

FIRST REGULAR SESSION

HOUSE BILL NO. 1231

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE CUNNINGHAM (86).

Read 1st time March 29, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

0334L.02I

AN ACT

To repeal sections 160.400, 160.420, 162.081, and 162.1100, RSMo, and to enact in lieu thereof four 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Section A. Sections 160.400, 160.420, 162.081, and 162.1100, RSMo, are repealed and
2 four new sections enacted in lieu thereof, to be known as sections 160.400, 160.420, 162.081,
3 and 162.1100 to read as follows:

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

2 2. Charter schools may be operated only in a metropolitan school district or in an urban
3 school district containing most or all of a city with a population greater than three hundred fifty
4 thousand inhabitants, **or in any district that is not a K-8 district, that has an enrollment of**
5 **at least two thousand students, and that has been provisionally accredited for any period**
6 **of three consecutive years since July 1, 1999**, and may be sponsored by any of the following:

7 (1) The school board of the district;

8 (2) [A public four-year college or university with its primary campus in the school
9 district or in a county adjacent to the county in which the district is located, with an approved
10 teacher education program that meets regional or national standards of accreditation;

11 (3)] A community college [located in] **whose service area includes any portion of the**
12 district; [or

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.

13 (4)] (3) Any private **or public** four-year college or university [located in a city not within
14 a county with an enrollment of at least one thousand students, and] with an approved teacher
15 preparation program;

16 (4) **The mayor of a city not within a county or the mayor of a home rule city with
17 more than four hundred thousand inhabitants and located in more than one county;**

18 (5) **A not-for-profit entity whose sole purpose is the sponsorship of charter schools.
19 Such entity shall not be affiliated with any other sponsor and shall be approved by the state
20 board of education. For the purposes of this subdivision, a not-for-profit entity desiring
21 to sponsor charter schools shall make application to the state board of education. At least
22 once a year, the state board of education shall review applications and select one or more
23 entities as sponsors under this subdivision. The application process may incorporate the
24 following criteria:**

25 (a) **A business plan outlining in detail the organization's oversight and
26 accountability model for setting goals and measuring school success based on established
27 best practices and practical sponsoring experience;**

28 (b) **An explanation of the organization's financial system, accounting for funds
29 received as a charter school sponsor, proposed expenditures, and a proposed annual
30 operating budget;**

31 (c) **A statement of assurance that all funds received shall be applied to current or
32 future activities associated directly with sponsorship or improvement of charter schools;**

33 (d) **A requirement that an independent audit be conducted in each year the
34 organization receives state funding related to charter school sponsorship;**

35 (e) **A statement of assurance that any donated funds collected outside of direct state
36 funding shall be used exclusively for current or future charter school activities;**

37 (f) **A list of no fewer than five board members and a proposed schedule of board
38 meetings and activities;**

39 (g) **A plan describing the sustainability and commitment of the organization to
40 carry out its functions as a charter school sponsor at least five years into the future,
41 including a description of the organization's criteria for selecting schools to sponsor, a
42 request-for-proposal process, and activities designed to attract new and innovative charter
43 models to the state.**

44 3. [The mayor of a city not within a county may request a sponsor under subdivision (2),
45 (3), or (4) of subsection 2 of this section to consider sponsoring] **Any entity permitted to be a
46 sponsor under subsection 2 of this section may sponsor** a workplace charter school, which is
47 defined for purposes of sections 160.400 to 160.420 as a charter school with the ability to target

48 prospective students whose parent or parents are employed in a business district, as defined in
49 the charter, which is located in the city.

50 4. No sponsor shall receive from an applicant for a charter school any fee of any type for
51 the consideration of a charter, nor may a sponsor condition its consideration of a charter on the
52 promise of future payment of any kind.

53 5. The charter school shall be a Missouri nonprofit corporation incorporated pursuant
54 to chapter 355, RSMo. The charter provided for herein shall constitute a contract between the
55 sponsor and the charter school.

