COMMITTEE ON LEGISLATIVE RESEARCH OVERSIGHT DIVISION

FISCAL NOTE

<u>L.R. No.:</u>	4989-07
Bill No.:	SCS for SB 706
Subject:	Education, Elementary and Secondary; Elementary and Secondary Education
	Department; Boards, Commissions, Committees, Councils; Economic
	Development Department; Revenue Department; Tax Credits; Treasurer, State;
	General Assembly; St Louis; Teachers
Type:	Original
Date:	April 20, 2012

Bill Summary: This proposal modifies provisions relating to school operations.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND				
FUND AFFECTED	FY 2013	FY 2014	FY 2015	
General Revenue	(Unknown - Could exceed \$84,922,388)	(Unknown - Could exceed \$107,842,187)	(\$60,766) to Unknown	
Total Estimated Net Effect on General Revenue Fund	(Unknown - Could exceed \$84,922,388)	(Unknown - Could exceed \$107,842,187)	(\$60,766) to Unknown	

ESTIMATED NET EFFECT ON OTHER STATE FUNDS					
FUND AFFECTED FY 2013 FY 2014 FY 2015					
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0		

Numbers within parentheses: () indicate costs or losses. This fiscal note contains 19 pages.

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ESTIMATED NET EFFECT ON FEDERAL FUNDS				
FUND AFFECTED	FY 2013	FY 2014	FY 2015	
Total Estimated Net Effect on <u>All</u>				
Federal Funds	\$0	\$0	\$0	

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)				
FUND AFFECTED	FY 2013	FY 2014	FY 2015	
General Revenue	2 FTE	2 FTE	2 FTE	
Total Estimated Net Effect on FTE	2 FTE	2 FTE	2 FTE	

⊠ Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

□ Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS					
FUND AFFECTED FY 2013 FY 2014 FY 2015					
Local Government	Unknown to (Unknown)	Unknown to (Unknown)	Unknown to (Unknown)		

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FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Insurance, Financial Institutions and Professional Registration, Department of Public Safety - Missouri State Highway Patrol,** and the **State Tax Commission** state there would be no fiscal impact to their respective agencies.

Officials from the **Department of Public Safety - Office of the Director** assume any costs associated with this proposal can be absorbed with existing resources.

Officials from the **Department of Public Safety - Missouri State Highway Patrol** stated there would not be significant impact to their agency resulting from this proposal.

Officials from the **Joint Committee on Administrative Rules (JCAR)** stated this proposed legislation is not anticipated to cause a fiscal impact to JCAR beyond its current appropriation.

Officials from the **Office of Administration - Division of Budget and Planning (BAP)** assume the proposed legislation should not result in additional costs or savings to BAP. BAP defers to DESE on the fiscal impact of all the education sections in this bill.

According to officials from the **Office of Secretary of State (SOS)**, many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the proposal. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to the SOS for Administrative Rules is less than \$2,500.

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal with core funding. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

<u>§135.712 - 135.719</u>

Officials from the **Department of Elementary and Secondary Education (DESE)** stated that these sections appear to enact a tax subsidy which in any one fiscal year shall not exceed \$40 million dollars. Tax subsidies reduce the state's tax revenues and decrease the amount of money available for public schools and all public school students.

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ASSUMPTION (continued)

BAP estimates an annual fiscal impact of up to \$40 million for tax credits, with allowance to adjust annually based on the Consumer Price Index.

This proposal could therefore lower general and total state revenues by that amount.

Officials from the **Department of Economic Development (DED)** assumed DED is established as the administrator of the Passport Scholarship Program. DED assumes a negative fiscal impact in excess of \$100,000. DED would require one additional FTE to administer the program due to the anticipated amount of administration involved. The FTE would be an Economic Development Incentive Specialist III and would be responsible for reviewing and approving the applications for the program to determine eligibility, establishing procedures, reviewing the tax credit applications to make sure they meet the criteria of the program, drafting and sending the tax credit awards, and ensuring compliance with the program.

Oversight assumes that donations of \$66,666,667 could be accepted to equal \$40 million in credits. DED is entitled to charge and receive no more than two percent of the qualifying contributions received by any educational assistance organization (\$1,333,333) for the department's marketing and expenses or the costs incurred in administering the program, whichever is less.

BAP states that §135.716.5 allows DED to charge an administrative fee of up to 2% of the qualifying contributions received or the costs incurred for administering the program, whichever is less.

This provision will increase total state revenue.

