

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for House Bill No. 581, Pages 1-2, Section 67.139, Lines 1-  
2 23, by deleting all of said section and lines; and

3  
4 Further amend said bill, Page 2, Section 160.400, Lines 3-30, by deleting said lines and inserting in  
5 lieu there of the following:

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] by the local school board [or a sponsor] who has met the standards of  
22 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.]."; and~~

32  
33 Further amend said bill and section, Pages 3-5, Lines 31-218, by deleting said lines and inserting in  
34 lieu thereof the following:

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1  
2       "3. [~~Except as further provided in subsection 4 of this section,~~] The following entities are  
3 eligible to sponsor charter schools[~~:-~~];

4       (1) The school board of the district[ ~~in any district which is sponsoring a charter school as of~~  
5 ~~August 27, 2012, as permitted under subdivision (1) or (2) of subsection 2 of this section,~~];

6       (2) The special administrative board of a metropolitan school district during any time in  
7 which powers granted to the district's board of education are vested in a special administrative  
8 board[~~;~~]; or

9       (3) If the state board of education appoints a special administrative board to retain the  
10 authority granted to the board of education of an urban school district containing most or all of a  
11 city with a population greater than three hundred fifty thousand inhabitants, the special  
12 administrative board of such school district[~~;~~];

13       (4) ~~A public four-year college or university with an approved teacher education program~~  
14 ~~that meets regional or national standards of accreditation;~~

15       ~~(5) A community college, the service area of which encompasses some portion of the~~  
16 ~~district;~~

17       ~~(6) Any private four-year college or university with an enrollment of at least one thousand~~  
18 ~~students, with its primary campus in Missouri, and with an approved teacher preparation program;~~

19       ~~(7) Any two-year private vocational or technical school designated as a 501(c)(3) nonprofit~~  
20 ~~organization under the Internal Revenue Code of 1986, as amended, and accredited by the Higher~~  
21 ~~Learning Commission, with its primary campus in Missouri;~~

22       ~~(8) The Missouri charter public school commission created in section 160.425.~~

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

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

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

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

37  
38 A charter school operating in a school district identified in subdivision (1) or (2) of subsection 2 of  
39 this section may be sponsored by any of the entities identified in subsection 3 of this section,  
40 irrespective of the accreditation classification of the district in which it is located. A charter school  
41 in a district described in this subsection whose charter provides for the addition of grade levels in  
42 subsequent years may continue to add levels until the planned expansion is complete to the extent of  
43 grade levels in comparable schools of the district in which the charter school is operated.

44       ~~5. The mayor of a city not within a county may request a sponsor under subdivision (2), (3),~~  
45 ~~(4), (5), or (6) of subsection 3 of this section to consider sponsoring a "workplace charter school",~~  
46 ~~which is defined for purposes of sections 160.400 to 160.425 as a charter school with the ability to~~  
47 ~~target prospective students whose parent or parents are employed in a business district, as defined in~~  
48 ~~the charter, which is located in the city.~~

49       ~~6. No sponsor shall receive from an applicant for a charter school any fee of any type for the~~

1 consideration of a charter, nor may a sponsor condition its consideration of a charter on the promise  
2 of future payment of any kind.

3 ~~———7. The charter school shall be organized as a Missouri nonprofit corporation incorporated  
4 pursuant to chapter 355. The charter provided for herein shall constitute a contract between the  
5 sponsor and the charter school.~~

6 ~~———8. As a nonprofit corporation incorporated pursuant to chapter 355, the charter school shall  
7 select the method for election of officers pursuant to section 355.326 based on the class of  
8 corporation selected. Meetings of the governing board of the charter school shall be subject to the  
9 provisions of sections 610.010 to 610.030.~~

10 ~~———9. A sponsor of a charter school, its agents and employees are not liable for any acts or  
11 omissions of a charter school that it sponsors, including acts or omissions relating to the charter  
12 submitted by the charter school, the operation of the charter school and the performance of the  
13 charter school.~~

14 ~~———10.]. 4. A charter school may affiliate with a four-year college or university, including a  
15 private college or university, or a community college as otherwise specified in subsection 3 of this  
16 section when its charter is granted by a sponsor other than such college, university or community  
17 college. Affiliation status recognizes a relationship between the charter school and the college or  
18 university for purposes of teacher training and staff development, curriculum and assessment  
19 development, use of physical facilities owned by or rented on behalf of the college or university, and  
20 other similar purposes. A university, college or community college may not charge or accept a fee  
21 for affiliation status.~~