56 6. As a nonprofit corporation incorporated pursuant to chapter 355, RSMo, the charter
57 school shall select the method for election of officers pursuant to section 355.326, RSMo, based
58 on the class of corporation selected. Meetings of the governing board of the charter school shall
59 be subject to the provisions of sections 610.010 to 610.030, RSMo, the open meetings law.

60 7. A sponsor of a charter school, its agents and employees are not liable for any acts or
61 omissions of a charter school that it sponsors, including acts or omissions relating to the charter
62 submitted by the charter school, the operation of the charter school and the performance of the
63 charter school.

64 8. A charter school may affiliate with a four-year college or university, including a
65 private college or university, or a community college as otherwise specified in subsection 2 of
66 this section when its charter is granted by a sponsor other than such college, university or
67 community college. Affiliation status recognizes a relationship between the charter school and
68 the college or university for purposes of teacher training and staff development, curriculum and
69 assessment development, use of physical facilities owned by or rented on behalf of the college
70 or university, and other similar purposes. The primary campus of the college or university must
71 be located within the county in which the school district lies wherein the charter school is located
72 or in a county adjacent to the county in which the district is located. A university, college or
73 community college may not charge or accept a fee for affiliation status.

74 9. The expenses associated with sponsorship of charter schools shall be defrayed by the
75 department of elementary and secondary education retaining one and five-tenths percent of the
76 amount of state and local funding allocated to the charter school under section 160.415, not to
77 exceed one hundred twenty-five thousand dollars, adjusted for inflation. Such amount shall not
78 be withheld when the sponsor is a school district or the state board of education. The department
79 of elementary and secondary education shall remit the retained funds for each charter school to
80 the school's sponsor, provided the sponsor remains in good standing by fulfilling its sponsorship
81 obligations under sections 160.400 to 160.420 and 167.349, RSMo, with regard to each charter
82 school it sponsors.

83 10. No university, college or community college shall grant a charter to a nonprofit
84 corporation if an employee of the university, college or community college is a member of the
85 corporation's board of directors.

86 11. No sponsor shall grant a charter under sections 160.400 to 160.420 and 167.349,
87 RSMo, without ensuring that a criminal background check and child abuse registry check are
88 conducted for all members of the governing board of the charter schools or the incorporators of
89 the charter school if initial directors are not named in the articles of incorporation, nor shall a
90 sponsor renew a charter without ensuring a criminal background check and child abuse registry
91 check are conducted for each member of the governing board of the charter school.

92 12. No member of the governing board of a charter school shall hold any office or
93 employment from the board or the charter school while serving as a member, nor shall the
94 member have any substantial interest, as defined in section 105.450, RSMo, in any entity
95 employed by or contracting with the board. No board member shall be an employee of a
96 company that provides substantial services to the charter school. All members of the governing
97 board of the charter school shall be considered decision-making public servants as defined in
98 section 105.450, RSMo, for the purposes of the financial disclosure requirements contained in
99 sections 105.483, 105.485, 105.487, and 105.489, RSMo.

100 13. A sponsor shall provide timely submission to the state board of education of all data
101 necessary to demonstrate that the sponsor is in material compliance with all requirements of
102 sections 160.400 to 160.420 and 167.349, RSMo.

103 14. The state board of education shall ensure each sponsor is in compliance with all
104 requirements under sections 160.400 to 160.420 and 167.349, RSMo, for each charter school
105 sponsored by any sponsor. The state board shall notify each sponsor of the standards for
106 sponsorship of charter schools, delineating both what is mandated by statute and what best
107 practices dictate. The state board, after a public hearing, may require remedial action for a
108 sponsor that it finds has not fulfilled its obligations of sponsorship, such remedial actions
109 including withholding the sponsor's funding and suspending for a period of up to one year the
110 sponsor's authority to sponsor a school that it currently sponsors or to sponsor any additional
111 school. If the state board removes the authority to sponsor a currently operating charter school,
112 the state board shall become the interim sponsor of the school for a period of up to three years
113 until the school finds a new sponsor or until the charter contract period lapses.