Officials from the **Department of Revenue - Division of Taxation (DOR)** estimated the following fiscal impact to DOR resulting from §135.713 of this proposed legislation:

Personal Tax:

DOR would need one (1) Revenue Processing Technician per 6,000 credits claimed.

Corporate Tax:

DOR would need one Revenue Processing Technician I (Range 10 Step L) per 6,000 additional tax credit redemptions with CARES equipment and license.

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ASSUMPTION (continued)

Oversight assumes DOR could administer the provisions of this proposal with existing resources or request additional staff through the budget process if the volume of tax credits warrants.

DOR also assumes this proposal would reduce state revenues.

Oversight has made the following assumptions regarding the transfer of students from unaccredited school districts to accredited districts or private schools:

Saint Louis

Average Daily Attendance	20,880
State Funding (as of January, 2012)	\$136, 375,704
State Funding per ADA	\$6,531

Riverview Gardens

Average Daily Attendance	5,466
State Funding (as of January, 2012)	\$35, 015,958
State Funding per ADA	\$6,406

Kansas City

Average Daily Attendance	14,052
State Funding (as of January, 2012)	\$106,374,197
State Funding per ADA	\$7,570

Assuming 50% of the students opt to transfer out of the unaccredited school district and 50% of those student elected to attend private schools using the Passport Scholarship Program, a savings of \$69,439,029 result in school funding needs. If 25 % of the students opted to transfer out of the unaccredited school district and 25% of those students would attend private schools, the savings would total \$17,360,559.

Oversight assumes a range in savings to General Revenue between \$17,360,559 to \$69,439,029 as a result of this proposed legislation. The maximum potential savings of \$69,439,029 assumes that the proposal would actually result in a reduced payment from the state to the local school districts and not just a change in the distribution of the same amount of funds. It also assumes that all of the students who receive a scholarship through this program had been enrolled in the public school system, and now will be attending a private institution.

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ASSUMPTION (continued)

Oversight is not able to determine if there would be staff reductions, closing of buildings, reduction in transportation costs or other savings that would occur as a result of this proposed legislation.

<u>§135.717</u>

Officials from the **Joint Committee on Education (JCE)** assume additional costs would only be incurred if assistance is needed and the funds are available.

Oversight will assume, for fiscal note purposes only, no fiscal impact.

<u>§160.402.1</u>

DESE officials assume there should be no cost to the state as long as the charter schools are operated under contract with another accredited school or cooperative of accredited schools and the students served are counted as members of the unaccredited school districts. If the students are counted in the sponsoring district the state could potentially incur either costs or savings that cannot be calculated at this time.

This section also indicates that a charter school that enrolls resident students from another unaccredited district may charge a fee for service for such students to their district of residence not to exceed the current expenditure per average daily attendance.

§160.402.3 & 4

DESE assumes this section of the proposal allows the expansion of charter schools to any school district in which a portion of the territory of a metropolitan school district or urban school district containing most of a city with a population greater than three hundred fifty thousand inhabitants is attached or annexed in the manner provided in this subsection. This proposed legislation has the potential of significantly increasing the number of charter schools. A complicating factor is the high turnover of existing charter schools at the administrative level of existing charter schools.

This section also allows the expansion of charter schools to any school district classified as unaccredited or provisionally accredited by the state board of education. This section also has the potential of significantly increasing the number of charter schools.

DESE requires 1.0 FTE supervisor to work with the new charters providing technical assistance

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ASSUMPTION (continued)

in the areas of data, certification, fiscal management, special education, food service, assessment, and federal programs.

For fiscal note purposes only, **Oversight** has adjusted the salary for the supervisor to match that of recent job postings for a similar position.

§162.081

DESE assumes the fiscal impact of this section on the state will ultimately be determined by the number of districts in need of this oversight and cannot be estimated at this time.

<u>§163.021</u>

DESE officials do not believe that significant additional expense would be incurred to calculate the amount of this payment.

Officials from the **Office of State Treasurer (STO)** assume their agency would need one FTE per unaccredited school district.

Oversight assumes that if any additional duties required by this proposed legislation resulted in the need for additional personnel for STO, a request can be made through the appropriation process.

<u>§163.036.1</u>

DESE assumes this section of the proposal could result in a savings to the state depending upon how many students received a passport scholarship. It is impossible to calculate due to lack information as to what the number would be. Savings would be realized per student for a maximum of two years.