22 ~~[11. The expenses associated with sponsorship of charter schools shall be defrayed by the  
23 department of elementary and secondary education retaining one and five-tenths percent of the  
24 amount of state and local funding allocated to the charter school under section 160.415, not to  
25 exceed one hundred twenty-five thousand dollars, adjusted for inflation. The department of  
26 elementary and secondary education shall remit the retained funds for each charter school to the  
27 school's sponsor, provided the sponsor remains in good standing by fulfilling its sponsorship  
28 obligations under sections 160.400 to 160.425 and 167.349 with regard to each charter school it  
29 sponsors, including appropriate demonstration of the following:~~

30 ~~———(1) Expends no less than ninety percent of its charter school sponsorship funds in support of  
31 its charter school sponsorship program, or as a direct investment in the sponsored schools;~~

32 ~~———(2) Maintains a comprehensive application process that follows fair procedures and rigorous  
33 criteria and grants charters only to those developers who demonstrate strong capacity for  
34 establishing and operating a quality charter school;~~

35 ~~———(3) Negotiates contracts with charter schools that clearly articulate the rights and  
36 responsibilities of each party regarding school autonomy, expected outcomes, measures for  
37 evaluating success or failure, performance consequences based on the annual performance report,  
38 and other material terms;~~

39 ~~———(4) Conducts contract oversight that evaluates performance, monitors compliance, informs  
40 intervention and renewal decisions, and ensures autonomy provided under applicable law; and~~

41 ~~———(5) Designs and implements a transparent and rigorous process that uses comprehensive  
42 data to make merit-based renewal decisions.~~

43 ~~———12. Sponsors receiving funds under subsection 11 of this section shall be required to submit  
44 annual reports to the joint committee on education demonstrating they are in compliance with  
45 subsection 17 of this section.~~

46 ~~———13. No university, college or community college shall grant a charter to a nonprofit  
47 corporation if an employee of the university, college or community college is a member of the  
48 corporation's board of directors.~~

49 ~~———14. No sponsor shall grant a charter under sections 160.400 to 160.425 and 167.349 without~~

1 ensuring that a criminal background check and family care safety registry check are conducted for  
 2 all members of the governing board of the charter schools or the incorporators of the charter school  
 3 if initial directors are not named in the articles of incorporation, nor shall a sponsor renew a charter  
 4 without ensuring a criminal background check and family care safety registry check are conducted  
 5 for each member of the governing board of the charter school.

6 ~~———— 15. No member of the governing board of a charter school shall hold any office or~~  
 7 ~~employment from the board or the charter school while serving as a member, nor shall the member~~  
 8 ~~have any substantial interest, as defined in section 105.450, in any entity employed by or contracting~~  
 9 ~~with the board. No board member shall be an employee of a company that provides substantial~~  
 10 ~~services to the charter school. All members of the governing board of the charter school shall be~~  
 11 ~~considered decision-making public servants as defined in section 105.450 for the purposes of the~~  
 12 ~~financial disclosure requirements contained in sections 105.483, 105.485, 105.487, and 105.489.~~

13 ~~———— 16. A sponsor shall develop the policies and procedures for:~~

14 ~~———— (1) The review of a charter school proposal including an application that provides sufficient~~  
 15 ~~information for rigorous evaluation of the proposed charter and provides clear documentation that~~  
 16 ~~the education program and academic program are aligned with the state standards and grade-level~~  
 17 ~~expectations, and provides clear documentation of effective governance and management structures,~~  
 18 ~~and a sustainable operational plan;~~

19 ~~———— (2) The granting of a charter;~~

20 ~~———— (3) The performance contract that the sponsor will use to evaluate the performance of~~  
 21 ~~charter schools. Charter schools shall meet current state academic performance standards as well as~~  
 22 ~~other standards agreed upon by the sponsor and the charter school in the performance contract;~~

23 ~~———— (4) The sponsor's intervention, renewal, and revocation policies, including the conditions~~  
 24 ~~under which the charter sponsor may intervene in the operation of the charter school, along with~~  
 25 ~~actions and consequences that may ensue, and the conditions for renewal of the charter at the end of~~  
 26 ~~the term, consistent with subsections 8 and 9 of section 160.405;~~

27 ~~———— (5) Additional criteria that the sponsor will use for ongoing oversight of the charter; and~~

28 ~~———— (6) Procedures to be implemented if a charter school should close, consistent with the~~  
 29 ~~provisions of subdivision (15) of subsection 1 of section 160.405.~~

30  
 31 The department shall provide guidance to sponsors in developing such policies and procedures.