 160.420. 1. Any school district in which charter schools may be established under
2 sections 160.400 to 160.420 shall establish a uniform policy which provides that if a charter
3 school offers to retain the services of an employee of a school district, and the employee accepts
4 a position at the charter school, an employee at the employee's option may remain an employee
5 of the district and the charter school shall pay to the district the district's full costs of salary and

6 benefits provided to the employee. The district's policy shall provide that any teacher who
7 accepts a position at a charter school and opts to remain an employee of the district retains such
8 teacher's permanent teacher status and retains such teacher's seniority rights in the district for
9 three years. The school district shall not be liable for any such employee's acts while an
10 employee of the charter school.

11 2. A charter school may employ noncertificated instructional personnel; provided that
12 no more than twenty percent of the full-time equivalent instructional staff positions at the school
13 are filled by noncertificated personnel. All noncertificated instructional personnel shall be
14 supervised by certificated instructional personnel. A charter school that has a foreign language
15 immersion experience as its chief educational mission, as stated in its charter, shall not be subject
16 to the twenty-percent requirement of this subsection but shall ensure that any teachers whose
17 duties include instruction given in a foreign language have current valid credentials in the
18 country in which such teacher received his or her training and shall remain subject to the
19 remaining requirements of this subsection. The charter school shall ensure that all instructional
20 employees of the charter school have experience, training and skills appropriate to the
21 instructional duties of the employee, and the charter school shall ensure that a criminal
22 background check and child abuse registry check are conducted for each employee of the charter
23 school prior to the hiring of the employee. The charter school may not employ instructional
24 personnel whose certificate of license to teach has been revoked or is currently suspended by the
25 state board of education. Appropriate experience, training and skills of noncertificated
26 instructional personnel shall be determined considering:

- 27 (1) Teaching certificates issued by another state or states;
- 28 (2) Certification by the National Standards Board;
- 29 (3) College degrees in the appropriate field;
- 30 (4) Evidence of technical training and competence when such is appropriate; and
- 31 (5) The level of supervision and coordination with certificated instructional staff.

32 3. Personnel employed by the charter school shall participate in the retirement system
33 of the school district in which the charter school is located, subject to the same terms, conditions,
34 requirements and other provisions applicable to personnel employed by the school district. For
35 purposes of participating in the retirement system, the charter school shall be considered to be
36 a public school within the school district, and personnel employed by the charter school shall be
37 public school employees. In the event of a lapse of the school district's corporate organization
38 as described in subsections 1 and 4 of section 162.081, RSMo, personnel employed by the
39 charter school shall continue to participate in the retirement system and shall do so on the same
40 terms, conditions, requirements and other provisions as they participated prior to the lapse.

41 4. The charter school and a local school board may agree by contract for services to be
42 provided by the school district to the charter school. The charter school may contract with any
43 other entity for services. Such services may include but are not limited to food service, custodial
44 service, maintenance, management assistance, curriculum assistance, media services and libraries
45 and shall be subject to negotiation between the charter school and the local school board or other
46 entity. Documented actual costs of such services shall be paid for by the charter school.

47 [5. A charter school may enter into contracts with community partnerships and state
48 agencies acting in collaboration with such partnerships that provide services to children and their
49 families linked to the school.

50 6. A charter school shall be eligible for transportation state aid pursuant to section
51 163.161, RSMo, and shall be free to contract with the local district, or any other entity, for the
52 provision of transportation to the students of the charter school.

53 7. (1) The proportionate share of state and federal resources generated by students with
54 disabilities or staff serving them shall be paid in full to charter schools enrolling those students
55 by their school district where such enrollment is through a contract for services described in this
56 section. The proportionate share of money generated under other federal or state categorical aid
57 programs shall be directed to charter schools serving such students eligible for that aid.