<u>§167.131</u>

DESE officials state their department does not accredit individual buildings. This requirement would increase the cost of transportation significantly. Additionally, it will have a financial impact on individual school districts in terms of handling those transfers and expenditures of funds.

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ASSUMPTION (continued)

This section may have a fiscal cost in terms of the collection of data or the need to have a stronger presence of the Statewide System of Support. Systemic changes are needed at the district level to make and sustain such improvements in any case.

<u>§167.133.2</u>

DESE assumes those students identified in this section would still be accountable for federal purposes. It would be impossible to determine if these students are performing better in the receiving distinct if the data is not included. Additionally, it would appear likely that if a student left the unaccredited district after third grade, the receiving district would not be held accountable for the remainder of the time the student is in elementary or middle school.

<u>§167.133.8</u>

DESE assumes no fiscal impact on the state; however, there could be significant costs associated with the transfer of responsibility for students with IEP's from the sending to the receiving districts.

<u>§167.403</u>

Officials from the **Joint Committee on Public Employee Retirement (JCP)** state that their review of this proposed legislation indicates that provisions associated with the Public School Retirement System of the City of Kansas City would indicate a "substantial proposed change" in future plan benefits as defined in §105.660(10) due to the results of the actuarial cost statement supplied by the system. Such cost statement indicates "the plan would become insolvent in less than 30 years" under the provisions of this legislation with certain assumptions being made.

Pursuant to §105.670, this actuarial cost statement must be filed with 1) the Chief Clerk of the Missouri House of Representatives, 2) the Secretary of the Senate and 3) the Joint Committee on Public Employee Retirement as public information for at least five (5) legislative days before final passage of the bill.

Officials from the **Public School Retirement System of Missouri** state they have no cost associated with this proposal.

Officials from the **Kansas City Public School Retirement System (KCPSRS)** state the short term fiscal impact would be modest; however, the actuarially required contribution as a percentage of active payroll would increase sharply (\$11.3 million in the first year) because of

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ASSUMPTION (continued)

the reduced active payroll over which to pay current underfunding. In the long urn, this proposed legislation would have a severe negative impact on the plan's funded status, rendering it insolvent in less than thirty years.

KCPSRS assumptions were based on the following:

- The entire school district, including charter schools, would be contracted out to neighboring districts;
- No new hires that the school district or charter schools would enter KCPSRS;
- Library and retirement system staff, including new hires, would continue to participate in KCPSRS; and,
- Existing staff at the school district would be replaced, however existing staff at charter schools would be retained.

<u>§167.403.1</u>

DESE assumes there is a potentially significant fiscal impact due to this provision. Currently the Kansas City School District (KCSD) receives \$4,059 per Weighed Average Daily Attendance (WADA) because they are in a hold-harmless district. If these students shifted to formula districts, in FY13 the call per WADA would be \$6,949 per WADA and in FY14 it would be \$7,266 per WADA. The increase is due to two reasons: (1) the adequacy target will increase in both years; (2) Center is the only hold harmless district that adjoins the KCSD and in FY13 Center would go on the formula if they picked up 151 additional WADA. In FY14 Center would go on the formula after they pick up only two students. If all the district was annexed to adjacent districts, the potential cost could be in FY13 \$84,870,195 and in FY14 increase to \$107,782,034 due to the increase of the state adequacy target that goes into effect that fiscal year.

<u>§167.403.2</u>

DESE assumes this provision does not carry a cost to the state.

<u>§167.406</u>

DESE states that it is not possible to accurately predict the clearinghouse costs because all parameters have not been set. Based upon defined duties contained within this proposed statute the costs would easily exceed \$100,000.

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ASSUMPTION (continued)

<u>§167.418</u>

DESE officials assume the changes to this section could result in unknown costs.

<u>§171.011</u>

DESE assumes this section could force local schools to provide facilities and teachers for students for which the districts currently have no space. This would result in significant unknown expenditures for those local school districts.

§177.088 & 177.250

DESE assumes these sections could result in possible savings to local school districts.

Officials from the **University of Central Missouri (UCM)** (Charter School Sponsor), the potential fiscal impact of this proposal is difficult to quantify due to the unknown number of students who may transfer from unaccredited districts to other districts.

Officials from the **University of Missouri System** (Charter School Sponsor) state this proposal has no financial impact on the University System.

Officials from the **St Joseph School District** assume this proposal would have a negative impact on state revenues available to fund K-12 education at a time when the formula is not being fully funded to the "adequate" level.

Officials from the Mexico School District were unable to determine a fiscal impact at this time.

