

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for House Bill No. 634, Pages 1-2, Section 160.400, Lines 1-
2 39, by deleting all of said lines and inserting in lieu thereof the following:

3
4 "160.400. 1. A charter school is an independent public school.

5 2. [~~Except as further provided in subsection 4 of this section,~~] Charter schools may be
6 operated [~~only:~~

7 ~~—— (1) In a metropolitan school district;~~

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

10 ~~—— (3) In a school district that has been classified as unaccredited by the state board of
11 education;~~

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

16 ~~—— (a) The eligibility for charter schools of any school district whose provisional accreditation
17 is based in whole or in part on financial stress as defined in sections 161.520 to 161.529, or on
18 financial hardship as defined by rule of the state board of education, shall be decided by a vote of
19 the state board of education during the third consecutive school year after the designation of
20 provisional accreditation; and~~

21 ~~—— (b) The sponsor is limited to the local school board or a sponsor who has met the standards
22 of accountability and performance as determined by the department based on sections 160.400 to
23 160.425 and section 167.349 and properly promulgated rules of the department; or~~

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

32 3. [~~Except as further provided in subsection 4 of this section,~~] The following entities are
33 eligible to sponsor charter schools:

34 (1) The school board of the district in any district [~~which is sponsoring a charter school as
35 of August 27, 2012, as permitted under subdivision (1) or (2) of subsection 2 of this section, the
36 special administrative board of a metropolitan school district during any time in which powers~~

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1 granted to the district's board of education are vested in a special administrative board, or if the state
 2 board of education appoints a special administrative board to retain the authority granted to the
 3 board of education of an urban school district containing most or all of a city with a population
 4 greater than three hundred fifty thousand inhabitants, the special administrative board of such school
 5 district] or, if the state board of education appoints a special administrative board to retain the
 6 authority granted to the elected board, the special administrative board of the school district; "; and

7
 8 Further amend said bill and section, Pages 2-3, Lines 51-87, by deleting all of said lines and
 9 inserting in lieu thereof the following:

10
 11 "4. [~~Changes in a school district's accreditation status that affect charter schools shall be~~
 12 ~~addressed as follows, except for the districts described in subdivisions (1) and (2) of subsection 2 of~~
 13 ~~this section:~~

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

17 ———(2) ~~As a district transitions from provisionally accredited to full accreditation, the district~~
 18 ~~shall continue to fall under the requirements for a provisionally accredited district until it achieves~~
 19 ~~three consecutive full school years of full accreditation;~~

20 ———(3) ~~In any school district classified as unaccredited or provisionally accredited where a~~
 21 ~~charter school is operating and is sponsored by an entity other than the local school board, when the~~
 22 ~~school district becomes classified as accredited without provisions, a charter school may continue to~~
 23 ~~be sponsored by the entity sponsoring it prior to the classification of accredited without provisions~~
 24 ~~and shall not be limited to the local school board as a sponsor.]~~

25
 26 A charter school operating in [a] any school district [identified in subdivision (1) or (2) of
 27 subsection 2 of this section] may be sponsored by any of the entities identified in subsection 3 of
 28 this section[, irrespective of the accreditation classification of the district in which it is located]. A
 29 charter school [in a district described in this subsection] whose charter provides for the addition of
 30 grade levels in subsequent years may continue to add levels until the planned expansion is complete
 31 to the extent of grade levels in comparable schools of the district in which the charter school is
 32 operated.

33 5. The mayor of a city not within a county may request a sponsor under subdivision"; and

34
 35 Further amend said bill and section, Page 5, Lines 136-147, by deleting all of said lines and
 36 inserting in lieu thereof the following:

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 38 "12. Sponsors receiving funds under subsection 11 of this section shall be required to submit
 39 annual reports to the joint committee on education demonstrating they are in compliance with
 40 subsection 17 of this section.

41 13. No university, college or community college shall grant a charter to a nonprofit
 42 corporation if an employee of the university, college or community college is a member of the
 43 corporation's board of directors.