58 (2) A charter school district shall provide the special services provided pursuant to
59 section 162.705, RSMo, and may provide the special services pursuant to a contract with a
60 school district or any provider of such services.

61 8. A charter school may not charge tuition, nor may it impose fees that a school district
62 is prohibited from imposing.

63 9. A charter school is authorized to incur debt in anticipation of receipt of funds. A
64 charter school may also borrow to finance facilities and other capital items. A school district
65 may incur bonded indebtedness or take other measures to provide for physical facilities and other
66 capital items for charter schools that it sponsors or contracts with. Upon the dissolution of a
67 charter school, any liabilities of the corporation will be satisfied through the procedures of
68 chapter 355, RSMo.

69 10. Charter schools shall not have the power to acquire property by eminent domain.

70 11. The governing body of a charter school is authorized to accept grants, gifts or
71 donations of any kind and to expend or use such grants, gifts or donations. A grant, gift or
72 donation may not be accepted by the governing body if it is subject to any condition contrary to
73 law applicable to the charter school or other public schools, or contrary to the terms of the
74 charter.]

162.081. 1. Whenever any school district in this state fails or refuses in any school year
2 to provide for the minimum school term required by section 163.021, RSMo, or is classified

3 unaccredited for two successive school years by the state board of education, its corporate
4 organization shall lapse. The corporate organization of any school district that is classified as
5 unaccredited shall lapse on June thirtieth of the second full school year of such unaccredited
6 classification after the school year during which the unaccredited classification is initially
7 assigned. The territory theretofore embraced within any district that lapses pursuant to this
8 section or any portion thereof may be attached to any district for school purposes by the state
9 board of education; but no school district, except a district classified as unaccredited pursuant
10 to section 163.023, RSMo, and section 160.538, RSMo, shall lapse where provision is lawfully
11 made for the attendance of the pupils of the district at another school district that is classified as
12 provisionally accredited or accredited by the state board of education.

13 2. Prior to or at the time any school district in this state shall lapse, but after the school
14 district has been classified as unaccredited, the department of elementary and secondary
15 education shall conduct a public hearing at a location in the unaccredited school district. The
16 purpose of the hearing shall be to:

17 (1) Review any plan by the district to return to accredited status; or

18 (2) Offer any technical assistance that can be provided to the district.

19 3. Except as otherwise provided in section 162.1100, in a metropolitan school district
20 or an urban school district containing most or all of a city with a population greater than three
21 hundred fifty thousand inhabitants and in any other school district if the local board of education
22 does not anticipate a return to accredited status, the state board of education may appoint a
23 special administrative board to supervise the financial operations, maintain and preserve the
24 financial assets or, if warranted, continue operation of the educational programs within the
25 district or what provisions might otherwise be made in the best interest of the education of the
26 children of the district. The special administrative board shall consist of two persons who are
27 residents of the school district, who shall serve without compensation, and a professional
28 administrator, who shall chair the board and shall be compensated, as determined by the state
29 board of education, in whole or in part with funds from the district.

30 4. Upon lapse of the district, the state board of education may:

31 (1) Appoint a special administrative board, if such a board has not already been
32 appointed, and authorize the special administrative board to retain the authority granted to a
33 board of education for the operation of all or part of the district;

34 (2) Attach the territory of the lapsed district to another district or districts for school
35 purposes; or

36 (3) Establish one or more school districts within the territory of the lapsed district, with
37 a governance structure consistent with the laws applicable to districts of a similar size, with the
38 option of permitting a district to remain intact for the purposes of assessing, collecting, and

39 distributing property taxes, to be distributed equitably on a weighted average daily attendance
40 basis, but to be divided for operational purposes, which shall take effect sixty days after the
41 adjournment of the regular session of the general assembly next following the state board's
42 decision unless a statute or concurrent resolution is enacted to nullify the state board's decision
43 prior to such effective date.