32 ~~———— 17. (1) A sponsor shall provide timely submission to the state board of education of all data~~  
 33 ~~necessary to demonstrate that the sponsor is in material compliance with all requirements of sections~~  
 34 ~~160.400 to 160.425 and section 167.349. The state board of education shall ensure each sponsor is~~  
 35 ~~in compliance with all requirements under sections 160.400 to 160.425 and 167.349 for each charter~~  
 36 ~~school sponsored by any sponsor. The state board shall notify each sponsor of the standards for~~  
 37 ~~sponsorship of charter schools, delineating both what is mandated by statute and what best practices~~  
 38 ~~dictate. The state board shall evaluate sponsors to determine compliance with these standards every~~  
 39 ~~three years. The evaluation shall include a sponsor's policies and procedures in the areas of charter~~  
 40 ~~application approval; required charter agreement terms and content; sponsor performance evaluation~~  
 41 ~~and compliance monitoring; and charter renewal, intervention, and revocation decisions. Nothing~~  
 42 ~~shall preclude the department from undertaking an evaluation at any time for cause.~~

43 ~~———— (2) If the department determines that a sponsor is in material noncompliance with its~~  
 44 ~~sponsorship duties, the sponsor shall be notified and given reasonable time for remediation. If~~  
 45 ~~remediation does not address the compliance issues identified by the department, the commissioner~~  
 46 ~~of education shall conduct a public hearing and thereafter provide notice to the charter sponsor of~~  
 47 ~~corrective action that will be recommended to the state board of education. Corrective action by the~~  
 48 ~~department may include withholding the sponsor's funding and suspending the sponsor's authority to~~  
 49 ~~sponsor a school that it currently sponsors or to sponsor any additional school until the sponsor is~~

1 reauthorized by the state board of education under section 160.403.

2 ~~———(3) The charter sponsor may, within thirty days of receipt of the notice of the~~  
 3 ~~commissioner's recommendation, provide a written statement and other documentation to show~~  
 4 ~~cause as to why that action should not be taken. Final determination of corrective action shall be~~  
 5 ~~determined by the state board of education based upon a review of the documentation submitted to~~  
 6 ~~the department and the charter sponsor.~~

7 ~~———(4) If the state board removes the authority to sponsor a currently operating charter school~~  
 8 ~~under any provision of law, the Missouri charter public school commission shall become the sponsor~~  
 9 ~~of the school.~~

10 ~~———18. If a sponsor notifies a charter school of closure under subsection 8 of section 160.405,~~  
 11 ~~the department of elementary and secondary education shall exercise its financial withholding~~  
 12 ~~authority under subsection 12 of section 160.415 to assure all obligations of the charter school shall~~  
 13 ~~be met. The state, charter sponsor, or resident district shall not be liable for any outstanding liability~~  
 14 ~~or obligations of the charter school.]"; and~~

15  
 16 Further amend said bill and section by renumbering all of said section accordingly; and

17  
 18 Further amend said bill, Page 8, Section 160.405, Lines 1-10, by deleting all of said lines and  
 19 inserting in lieu thereof the following:

20  
 21 "160.405. 1. A [~~person, group or organization~~] local school board seeking to establish a  
 22 charter school shall submit the proposed charter, as provided in this section, [~~to a sponsor. If the~~  
 23 ~~sponsor is not a school board, the applicant shall give a copy of its application to the school board of~~  
 24 ~~the district in which the charter school is to be located and to the state board of education, within~~  
 25 ~~five business days of the date the application is filed with the proposed sponsor. The school board~~  
 26 ~~may file objections with the proposed sponsor, and, if a charter is granted, the school board may file~~  
 27 ~~objections with the state board of education.] at a public meeting. The charter shall include a  
 28 legally binding performance contract that describes the obligations and responsibilities of the school  
 29 and the sponsor as outlined in sections 160.400 to 160.425 and section 167.349 and shall address the  
 30 following:"; and~~

31  
 32 Further amend said bill and section, Page 9, Lines 30-32, by deleting all of said lines and inserting  
 33 in lieu thereof the following:

34  
 35 "(9) [~~The term of the charter, which shall be five years and may be renewed;~~  
 36 ~~(10)]"; and~~

