

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 712, Page 1, Section A, Line 4, by
2 inserting after said section and line the following:

3
4 "160.426. 1. Beginning August 28, 2025, no charter school shall be eligible to operate in
5 this state without the state board of education's issuance of a certificate of need for such charter
6 school as provided in this section.

7 2. A certificate of need shall be required only for proposed charter schools that are not
8 established as of August 28, 2025, and shall not be required for:

9 (1) The renewal of a charter contract pursuant to the provisions of section 160.405; or

10 (2) The transfer of sponsorship of a charter school in accordance with rules promulgated by
11 the state board of education.

12 3. This section shall not be construed to exempt a charter school from the requirements of
13 section 160.405 or any other applicable state or federal law or regulation.

14 4. The charter school certificate of need application shall consist of a written certification,
15 including supporting documentation, submitted by the governing board of the school district or the
16 governing body of the city or county in which the proposed charter school would be located,
17 affirming that the following conditions apply to the school district in which the proposed charter
18 school would be operated:

19 (1) Consumer demand for alternative educational options exceeds supply;

20 (2) The school district's attendance area contains sufficient economies of scale to ensure
21 both an adequate supply of high-quality teachers and a sufficient number of potential students in
22 order for the proposed charter school to succeed without detrimentally impacting the school district's
23 ability to provide a free public education for students who enroll in the school district. For purposes
24 of this subdivision, "economies of scale" shall mean the capacity to reduce costs and increase
25 efficiency as student enrollment numbers change; and

26 (3) The proposed charter school is likely to:

27 (a) Alleviate economic and racial inequities across the school district's attendance centers;

28 (b) Improve students' academic achievement and test scores;

29 (c) Reduce student-teacher ratios across the school district;

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1 (d) Result in a more efficient education service delivery system without superfluous
2 duplication of services;

3 (e) Limit the number of schooling disruptions faced by children and families; and

4 (f) Address family priorities that are not strictly educational in nature including, but not
5 limited to, safety, convenience, transportation time, neighborhood walkability, and school culture.

6 5. The state board of education shall review each charter school certificate of need
7 application and either approve or disapprove each application within one hundred twenty calendar
8 days of receipt. If the board determines that the information provided in the application is factual
9 and based on sound data and reasoning, the board shall consider the conditions of this subsection to
10 be satisfied and the board shall approve such application. If the board determines that the
11 information provided in the application is not factual and based on sound data and reasoning, the
12 board shall disapprove the application and provide to the applicant written documentation of the
13 reasons why the application was not approved."; and

14
15 Further amend said bill by amending the title, enacting clause, and intersectional references
16 accordingly.