44

45 The special administrative board may retain the authority granted to a board of education for the
46 operation of the lapsed school district under the laws of the state in effect at the time of the lapse.

47 5. The authority of the special administrative board shall expire at the end of the third
48 full school year following its appointment, unless extended by the state board of education. If
49 the lapsed district is reassigned, the special administrative board shall provide an accounting of
50 all funds, assets and liabilities of the lapsed district and transfer such funds, assets, and liabilities
51 of the lapsed district as determined by the state board of education.

52 6. Upon recommendation of the special administrative board, the state board of
53 education may assign the funds, assets and liabilities of the lapsed district to another district or
54 districts. Upon assignment, all authority of the special administrative board shall transfer to the
55 assigned districts.

56 7. **Upon permission of the special administrative board, the office of the mayor of**
57 **a city not within a county or the mayor of the home rule city with more than four hundred**
58 **thousand inhabitants and located in more than one county may apply to the state board**
59 **of education to be granted the authority to operate up to one hundred percent of the**
60 **district's schools as charter schools if a special administrative board is empowered under**
61 **this section for a metropolitan district or an urban school district containing most or all**
62 **of a city with a population greater than three hundred fifty thousand inhabitants.**

63 8. Neither the special administrative board nor any district or other entity assigned
64 territory, assets or funds from a lapsed district shall be considered a successor entity for the
65 purpose of employment contracts, unemployment compensation payment pursuant to section
66 288.110, RSMo, or any other purpose.

67 [8.] 9. If additional teachers are needed by a district as a result of increased enrollment
68 due to the annexation of territory of a lapsed or dissolved district, such district shall grant an
69 employment interview to any permanent teacher of the lapsed or dissolved district upon the
70 request of such permanent teacher.

71 [9.] 10. (1) The governing body of a school district, upon an initial declaration by the
72 state board of education that such district is provisionally accredited, may, and, upon an initial
73 declaration by the state board of education that such district is unaccredited, shall develop a plan
74 to be submitted to the voters of the school district to divide the school district if the district

75 cannot attain accreditation within three years of the initial declaration that such district is
76 unaccredited. In the case of such a district being declared unaccredited, such plan shall be
77 presented to the voters of the district before the district lapses. In the case of such a district being
78 declared provisionally accredited, such plan may be presented before the close of the current
79 accreditation cycle.

80 (2) The plan may provide that the school district shall remain intact for the purposes of
81 assessing, collecting and distributing taxes for support of the schools, and the governing body
82 of the district shall develop a plan for the distribution of such taxes equitably on a per-pupil basis
83 if the district selects this option.

84 (3) The makeup of the new districts shall be racially balanced as far as the proportions
85 of students allow.

86 (4) If a majority of the district's voters approve the plan, the state board of education
87 shall cooperate with the local board of education to implement the plan, which may include use
88 of the provisions of this section to provide an orderly transition to new school districts and
89 achievement of accredited status for such districts.

90 [10.] **11.** In the event that a school district with an enrollment in excess of five thousand
91 pupils lapses, no school district shall have all or any part of such lapsed school district attached
92 without the approval of the board of the receiving school district. **The five thousand pupil limit**
93 **in this subsection shall not apply if the schools operated by the mayor of a city, under**
94 **subsection 7 of this section, reduce the district's pupil count in the remaining noncharter**
95 **public schools to less than five thousand.**

162.1100. 1. There is hereby established within each city not within a county a school
2 district to be known as the "Transitional School District of (name of city)", which shall be a body
3 corporate and politic and a subdivision of the state. The transitional school district shall be
4 coterminous with the boundaries of the city in which the district is located. Except as otherwise
5 provided in this section and section 162.621, the transitional school district shall be subject to
6 all laws pertaining to "seven-director districts", as defined in section 160.011, RSMo. The
7 transitional school district shall have the responsibility for educational programs and policies
8 determined by a final judgment of a federal school desegregation case to be needed in providing
9 for a transition of the educational system of the city from control and jurisdiction of a federal
10 court school desegregation order, decree or agreement and such other programs and policies as
11 designated by the governing body of the school district.