37  
 38 Further amend said section by renumbering accordingly; and

39  
 40 Further amend said bill, section and page, Lines 44-49, by deleting all of said lines and inserting in  
 41 lieu thereof the following:

42  
 43 "~~[(14) A description of the agreement and time frame for implementation between the~~  
 44 ~~charter school and the sponsor as to when a sponsor shall intervene in a charter school, when a~~  
 45 ~~sponsor shall revoke a charter for failure to comply with subsection 8 of this section, and when a~~  
 46 ~~sponsor will not renew a charter under subsection 9 of this section;~~  
 47 ~~(15)] (13) Procedures to be implemented if the charter school should close, [as provided in~~  
 48 ~~subdivision (6) of subsection 16 of section 160.400.]including:"; and~~

1 Further amend said bill, page, and section, Lines 55-56, by deleting the words "the local school  
2 district," and inserting in lieu thereof the following words "[the local school district,]; and  
3

4 Further amend said bill and section, Pages 9-11, Lines 60-122 by deleting all of said lines and  
5 inserting in lieu thereof the following:  
6

7 ~~"[(17) For all new or revised charters, procedures to be used upon closure of the charter  
8 school requiring that unobligated assets of the charter school be returned to the department of  
9 elementary and secondary education for their disposition, which upon receipt of such assets shall  
10 return them to the local school district in which the school was located, the state, or any other entity  
11 to which they would belong.~~

12  
13 Charter schools operating on August 27, 2012, shall have until August 28, 2015, to meet the  
14 requirements of this subsection.

15 ~~\_\_\_\_\_2. Proposed charters shall be subject to the following requirements:~~

16 ~~\_\_\_\_\_ (1) A charter shall be submitted to the sponsor, and follow the sponsor's policies and  
17 procedures for review and granting of a charter approval, and be approved by the state board of  
18 education by January thirty-first prior to the school year of the proposed opening date of the charter  
19 school;~~

20 ~~\_\_\_\_\_ (2) A charter may be approved when the sponsor determines that the requirements of this  
21 section are met, determines that the applicant is sufficiently qualified to operate a charter school,  
22 and that the proposed charter is consistent with the sponsor's charter sponsorship goals and capacity.  
23 The sponsor's decision of approval or denial shall be made within ninety days of the filing of the  
24 proposed charter;~~

25 ~~\_\_\_\_\_ (3) If the charter is denied, the proposed sponsor shall notify the applicant in writing as to  
26 the reasons for its denial and forward a copy to the state board of education within five business  
27 days following the denial;~~

28 ~~\_\_\_\_\_ (4) If a proposed charter is denied by a sponsor, the proposed charter may be submitted to  
29 the state board of education, along with the sponsor's written reasons for its denial. If the state  
30 board determines that the applicant meets the requirements of this section, that the applicant is  
31 sufficiently qualified to operate the charter school, and that granting a charter to the applicant would  
32 be likely to provide educational benefit to the children of the district, the state board may grant a  
33 charter and act as sponsor of the charter school. The state board shall review the proposed charter  
34 and make a determination of whether to deny or grant the proposed charter within sixty days of  
35 receipt of the proposed charter, provided that any charter to be considered by the state board of  
36 education under this subdivision shall be submitted no later than March first prior to the school year  
37 in which the charter school intends to begin operations. The state board of education shall notify the  
38 applicant in writing as the reasons for its denial, if applicable; and~~

39 ~~\_\_\_\_\_ (5) The sponsor of a charter school shall give priority to charter school applicants that  
40 propose a school oriented to high-risk students and to the reentry of dropouts into the school system.  
41 If a sponsor grants three or more charters, at least one-third of the charters granted by the sponsor  
42 shall be to schools that actively recruit dropouts or high-risk students as their student body and  
43 address the needs of dropouts or high-risk students through their proposed mission, curriculum,  
44 teaching methods, and services. For purposes of this subsection, a "high-risk" student is one who is  
45 at least one year behind in satisfactory completion of course work or obtaining high school credits  
46 for graduation, has dropped out of school, is at risk of dropping out of school, needs drug and  
47 alcohol treatment, has severe behavioral problems, has been suspended from school three or more  
48 times, has a history of severe truancy, is a pregnant or parenting teen, has been referred for  
49 enrollment by the judicial system, is exiting incarceration, is a refugee, is homeless or has been~~

1 homeless sometime within the preceding six months, has been referred by an area school district for  
 2 enrollment in an alternative program, or qualifies as high risk under department of elementary and  
 3 secondary education guidelines. Dropout shall be defined through the guidelines of the school core  
 4 data report. The provisions of this subsection do not apply to charters sponsored by the state board  
 5 of education.