44 14. No sponsor shall grant a charter under sections 160.400 to 160.425 and 167.349 without
 45 ensuring that a criminal background check and family care safety registry check are conducted for
 46 all members of the governing board of the charter schools or the incorporators of the charter school
 47 if initial directors are not named in the articles of incorporation, nor shall a sponsor renew a charter
 48 without ensuring a criminal background check and family care safety registry check are conducted

1 for each member of the governing board of the charter school."; and

2
3 Further amend said bill and section, by renumbering subsections accordingly; and

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5 Further amend said bill, Pages 7-16, Section 160.405, Lines 1-337, by deleting all of said section
6 from the bill; and

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8 Further amend said bill, Pages 16-19, Section 160.410, Lines 1-377, by deleting all of said section
9 from the bill; and

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11 Further amend said bill, Pages 19-22, Section 160.415, Lines 1-136, by deleting all of said section
12 from the bill; and

13
14 Further amend said bill, Page 22, Section 160.415, Line 136, by inserting after all of said section
15 and line the following:

16
17 "160.420. 1. ~~[Any]~~ Each school district ~~[in which charter schools may be established under~~
18 ~~sections 160.400 to 160.425]~~ shall establish a uniform policy which provides that if a charter school
19 offers to retain the services of an employee of a school district, and the employee accepts a position
20 at the charter school, an employee at the employee's option may remain an employee of the district
21 and the charter school shall pay to the district the district's full costs of salary and benefits provided
22 to the employee. The district's policy shall provide that any teacher who accepts a position at a
23 charter school and opts to remain an employee of the district retains such teacher's permanent
24 teacher status and retains such teacher's seniority rights in the district for three years. The school
25 district shall not be liable for any such employee's acts while an employee of the charter school.

26 2. A charter school may employ noncertificated instructional personnel; provided that no
27 more than twenty percent of the full-time equivalent instructional staff positions at the school are
28 filled by noncertificated personnel. All noncertificated instructional personnel shall be supervised by
29 certificated instructional personnel. A charter school that has a foreign language immersion
30 experience as its chief educational mission, as stated in its charter, shall not be subject to the twenty-
31 percent requirement of this subsection but shall ensure that any teachers whose duties include
32 instruction given in a foreign language have current valid credentials in the country in which such
33 teacher received his or her training and shall remain subject to the remaining requirements of this
34 subsection. The charter school shall ensure that all instructional employees of the charter school
35 have experience, training and skills appropriate to the instructional duties of the employee, and the
36 charter school shall ensure that a criminal background check and family care safety registry check
37 are conducted for each employee of the charter school prior to the hiring of the employee under the
38 requirements of section 168.133. The charter school may not employ instructional personnel whose
39 certificate of license to teach has been revoked or is currently suspended by the state board of
40 education. Appropriate experience, training and skills of noncertificated instructional personnel
41 shall be determined considering:

42 (1) Teaching certificates issued by another state or states;

43 (2) Certification by the National Board for Professional Teaching Standards;

44 (3) College degrees in the appropriate field;

45 (4) Evidence of technical training and competence when such is appropriate; and

46 (5) The level of supervision and coordination with certificated instructional staff.

47 3. Personnel employed by the charter school shall participate in the retirement system of the
48 school district in which the charter school is located, subject to the same terms, conditions,

1 requirements and other provisions applicable to personnel employed by the school district. For
2 purposes of participating in the retirement system, the charter school shall be considered to be a
3 public school within the school district, and personnel employed by the charter school shall be
4 public school employees. In the event of a lapse of the school district's corporate organization as
5 described in subsections 1 and 4 of section 162.081, personnel employed by the charter school shall
6 continue to participate in the retirement system and shall do so on the same terms, conditions,
7 requirements and other provisions as they participated prior to the lapse."; and

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9 Further amend said bill, Pages 22-24, Section 160.425, Lines 1-48, by deleting all of said section
10 from the bill; and

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12 Further amend said bill, Page 24, Section 160.425, Line 48, by inserting after all of said section and
13 line the following:

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15 "167.349. In any school district to which any provisions of sections 167.340 to 167.346
16 apply [~~and in which district charter schools may be established pursuant to section 160.400~~], any
17 state college or university which provides educational programs to any part of such district and any
18 campus of the state university located in a county of the third classification may sponsor one or
19 more charter schools pursuant to section 160.400 and, in addition to the purposes for which charter
20 schools may be established pursuant to sections 160.400 to 160.420, such charter schools may be
21 established to emphasize remediation of reading deficiencies."; and

22
23 Further amend said bill by amending the title, enacting clause, and intersectional references
24 accordingly.