12 2. (1) The governing board of the transitional school district shall consist of three
13 residents of the district: one shall be appointed by the governing body of the district, one shall
14 be appointed by the mayor of the city not within a county and one shall be appointed by the
15 president of the board of aldermen of the city not within a county. The members of the

16 governing board shall serve without compensation for a term of three years, or until their
17 successors have been appointed, or until the transitional district is dissolved or terminated. Any
18 tax approved for the transitional district shall be assigned to the governing body of the school
19 district in a city not within a county after dissolution or termination of the transitional district.

20 (2) In the event that the state board of education shall declare the school district of a city
21 not within a county to be unaccredited, the member of the governing board of the transitional
22 district appointed by the governing body of the district as provided in subdivision (1) of this
23 subsection shall, within ninety days, be replaced by a chief executive officer nominated by the
24 state board of education and appointed by the governor with the advice and consent of the senate.
25 The chief executive officer need not be a resident of the district but shall be a person of
26 recognized administrative ability, shall be paid in whole or in part with funds from the district,
27 and shall have all other powers and duties of any other general superintendent of schools,
28 including appointment of staff. The chief executive officer shall serve for a term of three years
29 or until his successor is appointed or until the transitional district is dissolved or terminated. His
30 salary shall be set by the state board of education.

31 3. In the event that the school district loses its accreditation, upon the appointment of a
32 chief executive officer, any powers granted to any existing school board in a city not within a
33 county on or before August 28, 1998, shall be vested with the special administrative board of the
34 transitional school district containing such school district so long as the transitional school
35 district exists, except as otherwise provided in section 162.621.

36 4. The special administrative board's powers and duties shall include:

37 (1) Creating an academic accountability plan, taking corrective action in
38 underperforming schools, and seeking relief from state-mandated programs;

39 (2) Exploration of alternative forms of governance for the district;

40 (3) Authority to contract with nonprofit corporations to provide for the operation of
41 schools;

42 (4) Oversight of facility planning, construction, improvement, repair, maintenance and
43 rehabilitation;

44 (5) Authority to establish school site councils to facilitate site-based school management
45 and to improve the responsiveness of the schools to the needs of the local geographic attendance
46 region of the school;

47 (6) Authority to submit a proposal to district voters pursuant to section 162.666
48 regarding establishment of neighborhood schools.

49 5. (1) The provisions of a final judgment as to the state of Missouri and its officials in
50 a school desegregation case which subjects a district in which a transitional district is located in
51 this state to a federal court's jurisdiction may authorize or require the governing body of a

52 transitional school district established under this section to establish the transitional district's
53 operating levy for school purposes, as defined pursuant to section 163.011, RSMo, at a level not
54 to exceed eighty-five cents per one hundred dollars assessed valuation in the district or a sales
55 tax equivalent amount as determined by the department of elementary and secondary education
56 which may be substituted for all or part of such property tax.

57 (2) Any other statute to the contrary notwithstanding, no tax authorized pursuant to this
58 subsection shall:

59 (a) Be subject to any certificate of tax abatement issued after August 28, 1998, pursuant
60 to sections 99.700 to 99.715, RSMo; and

61 (b) Effective January 1, 2002, be subject to any new or existing tax increment financing
62 adopted by a city not within a county pursuant to sections 99.800 to 99.865, RSMo, except that
63 any redevelopment plan and redevelopment project concerning a convention headquarters hotel
64 adopted by ordinance by a city not within a county prior to August 28, 2003, shall be subject to
65 such tax increment financing.