6 ~~3. If a charter is approved by a sponsor, the charter application shall be submitted to the~~  
 7 ~~state board of education, along with a statement of finding by the sponsor that the application meets~~  
 8 ~~the requirements of sections 160.400 to 160.425 and section 167.349 and a monitoring plan under~~  
 9 ~~which the charter sponsor shall evaluate the academic performance, including annual performance~~  
 10 ~~reports, of students enrolled in the charter school. The state board of education shall approve or~~  
 11 ~~deny a charter application within sixty days of receipt of the application. The state board of~~  
 12 ~~education may deny a charter on grounds that the application fails to meet the requirements of~~  
 13 ~~sections 160.400 to 160.425 and section 167.349 or that a charter sponsor previously failed to meet~~  
 14 ~~the statutory responsibilities of a charter sponsor. Any denial of a charter application made by the~~  
 15 ~~state board of education shall be in writing and shall identify the specific failures of the application~~  
 16 ~~to meet the requirements of sections 160.400 to 160.425 and section 167.349, and the written denial~~  
 17 ~~shall be provided within ten business days to the sponsor.]; and~~

18  
 19 Further amend said bill and section, Pages 11-12, Lines 127-136, by deleting all of said lines and  
 20 inserting in lieu thereof the following:

21  
 22 "safety, and state minimum educational standards [~~as specified by the state board of~~  
 23 ~~education, including the requirements relating to student discipline under sections 160.261, 167.161,~~  
 24 ~~167.164, and 167.171, notification of criminal conduct to law enforcement authorities under~~  
 25 ~~sections 167.115 to 167.117, academic assessment under section 160.518, transmittal of school~~  
 26 ~~records under section 167.020, the minimum amount of school time required under section 171.031,~~  
 27 ~~and the employee criminal history background check and the family care safety registry check under~~  
 28 ~~section 168.133;~~

29 ~~3. Except as provided in sections 160.400 to 160.425 and as specifically provided in other~~  
 30 ~~sections, be exempt from all laws and rules relating to schools, governing boards and school~~  
 31 ~~districts];"; and~~

32  
 33 Further amend said bill and section, Page 12, Lines 142-145, by deleting said lines and inserting in  
 34 lieu thereof the following:

35  
 36 "the school, its board, staff and teachers against tort claims. [~~A charter school that receives local~~  
 37 ~~educational agency status under subsection 6 of this section shall meet the requirements imposed by~~  
 38 ~~the Elementary and Secondary Education Act for audits of such agencies and comply with all~~  
 39 ~~federal audit requirements for charters with local educational agency status.] The charter school";  
 40 and~~

41  
 42 Further amend said bill and section, Pages 12-13, Lines 162-175, by deleting said lines and inserting  
 43 in lieu thereof the following:

44  
 45 "complete and distribute an annual report card as prescribed in section 160.522[~~which shall also~~  
 46 ~~include a statement that background checks have been completed on the charter school's board~~  
 47 ~~members, and report to its sponsor, the local school district, and the state board of education as to its~~  
 48 ~~teaching methods and any educational innovations and the results thereof. No charter school shall~~  
 49 ~~be considered in the Missouri school improvement program review of the district in which it is~~

1 located for the resource or process standards of the program.

2 ~~—— (b) For proposed high-risk or alternative charter schools, sponsors shall approve~~  
 3 ~~performance measures based on mission, curriculum, teaching methods, and services. Sponsors~~  
 4 ~~shall also approve comprehensive academic and behavioral measures to determine whether students~~  
 5 ~~are meeting performance standards on a different time frame as specified in that school's charter.~~  
 6 ~~Student performance shall be assessed comprehensively to determine whether a high-risk or~~  
 7 ~~alternative charter school has documented adequate student progress. Student performance shall be~~  
 8 ~~based on sponsor-approved comprehensive measures as well as standardized public school~~  
 9 ~~measures]. Annual presentation of charter school report card data to"; and~~

10  
 11 Further amend said bill and section, Pages 13-14, Lines 179-228, by deleting said lines and inserting  
 12 in lieu thereof the following:

13  
 14 "held to lower performance standards than other public schools within a district[; however, the  
 15 charter of a charter school may permit students to meet performance standards on a different time  
 16 frame as specified in its charter. The performance standards for alternative and special purpose  
 17 charter schools that target high-risk students as defined in subdivision (5) of subsection 2 of this  
 18 section shall be based on measures defined in the school's performance contract with its sponsors;

19 ~~—— (7) Comply with all applicable federal and state laws and regulations regarding students~~  
 20 ~~with disabilities, including sections 162.670 to 162.710, the Individuals with Disabilities Education~~  
 21 ~~Act (20 U.S.C. Section 1400) and Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. Section~~  
 22 ~~794) or successor legislation;~~

23 ~~(8) Provide along with any request for review by the state board of education the following:~~

24 ~~—— (a) Documentation that the applicant has provided a copy of the application to the school~~  
 25 ~~board of the district in which the charter school is to be located, except in those circumstances~~  
 26 ~~where the school district is the sponsor of the charter school; and~~

27 ~~—— (b) A statement outlining the reasons for approval or denial by the sponsor, specifically~~  
 28 ~~addressing the requirements of sections 160.400 to 160.425 and 167.349.~~

29 ~~—— 5. (1) Proposed or existing high-risk or alternative charter schools may include alternative~~  
 30 ~~arrangements for students to obtain credit for satisfying graduation requirements in the school's~~  
 31 ~~charter application and charter. Alternative arrangements may include, but not be limited to, credit~~  
 32 ~~for off-campus instruction, embedded credit, work experience through an internship arranged~~  
 33 ~~through the school, and independent studies. When the state board of education approves the~~  
 34 ~~charter, any such alternative arrangements shall be approved at such time.~~

35 ~~—— (2) The department of elementary and secondary education shall conduct a study of any~~  
 36 ~~charter school granted alternative arrangements for students to obtain credit under this subsection~~  
 37 ~~after three years of operation to assess student performance, graduation rates, educational outcomes,~~  
 38 ~~and entry into the workforce or higher education].~~

39 6. The charter of a charter school may be amended at the request of the [governing body of  
 40 the charter school and on the approval of the sponsor]. [The sponsor and the governing board and  
 41 staff of the charter school shall jointly review the school's performance, management and operations  
 42 during the first year of operation and then every other year after the most recent review or at any  
 43 point where the operation or management of the charter school is changed or transferred to another  
 44 entity, either public or private. The governing board of a charter school may amend the charter, if  
 45 the sponsor approves such amendment, or the sponsor and the governing board may reach an  
 46 agreement in writing to reflect the charter school's decision to become a local educational agency.  
 47 In such case the sponsor shall give the department of elementary and secondary education written  
 48 notice no later than March first of any year, with the agreement to become effective July first. The  
 49 department may waive the March first notice date in its discretion. The department shall identify

1 ~~and furnish a list of its regulations that pertain to local educational agencies to such schools within~~  
 2 ~~thirty days of receiving such notice] local board of education.~~

3 7. [~~Sponsors.] The local board of education shall annually review the charter school's~~  
 4 ~~compliance with statutory standards including:~~

5 (1) ~~Participation in the statewide system of assessments[, as designated by the state board of~~  
 6 ~~education under section 160.518];"; and~~

7  
 8 Further amend said bill and section, Page 14, Line 236, by deleting the word "sponsor's" and  
 9 inserting in lieu thereof the words "[~~sponsor's] local board of education's"; and~~

10  
 11 Further amend said bill and section, Page 15, Lines 249-276, by removing all of said lines and  
 12 inserting in lieu thereof the following:

13  
 14 "a. Clear evidence of underperformance as demonstrated in the charter school's annual  
 15 performance report in three of the last four school years; or

16 b. A violation of the law or the public trust that imperils students or public funds.