Officials from the **Morgan County School District** assume this proposal would have a negative impact on public school funding.

Officials from the **Parkway School District** assume the cost of this proposal is unknown, but assume the Passport Scholarship tax credits of \$40 million will reduce state revenue that would otherwise be available for public education.

Officials from the **Special School District of St Louis County** assume that the foundation formula funding would be reduced by the amount of the "Passport" scholarships of \$40 million as state revenue would be reduced dollar for dollar by the issuance of tuition tax credits . As

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ASSUMPTION (continued)

such, the negative impact on the Special School districts is estimated to be \$500,000 per year or a reduction of about 1.5% in the formula funding to SSD.

This proposed legislation was sent to the following school districts, none of which responded to a request for fiscal impact: Blue Springs, Branson, Columbia, Fair Grove, Francis Howell, Independence, Jefferson City, Kirksville, Lee's Summit, Mexico, Nixa, Raytown, Sedalia, Sikeston, Silex, Spickard, Springfield, St Charles, St Louis City, Sullivan, Harrisonville, North Kansas City, Raytown-Peculiar, Charleston, Calhoun, Caruthersville, Kansas City, Gilliam, Hayti, Jennings, Normandy, Riverview Gardens, Malta Bend, Swedeborg, St Louis City,

This proposal was also sent to the following charter school sponsors who did not respond to a request for fiscal impact: Kansas City Metropolitan Community College, Lindenwood University, Missouri Baptist University, Southeast Missouri University, St Louis School District, Washington University.

This proposal would reduce total state revenue.

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FISCAL IMPACT - State Government	FY 2013	FY 2014	FY 2015
	1 1 2013	112011	112013
GENERAL REVENUE			
<u>Savings</u> - Education costs the state would not pay to local school districts for students receiving scholarships provided in this proposal (§135.712 - 135.716)	\$0 or \$17,360,559 to \$69,439,029	\$0 or \$17,360,559 to \$69,439,029	\$0 or \$17,360,559 to \$69,439,029
<u>Savings</u> - Up to 2% of contributions may be used to offset expenses incurred by			
DED (§135.716.5)	\$0 or \$160,447	\$0 or 165,917	\$0 or \$166,634
<u>Cost</u> - Department of Economic Development (DED) Personal Costs (1 FTE)	(\$33,510)	(\$40,614)	(\$41,020)
Fringe Benefits	(\$17,740)	(\$21,501)	(\$21,716)
Expense and Equipment	(\$9,197)	(\$3,802)	(\$3,898)
Marketing and Administration	<u>(\$100,000)</u>	<u>(\$100,000)</u>	<u>(\$100,000)</u>
Total Costs - DED (§135.712 - 135.716)	(\$160,447)	(\$165,917)	(\$166,634)
<u>Cost</u> - DESE - Charter school oversight Personal Costs (1 FTE)	(\$31,640)	(\$38,348)	(\$38,731)
Fringe Benefits	(\$16,750)	(\$20,301)	(\$20,504)
Equipment and Expense	(\$3,803)	(\$1,504)	(\$1,541)
Total Costs - DESE (§160.402)	(\$52,193)	(\$60,153)	(\$60,776)
<u>Cost</u> - DESE - Division or annex of unaccredited district - (§167.403.1)	Up to (\$84,870,195)	Up to (\$107,782,034)	\$0
Loss - Tax Credits for Contributions to educational assistance organizations			
(§135.713)	\$0 to	\$0 to	\$0 to
	<u>(\$40,000,000)</u>	<u>(\$40,000,000)</u>	<u>(\$40,000,000)</u>

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FISCAL IMPACT - State Government	FY 2013	FY 2014	FY 2015
ESTIMATED NET EFFECT ON GENERAL REVENUE	<u>(Unknown -</u> <u>Could exceed</u> <u>\$84,922,388)</u>	<u>(Unknown -</u> <u>Could exceed</u> <u>\$107,842,187)</u>	<u>(\$60,766) to</u> <u>Unknown</u>
ESTIMATED NET FTE IMPACT ON GENERAL REVENUE	2 FTE	2 FTE	2FTE
FISCAL IMPACT - Local Government	FY 2013 (10 Mo.)	FY 2014	FY 2015
<u>Savings</u> - School Districts - Educational expenses of not educating students who receive scholarships to attend other schools (§135.712 - 135.716)	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
Loss - School Districts - State funding for students who receive scholarships to attend other schools (§135.712 - 135.716)	\$0 to (\$40,000,000)	\$0 to (\$40,000,000)	\$0 to (\$40,000,000)
<u>Savings/Loss</u> - School Districts - Distribution of funding due to division/annexation of unaccredited district (§167.403.1)	Unknown to <u>(Unknown)</u>	Unknown to <u>(Unknown)</u>	Unknown to <u>(Unknown)</u>
ESTIMATED NET EFFECT ON			
LOCAL POLITICAL SUBDIVISIONS	<u>Unknown to</u> <u>Unknown)</u>	<u>Unknown to</u> (Unknown)	<u>Unknown to</u> (Unknown)