66 (3) The transitional school district shall not be subject to the provisions of section
67 162.081, sections 163.021 and 163.023, RSMo, with respect to any requirements to maintain a
68 minimum value of operating levy or any consequences provided by law for failure to levy at least
69 such minimum rate. No operating levy or increase in the operating levy or sales tax established
70 pursuant to this section shall be collected for a transitional school district unless prior approval
71 is obtained from a simple majority of the district's voters. The board of the transitional district
72 shall place the matter before the voters prior to March 15, 1999.

73 6. (1) The special administrative board established in this section shall develop,
74 implement, monitor and evaluate a comprehensive school improvement plan, and such plan shall
75 be subject to review and approval of the state board of education. The plan shall ensure that all
76 students meet or exceed grade-level standards established by the state board of education
77 pursuant to section 160.514, RSMo;

78 (2) The special administrative board shall establish student performance standards
79 consistent with the standards established by the state board of education pursuant to section
80 160.514, RSMo, for preschool through grade twelve in all skill and subject areas, subject to
81 review and approval of the state board of education for the purpose of determining whether the
82 standards are consistent with standards established by the state board of education pursuant to
83 section 160.514, RSMo;

84 (3) All students in the district who do not achieve grade-level standards shall be required
85 to attend summer school; except that the provisions of this subsection shall not apply to students
86 receiving special education services pursuant to sections 162.670 to 162.999;

87 (4) No student shall be promoted to a higher grade level unless that student has a reading
88 ability at or above one grade level below the student's grade level; except that the provisions of
89 this subsection shall not apply to students receiving special education services pursuant to
90 sections 162.670 to 162.999;

91 (5) The special administrative board established in this section shall develop, implement
92 and annually update a professional development plan for teachers and other support staff, subject
93 to review and approval of the state board of education.

94 7. The school improvement plan established pursuant to this section shall ensure open
95 enrollment and program access to all students in the district, and, consistent with the Missouri
96 and United States Constitutions, shall give first priority to residents of the city for admission to
97 magnet schools. The school board shall take all practicable and constitutionally permissible
98 steps to ensure that all magnet schools operate at full capacity. Students who change residence
99 within the district shall be allowed to continue to attend the school in which they were initially
100 enrolled for the remainder of their education at grade levels served by that school, and
101 transportation shall be provided by the district to allow such students to continue to attend such
102 school of initial enrollment.

103 8. To the extent practicable, the special administrative board shall ensure that per pupil
104 expenditures and pupil-teacher ratios shall be the same for all schools serving students at a given
105 grade level.

106 9. The special administrative board shall ensure that early childhood education is
107 available throughout the district.

108 10. The special administrative board shall ensure that vocational education instruction
109 is provided within the district.

110 11. The special administrative board shall establish an accountability officer whose duty
111 shall be to ensure that academically deficient schools within the district are raised to acceptable
112 condition within two years.

113 12. The transitional school district in any city not within a county shall be dissolved on
114 July 1, 2008, unless the state board determines, prior to that date, that it is necessary for the
115 transitional district to continue to accomplish the purposes for which it was created. The state
116 board of education may cause the termination of the transitional school district at any time upon
117 a determination that the transitional district has accomplished the purposes for which it was
118 established and is no longer needed. The state board of education may cause the reestablishment
119 of the transitional school district at any time upon a determination that it is necessary for the
120 transitional district to be reestablished to accomplish the purposes established in this section.
121 The state board of education shall provide notice to the governor and general assembly of the
122 termination or reestablishment of the transitional school district and the termination or

123 reestablishment shall become effective thirty days following such determination. Upon
124 dissolution of a transitional school district pursuant to this section, nothing in this section shall
125 be construed to reduce or eliminate any power or duty of any school district or districts
126 containing the territory of the dissolved transitional school district unless such transitional school
127 district is reestablished by the state board of education pursuant to this section.

128 **13. Upon the reestablishment of the transitional school district and with the**
129 **permission of the special administrative board, the office of the mayor of a city not within**
130 **a county may apply to the state board of education to be granted the authority to operate**
131 **up to one hundred percent of the district's schools as charter schools.**

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