17 (c) A sponsor shall revoke a charter or take other appropriate remedial action, which may  
 18 include placing the charter school on probationary status for no more than twenty-four months,  
 19 provided that no more than one designation of probationary status shall be allowed for the duration  
 20 of the charter contract, at any time if the charter school commits a serious breach of one or more  
 21 provisions of its charter or on any of the following grounds:

22 a. Failure to meet the performance contract as set forth in its charter[~~;~~];

23 b. Failure to meet generally accepted standards of fiscal management[~~;~~];"; and

24  
 25 Further amend said bill and section, Pages 16-17, Lines 311-315, by deleting all of said lines and  
 26 inserting in lieu thereof the following:

27  
 28 "(b) The charter school is organizationally and fiscally viable determining at a minimum";  
 29 and

30  
 31 Further amend said bill and section, Pages 17-18, Lines 344-349, by deleting all of said lines; and

32  
 33 Further amend said bill and section by renumbering all of said section accordingly; and

34  
 35 Further amend said bill, Pages 18-19, Section 160.408, Lines 1-30, by removing all of said section  
 36 and lines from the bill; and

37  
 38 Further amend said bill, Pages 19-20, Section 160.410, Lines 1-23 by deleting all of said lines and  
 39 inserting in lieu thereof the following:

40  
 41 "160.410. 1. A charter school shall enroll [~~:(1)] all pupils resident in the district in which it~~  
 42 ~~operates[;~~

43 ~~——(2) Nonresident pupils eligible to attend a district's school under an urban voluntary transfer~~  
 44 ~~program;~~

45 ~~——(3) Nonresident pupils who transfer from an unaccredited district under section 167.131,~~  
 46 ~~provided that the charter school is an approved charter school, as defined in section 167.131, and~~  
 47 ~~subject to all other provisions of section 167.131;~~

48 ~~——(4) In the case of a charter school whose mission includes student drop-out prevention or~~  
 49 ~~recovery, any nonresident pupil from the same or an adjacent county who resides in a residential~~

1 care facility, a transitional living group home, or an independent living program whose last school of  
 2 enrollment is in the school district where the charter school is established, who submits a timely  
 3 application; and

4 ~~—(5) In the case of a workplace charter school, any student eligible to attend under  
 5 subdivision (1) or (2) of this subsection whose parent is employed in the business district, who  
 6 submits a timely application, unless the number of applications exceeds the capacity of a program,  
 7 class, grade level or building. The configuration of a business district shall be set forth in the  
 8 charter and shall not be construed to create an undue advantage for a single employer or small  
 9 number of employers]."; and~~

10  
 11 Further amend said bill and section, Page 20, Lines 38-40, by deleting all of said lines and inserting  
 12 in lieu thereof the following:

13  
 14 "students through its proposed mission, curriculum, teaching methods, and services."; and

15  
 16 Further amend said bill and section, Page 21, Lines 56-66, by deleting all of said lines and inserting  
 17 in lieu thereof the following:

18  
 19 "(3) The results of background checks on the charter school's board members[; and  
 20 (4) If a charter school is operated by a management company, a copy of the written contract  
 21 between the governing board of the charter school and the educational management organization or  
 22 the charter management organization for services. The charter school may charge reasonable fees,  
 23 not to exceed the rate specified in section 610.026 for furnishing copies of documents under this  
 24 subsection.

25 ~~5. When a student attending a charter school who is a resident of the school district in which  
 26 the charter school is located moves out of the boundaries of such school district, the student may  
 27 complete the current semester and shall be considered a resident student. The student's parent or  
 28 legal guardian shall be responsible for the student's transportation to and from the charter school].";~~  
 29 and

30  
 31 Further amend said bill and section by renumbering all of said section accordingly; and

32  
 33 Further amend said bill, page, and section, Line 75, by inserting after the said line the following:

34  
 35 "160.414. 1. Notwithstanding any provision of law to the contrary, any charter school in  
 36 operation on August 28, 2019, that is not operating under the authority of the local school board in  
 37 the district where the charter school is located shall have its charter contract renewal subject to the  
 38 limitations of this section. Any charter contract renewal granted after August 28, 2019, to a charter  
 39 school that is not operating under the authority of the local school board in the district where the  
 40 charter school is located shall be limited to a five-year duration. If at the end of the five-year  
 41 contract, the charter school is not operating under the authority of the local school board in the  
 42 district where the charter school is located, the school's charter shall be revoked and the charter  
 43 school closed.

