45 **(2) In the case of a charter school with a nonresident pupil authorized to attend the**
46 **charter school solely in accordance with subdivision (4) of subsection 1 of section 160.410,**
47 **the charter school shall receive from the department of elementary and secondary**
48 **education an annual amount equal to the product of the charter school's weighted average**
49 **daily attendance and the state adequacy target, multiplied by the dollar value modifier for**
50 **the district in which the charter school resides, plus local tax revenues per weighted**
51 **average daily attendance from the incidental and teachers funds in excess of the**
52 **performance levy, as defined in section 163.011, plus all other state aid attributable to such**
53 **pupils as would be calculated by their district of residence. If such a charter school**
54 **declares itself as a local educational agency, the department of elementary and secondary**
55 **education shall, upon notice of the declaration, reduce the payment made to the school**
56 **district of an attending pupil's residence from any source by the amount specified in this**
57 **subdivision and pay directly to the charter school the annual amount reduced from the**
58 **school district's payment.**

59 5. If a school district fails to make timely payments of any amount for which it is the
60 disbursal agent, the state department of elementary and secondary education shall authorize
61 payment to the charter school of the amount due pursuant to subsection 2 of this section and shall
62 deduct the same amount from the next state school aid apportionment to the owing school
63 district. If a charter school is paid more or less than the amounts due pursuant to this section,
64 the amount of overpayment or underpayment shall be adjusted equally in the next twelve
65 payments by the school district or the department of elementary and secondary education, as
66 appropriate. Any dispute between the school district and a charter school as to the amount owing
67 to the charter school shall be resolved by the department of elementary and secondary education,
68 and the department's decision shall be the final administrative action for the purposes of review
69 pursuant to chapter 536. During the period of dispute, the department of elementary and

70 secondary education shall make every administrative and statutory effort to allow the continued
71 education of children in their current public charter school setting.

72 6. The charter school and a local school board may agree by contract for services to be
73 provided by the school district to the charter school. The charter school may contract with any
74 other entity for services. Such services may include but are not limited to food service, custodial
75 service, maintenance, management assistance, curriculum assistance, media services and libraries
76 and shall be subject to negotiation between the charter school and the local school board or other
77 entity. Documented actual costs of such services shall be paid for by the charter school.

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

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

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

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

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

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

96 (6) Provide a process to ensure that the expenditures that the education service provider
97 intends to bill to the charter school shall receive prior approval of the governing board or its
98 designee.

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

102 9. A charter school shall be eligible for transportation state aid pursuant to section
103 163.161 and shall be free to contract with the local district, or any other entity, for the provision
104 of transportation to the students of the charter school.

105 10. (1) The proportionate share of state and federal resources generated by students with
106 disabilities or staff serving them shall be paid in full to charter schools enrolling those students
107 by their school district where such enrollment is through a contract for services described in this
108 section. The proportionate share of money generated under other federal or state categorical aid
109 programs shall be directed to charter schools serving such students eligible for that aid.

110 (2) A charter school shall provide the special services provided pursuant to section
111 162.705 and may provide the special services pursuant to a contract with a school district or any
112 provider of such services.

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

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

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

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

 160.425. 1. The "Missouri Charter Public School Commission" is hereby created with
2 the authority to sponsor high quality charter schools throughout the state of Missouri.

3 2. The commission shall consist of nine members appointed by the governor, by and with
4 the advice and consent of the senate. No more than five of the members shall be of the same

5 political party. No more than two members shall be from the same congressional district. The
6 term of office of each member shall be four years, except those of the members first appointed,
7 of which three shall be appointed for a term of one year, two for a term of two years, two for a
8 term of three years, and two for a term of four years. At the expiration of the term of each
9 member, the governor, by and with the advice and consent of the senate, shall appoint a
10 successor.

11 3. The appointees to the commission shall be selected as follows:

12 (1) One member selected by the governor from a slate of three recommended by the
13 commissioner of education;

14 (2) One member selected by the governor from a slate of three recommended by the
15 commissioner of higher education;

16 (3) One member selected by the governor from a slate of three recommended by the
17 president pro tempore of the senate;

18 (4) One member selected by the governor from a slate of three recommended by the
19 speaker of the house of representatives; and

20 (5) Five additional members appointed by the governor, one of whom shall be selected
21 from a slate of three nominees recommended by the Missouri School Boards Association.

22 4. Members appointed to the commission shall collectively possess strong experience
23 and expertise in governance, management and finance, school leadership, assessment, curriculum
24 and instruction, and education law. All members of the commission shall have demonstrated
25 understanding of and commitment to charter schooling as a strategy for strengthening public
26 education.

27 5. The commission shall annually elect a chairperson and vice chairperson, who shall
28 act as chairperson in his or her absence. The commission shall meet at the call of the
29 chairperson. The chairperson may call meetings at such times as he or she deems advisable and
30 shall call a meeting when requested to do so by three or more members of the commission.
31 Members of the commission are not eligible to receive compensation.

32 6. The commission may approve proposed charters for its sponsorship under sections
33 160.400 to 160.425 and shall:

34 (1) Comply with all of the requirements applicable to sponsors under sections 160.400
35 to 160.425;

36 (2) Exercise sponsorship over charters approved by the commission under sections
37 160.400 to 160.425, including receipt of sponsorship funding under subsection [H] 12 of section
38 160.400.

39 7. Charter schools sponsored by the commission shall comply with all of the
40 requirements applicable to charter schools under sections 160.400 to 160.425.

41 8. The commission shall conduct its business in accordance with chapter 610.

42 9. The department of elementary and secondary education shall provide start-up funding
43 for the commission to operate. The commission shall reimburse the department's costs from any
44 funds it receives as sponsor under section 160.400.

45 10. The commission is authorized to receive and expend gifts, grants, and donations of
46 any kind from any public or private entity to carry out the purposes of sections 160.400 to
47 160.425, subject to the terms and conditions under which they are given, provided that all such
48 terms and conditions are permissible under law.

✓