

## HB 1917 -- CHARTER SCHOOLS

SPONSOR: O'Donnell

### CHARTER SCHOOLS

This bill allows charter schools to be operated in a charter county or in a city with a population greater than 30,000.

Charter schools may be operated in a school district that has been accredited without provisions, provided the charter school applicant submits a proposed charter to the school district for approval, along with evidence of community support for the operation of the charter school in the district. If the school board denies the charter school, the sponsor may appeal the decision to the Missouri Charter Public School Commission. The Commission must approve the charter application if it finds it more likely than not that there is community support for the charter school.

The school board of the district in any district that is sponsoring a charter school in a charter county is eligible to sponsor a charter school.

The bill repeals procedures relating to changes in a school district's accreditation status that affect charter schools.

If a charter school fails to receive a renewal of its charter after a three-year term, the sponsor of the charter school at the time of the failure of renewal shall not sponsor any new charter schools until the State Board of Education (SBE) has completed an evaluation and received a determination of compliance with state law for all charter schools sponsored by the sponsor and meets the state standards of sponsorship (Section 160.400 RSMo).

### UNDERPERFORMING CHARTER SCHOOLS

This bill specifies that a charter school will be classified as underperforming if the charter school has received scores demonstrating that the percentage of students who perform proficient and advanced on the annual statewide system of assessments in English language arts and mathematics in a charter school is lower than the average percentage of grade-level-equivalent students attending nonselective attendance centers in the school district in which the charter school is located who perform proficient and advanced in English language arts and mathematics.

A charter school will not be considered as underperforming if 50%

or more of the school's students were previously considered dropouts, as defined under current law, or the average rate of growth in English language arts and mathematics on the annual statewide system of assessments is higher than the average growth in English language arts and mathematics for grade-level-equivalent students attending nonselective attendance centers in the school district in which the charter school is located (Section 160.404).

#### ESTABLISHING A CHARTER

Currently, a person, group, or organization seeking to establish a charter school is required to submit the proposed charter to a sponsor. The charter shall include a legally binding performance contract that describes the obligations and responsibilities of the school and the sponsor and shall, under this bill, address the term of the charter, which shall be five years and may be renewed for a five-year term. However, if a charter school underperforms for two of the three consecutive years immediately before a decision whether to renew the school's charter is made, such renewal shall only be for three years. If the charter school again underperforms for two years of the three-year term, the school's charter shall not be renewed.

This bill also requires the charter to show evidence of community support for the charter school, for all charter schools in school districts accredited without provision.

Currently, a charter school, per its charter, must be financially accountable. A charter school that receives local educational agency status must meet the requirements imposed by the Elementary and Secondary Education Act for audits of such agencies and comply with all federal audit requirements for charters with local educational agency status. This bill requires charter schools to make the results of the audits available on their website.

A charter school must also seek to ensure that the percentage of its students who perform proficient and advanced on the annual statewide system of assessments in English language arts and mathematics is equal to or higher than the average percentage of grade-level-equivalent students attending nonselective attendance centers in the school district in which the charter school is located who perform proficient and advanced in English language arts and mathematics.

A sponsor shall revoke a charter or take other appropriate remedial action, which may include placing the charter school on probationary status for no more than 24 months, at any time if the charter school underperforms for at least two years.

Currently, a sponsor is required to confirm that each charter school they sponsor is in material compliance and remains in material compliance with the charter and with statute. This bill specifies that the sponsor's renewal process of the charter school must consider if the charter school has underperformed for two of the three consecutive years immediately before a decision whether to renew the school's charter is made.

The sponsor of a charter school is required to submit a revised charter application to the (SBE) for review beginning August 1st during the year in which a charter is considered for renewal, which shall include a financial audit performed by an independent third party and be paid for by the charter school (Section 160.405).

#### CHARTER SCHOOL ADMISSION

A charter school is required to enroll nonresident pupils who are residents of the state of Missouri, unless the pupil's enrollment will cause a resident pupil to be denied enrollment.

Information a charter school must currently make available shall, according to the bill, also be available on the charter school's website (Section 160.410).

#### DISTRIBUTION OF STATE SCHOOL AID

If a charter school has one or more nonresident pupils, the nonresident pupils shall not be counted for purposes of determining the amount of aid. Each school district that has one or more of its resident pupils attending a charter school shall pay to the charter, for each pupil 100% of its average per-pupil expenditure excluding interest payments and grants.

Currently, a charter school that has declared itself as a local education agency shall receive an annual amount set forth in statute. This bill specifies that if a charter school has one or more nonresident pupils, the charter school will receive payment from DESE in the amount set forth in current law. However, the nonresident pupils will not be counted for the purposes of determining state aid. Each school district that has one or more of its resident pupils attending a charter school that has declared itself as a local education agency as a nonresident pupil shall pay to the charter school, for each pupil, 100% of its average per-pupil expenditure excluding interest payments and grants.

Upon notice of the charter school's declaration of local education agency status, DESE shall reduce the payment made to the school district in which the charter school is located from any source by the amount specified in current law, and pay directly to the

charter school the annual amount reduced from the school district's payment.

Currently, a charter school may not charge tuition or impose fees that a school district is prohibited from charging or imposing, except that a charter school may receive tuition payments from districts in the same or an adjoining county for nonresident students who transfer to an approved charter school. In this section the bill would also allow charter schools to receive payments from school districts as specified (Section 160.415).

#### POLITICAL SUBDIVISIONS

This bill specifies that a political subdivision shall not adopt, enforce, impose, or administer an ordinance, local policy, or local resolution that prohibits property sold, leased, or transferred by the political subdivision from being used for any lawful education purpose by a charter school.

A political subdivision may not impose, enforce, or apply any deed restriction that expressly, or by its operation, prohibits property sold, leased, or transferred by the political subdivision from being used for any lawful educational purpose by a charter school.

If a political subdivision offers property of the political subdivision for sale, lease, or rent, the political subdivision shall not refuse to sell, lease, or rent to a charter school solely because the charter school intends to use the property for an educational purpose (Section 160.422).

This bill is similar to SB 51 (2019).