44 2. Notwithstanding the provisions of sections 160.400 and 160.405, and any other  
 45 provision of law to the contrary, no charter contract shall be awarded to any charter school  
 46 established after August 28, 2019, that is not operating under the authority of the local school board  
 47 in the district where the charter school is located."; and

48  
 49 Further amend said bill, Pages 22-23, Section 160.415, Lines 31-66, by deleting said lines and

1 inserting in lieu thereof the following:

2  
3 ~~"3. [A workplace charter school shall receive payment for each eligible pupil as provided~~  
4 ~~under subsection 2 of this section, except that if the student is not a resident of the district and is~~  
5 ~~participating in a voluntary interdistrict transfer program, the payment for such pupils shall be the~~  
6 ~~same as provided under section 162.1060.~~

7 4.] A charter school that has declared itself as a local educational agency shall receive from  
8 the department of elementary and secondary education an annual amount equal to the product of the  
9 charter school's weighted average daily attendance and the state adequacy target, multiplied by the  
10 dollar value modifier for the district, plus local tax revenues per weighted average daily attendance  
11 from the incidental and teachers funds in excess of the performance levy as defined in section  
12 163.011 plus all other state aid attributable to such pupils. If a charter school declares itself as a  
13 local educational agency, the department of elementary and secondary education shall, upon notice  
14 of the declaration, reduce the payment made to the school district by the amount specified in this  
15 subsection and pay directly to the charter school the annual amount reduced from the school  
16 district's payment.

17 ~~[5.]~~ 4. If a school district fails to make timely payments of any amount for which it is the";  
18 and

19  
20 Further amend said bill and section, Page 26, Lines 149-154, by deleting said lines and inserting in  
21 lieu thereof the following:

22  
23 "14. Notwithstanding any other provision of law, state school aid shall be distributed to  
24 charter schools operating under the authority of a local school board in the manner provided under  
25 sections 163.011 and 163.031."; and

26  
27 Further amend said bill and section by renumbering all of said section accordingly; and

28  
29 Further amend said bill, Page 27, Section 160.425, Lines 48, by inserting after all of said lines the  
30 following:

31  
32 "11. The commission outlined in this section shall be dissolved when the final charter school,  
33 that is not operating under the authority of the local school board, has its charter revoked and the  
34 charter school is closed in accordance with section 160.414.

35  
36 ~~[160.408. 1. For purposes of this section, "high-quality charter school" means a charter~~  
37 ~~school operating in the state of Missouri that meets the following requirements:~~

38 ~~—— (1) Receives eighty-five percent or more of the total points on the annual performance~~  
39 ~~report for three out of the last four school years by comparing points earned to the points possible on~~  
40 ~~the annual performance report for three of the last four school years;~~

41 ~~—— (2) Maintains a graduation rate of at least eighty percent for three of the last four school~~  
42 ~~years, if the charter school provides a high school program;~~

43 ~~—— (3) Is in material compliance with its legally binding performance contract and sections~~  
44 ~~160.400 to 160.425 and section 167.349; and~~

45 ~~—— (4) Is organizationally and fiscally viable as described in paragraph (b) of subdivision (2) of~~  
46 ~~subsection 9 of section 160.405.~~

47 ~~—— 2. Notwithstanding any other provision of law, high-quality charter schools shall be~~  
48 ~~provided expedited opportunities to replicate and expand into unaccredited districts, a metropolitan~~  
49 ~~district, or an urban school district containing most or all of a home rule city with more than four~~

1 hundred thousand inhabitants and located in more than one county. Such replication and expansion  
2 shall be subject to the following:

3 ~~————(1) The school seeking to replicate or expand shall submit its proposed charter to a proposed~~  
4 ~~sponsor. The charter shall include a legally binding performance contract that meets the~~  
5 ~~requirements of sections 160.400 to 160.425 and section 167.349;~~

6 ~~————(2) The sponsor's decision to approve or deny shall be made within sixty days of the filing~~  
7 ~~of the proposed charter with the proposed sponsor;~~

8 ~~————(3) If a charter is approved by a sponsor, the charter application shall be filed with the state~~  
9 ~~board of education with a statement of finding from the sponsor that the application meets the~~  
10 ~~requirements of sections 160.400 to 160.425 and section 167.349 and a monitoring plan under~~  
11 ~~which the sponsor shall evaluate the academic performance of students enrolled in the charter~~  
12 ~~school. Such filing shall be made by January thirty-first prior to the school year in which the charter~~  
13 ~~school intends to begin operations.~~

14 ~~————3. The term of the charter for schools operating under this section shall be five years, and~~  
15 ~~the charter may be renewed for terms of up to ten years. Renewal shall be subject to the provisions~~  
16 ~~of paragraphs (a) to (d) of subdivision (3) of subsection 9 of section 160.405.]" ; and~~

17  
18 Further amend said bill by amending the title, enacting clause, and intersectional references  
19 accordingly.