

HCS HB 941 -- LAPSE OF SCHOOL DISTRICTS

SPONSOR: Cunningham (86)

COMMITTEE ACTION: Voted "do pass" by the Committee on Education by a vote of 26 to 0.

Currently, a school district that has achieved provisional accreditation after having been declared unaccredited has no limit on the amount of time it may remain provisionally accredited. This substitute requires the State Board of Education to place a cap of no less than one and no more than two full school years on these districts to regain full accreditation or face lapse of district corporate structure. The substitute also makes changes to the hearing that is required to be held in a district after it is declared unaccredited, by stating that the hearing must be held no more than 60 days after the date the district is declared unaccredited, by clarifying the purposes of the hearing, and by prescribing the hearing location, timing, and notice procedures. A special administrative board, which may be appointed by the state board to monitor unaccredited districts, is also given standing to enjoin school board actions that might result in wastage of assets. The administrator of this board must be a resident of the state or establish residency within 90 days of appointment. The state board is given the option of permitting a lapsed district to continue to operate under its existing governance structure pursuant to the terms and conditions the board establishes.

FISCAL NOTE: No impact on state funds in FY 2005, FY 2006, and FY 2007.

PROPOSERS: Supporters say that unless procedures are changed, unaccredited districts that have improved to provisional accreditation can continue in provisionally accredited status or go back and forth between unaccredited and provisionally accredited status. The bill also makes clearer the options that can be used to help guide districts facing lapse.

Testifying for the bill were Representative Cunningham (86); and Department of Elementary and Secondary Education.

OPPOSERS: There was no opposition voiced to the committee.

Becky DeNeve, Senior Legislative Analyst