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FISCAL IMPACT - Small Business

Small businesses could receive tax credit benefits by making contributions to an educational assistance program.

FISCAL DESCRIPTION

This proposed legislation modifies provisions relating to school operations. Among it's provisions, the proposal does the following:

§135.712-135.719 - PASSPORT SCHOLARSHIP PROGRAM

This portion of the proposal establishes the Passport Scholarship Program to grant scholarships to students from unaccredited districts to attend a qualified nonpublic elementary or secondary school. To be eligible for a scholarship, a student must reside in an unaccredited district.

Beginning in tax year 2012, a taxpayer may make a qualifying contribution to an approved or qualified educational assistance organization and claim a tax credit if the taxpayer does not claim the donations on the taxpayer's federal income tax return. The annual cumulative amount of tax credits is limited at \$40 million, which will be increased or decreased based on the consumer price index for the Midwest. The tax credit is for sixty percent of the amount of the contribution, is nonrefundable and may be carried forward for four years.

An educational assistance organization that desires to participate or provide scholarships through the Passport Scholarship Program must meet certain requirements, including being a 501(c)(3) organization; providing a receipt to taxpayers for contributions; ensure that funds are used as specified in the act; distribute scholarship payments four times per year; provide the Department of Economic Development, upon request, with criminal background checks on all employees and board members; and demonstrate financial accountability and viability, as described in the proposal.

A qualified school is prohibited from accepting a scholarship check that exceeds its standard tuition and fees. If the scholarship amount is insufficient to cover the cost of tuition, a qualified school may charge the parent or guardian the difference between the cost of tuition and the amount of the scholarship.

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FISCAL DESCRIPTION (continued)

§160.402 - CHARTER SCHOOLS

This section allows an accredited school district or cooperative association of accredited districts to sponsor or operate a charter school in or for an unaccredited school district, which may enroll resident students of any school district classified as unaccredited. If the district is no longer unaccredited, the charter school may continue to operate. If the school district regains accreditation and the district or cooperative wishes to discontinue the school, it may solicit proposals for the continuation of the school, which will be presented for a vote of the parents or guardians of the students attending the school. Charter schools may enroll students from any unaccredited district. In addition, the school board of an unaccredited or provisionally accredited district may close district schools and lease the school building to the governing board of a charter school that it sponsors. The school board of an accredited district may close a district school board of an accredited district may close a district of a charter school that it sponsors.

When a charter school is sponsored by the local school board or a cooperative association, as described in the act, the State Board of Education will have the accountability and enforcement powers of a charter school sponsor under current law.

This section requires school districts to make unused facilities available for lease or purchase to a properly authorized charter schools at or below fair market value. The terms of any sale of a school facility must not include a restriction in the deed that would prohibit the use of facilities by a property authorized charter school.

§163.021 RECEIPT OF STATE SCHOOL AID

As a condition of receiving state school aid, an unaccredited district must transfer any local effort moneys it receives from the county assessor and collector to the custody of the State Treasurer. The State Treasurer may collaborate with the State Board of Education and a clearinghouse, if one exists, to identify the tuition and transportation costs for students transferring out of the unaccredited district and the amount of moneys needed from the local effort moneys to pay the tuition and transportation. The State Board of Education will determine the extent to which the State Treasurer may disburse the funds, as described in the proposal.

In addition, a school district will not be eligible to receive state aid if it violates state school laws, except as described in the proposal.

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FISCAL DESCRIPTION (continued)

§163.036 – WEIGHTED AVERAGE DAILY ATTENDANCE

If a school district is using the weighted average daily attendance for the preceding school year or second preceding school year, the Department of Elementary and Secondary Education must adjust it so that the district receives no aid for students who are receiving a Passport Scholarship.

