

HB 1227 -- UNACCREDITED SCHOOL DISTRICTS

SPONSOR: Hinson

This bill establishes the conditions under which a school district that has been declared unaccredited will pay tuition and provide transportation for its students who choose to attend a school in another district.

STUDENT TRANSFERS FROM UNACCREDITED DISTRICTS TO ACCREDITED DISTRICTS

Currently, the school board of a 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 provision of law currently applies to K-8 districts that do not offer high school grades as well as to districts that have been declared unaccredited. This bill revises the existing transfer section so that it applies to K-8 districts (Section 167.131).

The school board of an unaccredited district must pay the tuition and transportation of resident students who attend a public school in another accredited district of the same or an adjoining county. The bill provides a formula for calculating tuition. Transfer students may not enroll in a provisionally accredited district. Before a student may transfer to another district, the unaccredited district must identify if capacity exists in an accredited school in the district of residence; if such capacity exists, the student must attend that school, provided the student meets any admissions requirements if the school is a magnet school or school with a selective admissions process.

By August 30, 2014, each local school board must establish criteria for the admission of nonresident pupils from unaccredited districts and adopt and publish a policy on class size and student-teacher ratios. Each school board must consider the class size and assigned enrollment standards of the Missouri School Improvement Program (MSIP) resource standards, and the district's previous three school years of enrollment, and the district's resident student population growth or decrease, to preclude having to employ additional teachers or construct additional classrooms. Each school board may consider other factors and criteria. In addition, resident pupils must not be displaced from the school building to which they are assigned. Policies must be revised by January 15 each year. The receiving district is responsible for assigning a student to a particular building.

The school board of each accredited district that is located in the

same county or an adjoining county to an unaccredited district must post a student transfer application, the district's admissions process, and the current available enrollment slots by grade level on its website. A parent or guardian who wants to transfer his or her child must notify the district of residence and the receiving district by February 1 for enrollment the following school year. If an accredited district does not have sufficient capacity to enroll all students who wish to attend, it must institute an admissions process. If a clearinghouse has been established for the St. Louis area, parents or guardians who seek to transfer their child must follow the requirements, procedures and deadlines of the clearinghouse.

Accountability and performance data of transfer students cannot be included in the annual performance reports of the receiving district for two school years. An accredited district cannot charge tuition until transfer students are enrolled in and attending the accredited district and charges must cease when a student is no longer enrolled. Tuition will be based on hours of actual attendance. A sending district must remit tuition payments to a receiving district within ten days of receiving its monthly state aid distribution. If a sending district does not remit tuition, the Department of Elementary and Secondary Education will withhold the unpaid tuition from its state aid and pay the receiving district within sixty days. If a sending district becomes accredited or provisionally accredited, any students who have transferred to an accredited district in grades K-8 may remain in the receiving district through eighth grade. A student in grades 9-12 may remain through the completion of twelfth grade.

If a student with a disability transfers to an accredited district, the receiving district must follow the student's individualized education program (IEP) until the student's IEP team at the receiving district can review and revise it. An unaccredited district will be responsible for providing transportation for a student with an IEP, even if the receiving district revises the IEP. A student's unaccredited district will be responsible for the cost of educating a student with an IEP that exceeds the tuition amount (Section 167.133).

ST. LOUIS AREA TRANSFER CLEARINGHOUSE

When the State Board of Education classifies a district in St. Louis County or the St. Louis City School District as unaccredited, the Department of Elementary and Secondary Education must establish a clearinghouse to assist students and coordinate transferring to an accredited district. The clearinghouse must make information and assistance available to parents or guardians who intend to transfer their child from an unaccredited district to an accredited

district. A parent or guardian must send initial notification to the district of residence and the clearinghouse by February 1 for enrollment in the subsequent school year. The clearinghouse must process requests in the order in which they are received except, it may give a preference to students with a sibling already enrolled in the same school district. If there is insufficient capacity to enroll all students who wish to transfer, the clearinghouse must institute an admissions process. Districts must report available slots by the date specified by the clearinghouse. The bill contains procedures for handling the cases of students whose parents or guardians do not submit intent notifications by the February 1 date. The clearinghouse may contract with a school district, a voluntary interdistrict council, or any private entity for transportation services. The expenses associated with the administration of pupil transfers will be defrayed by the department retaining funds from the unaccredited district's state school aid (Section 167.135).

TRANSPORTATION

Currently, the school board of an unaccredited district must designate accredited districts to which it will provide transportation for transfer students. The bill clarifies that districts to which an unaccredited district will provide transportation cannot be provisionally accredited (Section 167.241).

EXTENDED LEARNING TIME IN UNACCREDITED DISTRICTS

The school board of an unaccredited district may adopt a resolution to increase the length of the school day, the hours of instruction, and the length of the school term (Section 171.031).

The bill contains an emergency clause.