§167.131 and 167.133- STUDENT TRANSFERS FROM AN UNACCREDITED DISTRICT

Currently, the school board of a school district that does not maintain an accredited school is required to pay the tuition and transportation of resident pupils who attend an accredited school in another district of the same or an adjoining county. This section applies to both unaccredited school districts and K-8 school districts that do not offer high school grades.

This proposal differentiates between a K-8 school district that does not offer high school grades and a school district classified as unaccredited by the State Board of Education. This proposal specifies that the school board of an unaccredited district must pay the tuition and transportation of resident pupils who attend an accredited school in another district of the same or an adjoining county.

A resident pupil of an unaccredited district may attend a school in another accredited district in the same or an adjoining county. A parent or guardian may choose to enroll his or her child in a provisionally accredited district provided the district has informed the parent or guardian of the accreditation classification.

Any district that receives transfer students will not be required to include those student's scores on the statewide assessment in that district's scores for up to five years.

The rate of tuition to be charged is the lesser of the nonresident tuition established by each district, or in the absence of nonresident tuition, the lesser of the two districts' average expenditure per pupil for the most recently completed year for which data are available. The residence district must also pay the cost of education in the receiving district for any student with an IEP accepted in the receiving district. The tuition payment will be facilitated and handled by the State Board of Education withholding the necessary amount of funds from the unaccredited district's state aid or the local effort moneys in the custody of the State Treasurer.

By June 30, 2012, each district must establish criteria for the admission of nonresident pupils from unaccredited districts. The primary criteria must be the availability of highly qualified teachers in existing classroom space. Each district must establish criteria for calculating

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FISCAL DESCRIPTION (continued)

available seats, taking into account the district's resident student population growth or decrease, such that the receiving district is not required to employ additional teachers or construct additional classrooms. In addition, resident pupils must not be displaced from the school building to which they are assigned. The receiving district will be responsible for assigning a student to a particular building but if the receiving school is primarily virtual, parent permission will be required.

<u>§167.403 - PROCEDURES WHEN A DISTRICT BECOMES UNACCREDITED</u>

This section creates the Hinson Plan. If a school district, except for St. Louis or a district in St. Louis County, becomes unaccredited, surrounding accredited districts must divide up the territory of the district, annex it, and draw up new attendance boundaries. When an accredited district annexes a portion of an unaccredited district, it will not be considered a successor entity for the purposes of employment contracts, unemployment compensation, or any other purpose. All contracts with teacher unions must be voided. In addition, the accredited district may have certain other powers and authorities, as described in the proposal.

§167.406 - CLEARINGHOUSE

This portion of the proposal requires the Department of Elementary and Secondary Education to create a clearinghouse, or appoint a neutral third party to serve as a clearinghouse, to assist students in the St. Louis City School District or any other unaccredited district in St. Louis County, to transfer to an accredited district, charter school, virtual school, or nonpublic school using a Passport Scholarship.

The clearinghouse must provide counselors to assist and advise parents and guardians on school options that are available and assist in preparation of applications. The expenses associated with the clearinghouse will be defrayed by the Department of Elementary and Secondary Education withholding funds, not to exceed five hundred dollars per pupil, from the unaccredited district's state school aid.

This program will continue until the district has been accredited for five consecutive years and has met all MSIP academic standards for five consecutive years.

§167.418 - VIRTUAL SCHOOLS

A student may enroll in the virtual courses or programs of a virtual education provider or school district that meets Department of Elementary and Secondary Education standards and is <u>FISCAL</u>

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DESCRIPTION (continued)

accredited. DESE may also offer its own virtual courses. Students enrolled in virtual education must take the components of the statewide assessment that relate to the student's virtual courses or program. DESE shall withhold the tuition amount, as described in the proposal, from the district of residence's state school aid, and may seek local moneys, as described in the proposal.

The provisions of this proposed legislation are nonseverable and the proposal contains an emergency clause.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

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SOURCES OF INFORMATION

Department of Elementary and Secondary Education Department of Insurance, Financial Institutions and Professional Registration Joint Committee on Public Employee Retirement Joint Committee on Education State Tax Commission Department of Public Safety Office of the Director Missouri State Highway Patrol Kansas City Public School Retirement System Office of Administration Division of Budget and Planning Department of Revenue Division of Taxation Department of Economic Development Joint Committee on Administrative Rules **School Districts** St Joseph Mexico Morgan County Parkway Charter School Sponsors University of Missouri System University of Central Missouri

Mickey Wilen

Mickey Wilson, CPA Director April 20, 2012