

SECOND REGULAR SESSION

HOUSE BILL NO. 2502

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE KELLEY.

5238H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal sections 160.405 and 161.092, RSMo, and to enact in lieu thereof two new sections relating to student school records.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 160.405 and 161.092, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 160.405 and 161.092, to read as follows:

160.405. 1. A person, group or organization seeking to establish a charter school
2 shall submit the proposed charter, as provided in this section, to a sponsor. If the sponsor is
3 not a school board, the applicant shall give a copy of its application to the school board of the
4 district in which the charter school is to be located and to the state board of education, within
5 five business days of the date the application is filed with the proposed sponsor. The school
6 board may file objections with the proposed sponsor, and, if a charter is granted, the school
7 board may file objections with the state board of education. The charter shall include a
8 legally binding performance contract that describes the obligations and responsibilities of the
9 school and the sponsor as outlined in sections 160.400 to 160.425 and section 167.349 and
10 shall address the following:

- 11 (1) A mission and vision statement for the charter school;
- 12 (2) A description of the charter school's organizational structure and bylaws of the
13 governing body, which will be responsible for the policy, financial management, and
14 operational decisions of the charter school, including the nature and extent of parental,
15 professional educator, and community involvement in the governance and operation of the
16 charter school;

EXPLANATION — Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

- 17 (3) A financial plan for the first three years of operation of the charter school
18 including provisions for annual audits;
- 19 (4) A description of the charter school's policy for securing personnel services, its
20 personnel policies, personnel qualifications, and professional development plan;
- 21 (5) A description of the grades or ages of students being served;
- 22 (6) The school's calendar of operation, which shall include at least the equivalent of a
23 full school term as defined in section 160.011;
- 24 (7) A description of the charter school's pupil performance standards and academic
25 program performance standards, which shall meet the requirements of subdivision (6) of
26 subsection 4 of this section. The charter school program shall be designed to enable each
27 pupil to achieve such standards and shall contain a complete set of indicators, measures,
28 metrics, and targets for academic program performance, including specific goals on
29 graduation rates and standardized test performance and academic growth;
- 30 (8) A description of the charter school's educational program and curriculum;
- 31 (9) The term of the charter, which shall be five years and may be renewed;
- 32 (10) Procedures, consistent with the Missouri financial accounting manual, for
33 monitoring the financial accountability of the charter, which shall meet the requirements of
34 subdivision (4) of subsection 4 of this section;
- 35 (11) Preopening requirements for applications that require that charter schools meet
36 all health, safety, and other legal requirements prior to opening;
- 37 (12) A description of the charter school's policies on student discipline and student
38 admission, which shall include a statement, where applicable, of the validity of attendance of
39 students who do not reside in the district but who may be eligible to attend under the terms of
40 judicial settlements and procedures that ensure admission of students with disabilities in a
41 nondiscriminatory manner;
- 42 (13) A description of the charter school's grievance procedure for parents or
43 guardians;
- 44 (14) A description of the agreement and time frame for implementation between the
45 charter school and the sponsor as to when a sponsor shall intervene in a charter school, when
46 a sponsor shall revoke a charter for failure to comply with subsection 8 of this section, and
47 when a sponsor will not renew a charter under subsection 9 of this section;
- 48 (15) Procedures to be implemented if the charter school should close, as provided in
49 subdivision (6) of subsection 16 of section 160.400 including:
- 50 (a) Orderly transition of student records to new schools and archival of student
51 records, **which shall require the transfer of all student records for archival purposes to**
52 **the school district in which such charter school is located;**
- 53 (b) Archival of business operation and transfer or repository of personnel records;

54 (c) Submission of final financial reports;
55 (d) Resolution of any remaining financial obligations;
56 (e) Disposition of the charter school's assets upon closure; and
57 (f) A notification plan to inform parents or guardians of students, the local school
58 district, the retirement system in which the charter school's employees participate, and the
59 state board of education within thirty days of the decision to close;

60 (16) A description of the special education and related services that shall be available
61 to meet the needs of students with disabilities; and

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

67

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

70 2. Proposed charters shall be subject to the following requirements:

71 (1) A charter shall be submitted to the sponsor, and follow the sponsor's policies and
72 procedures for review and granting of a charter approval, and be approved by the state board
73 of education by January thirty-first prior to the school year of the proposed opening date of
74 the charter school;

75 (2) A charter may be approved when the sponsor determines that the requirements of
76 this section are met, determines that the applicant is sufficiently qualified to operate a charter
77 school, and that the proposed charter is consistent with the sponsor's charter sponsorship
78 goals and capacity. The sponsor's decision of approval or denial shall be made within ninety
79 days of the filing of the proposed charter;

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

83 (4) If a proposed charter is denied by a sponsor, the proposed charter may be
84 submitted to the state board of education, along with the sponsor's written reasons for its
85 denial. If the state board determines that the applicant meets the requirements of this section,
86 that the applicant is sufficiently qualified to operate the charter school, and that granting a
87 charter to the applicant would be likely to provide educational benefit to the children of the
88 district, the state board may grant a charter and act as sponsor of the charter school. The state
89 board shall review the proposed charter and make a determination of whether to deny or grant
90 the proposed charter within sixty days of receipt of the proposed charter, provided that any

91 charter to be considered by the state board of education under this subdivision shall be
92 submitted no later than March first prior to the school year in which the charter school intends
93 to begin operations. The state board of education shall notify the applicant in writing as the
94 reasons for its denial, if applicable; and

95 (5) The sponsor of a charter school shall give priority to charter school applicants that
96 propose a school oriented to high-risk students and to the reentry of dropouts into the school
97 system. If a sponsor grants three or more charters, at least one-third of the charters granted by
98 the sponsor shall be to schools that actively recruit dropouts or high-risk students as their
99 student body and address the needs of dropouts or high-risk students through their proposed
100 mission, curriculum, teaching methods, and services. For purposes of this subsection, a
101 "high-risk" student is one who is at least one year behind in satisfactory completion of course
102 work or obtaining high school credits for graduation, has dropped out of school, is at risk of
103 dropping out of school, needs drug and alcohol treatment, has severe behavioral problems,
104 has been suspended from school three or more times, has a history of severe truancy, is a
105 pregnant or parenting teen, has been referred for enrollment by the judicial system, is exiting
106 incarceration, is a refugee, is homeless or has been homeless sometime within the preceding
107 six months, has been referred by an area school district for enrollment in an alternative
108 program, or qualifies as high risk under department of elementary and secondary education
109 guidelines. Dropout shall be defined through the guidelines of the school core data report.
110 The provisions of this subsection do not apply to charters sponsored by the state board of
111 education.

112 3. If a charter is approved by a sponsor, the charter application shall be submitted to
113 the state board of education, along with a statement of finding by the sponsor that the
114 application meets the requirements of sections 160.400 to 160.425 and section 167.349 and a
115 monitoring plan under which the charter sponsor shall evaluate the academic performance,
116 including annual performance reports, of students enrolled in the charter school. The state
117 board of education shall approve or deny a charter application within sixty days of receipt of
118 the application. The state board of education may deny a charter on grounds that the
119 application fails to meet the requirements of sections 160.400 to 160.425 and section 167.349
120 or that a charter sponsor previously failed to meet the statutory responsibilities of a charter
121 sponsor. Any denial of a charter application made by the state board of education shall be in
122 writing and shall identify the specific failures of the application to meet the requirements of
123 sections 160.400 to 160.425 and section 167.349, and the written denial shall be provided
124 within ten business days to the sponsor.

125 4. A charter school shall, as provided in its charter:

126 (1) Be nonsectarian in its programs, admission policies, employment practices, and
127 all other operations;

128 (2) Comply with laws and regulations of the state, county, or city relating to health,
129 safety, and state minimum educational standards, as specified by the state board of education,
130 including the requirements relating to student discipline under sections 160.261, 167.161,
131 167.164, and 167.171, notification of criminal conduct to law enforcement authorities under
132 sections 167.115 ~~[to]~~ and 167.117, academic assessment under section 160.518, transmittal of
133 school records under section 167.020, the minimum amount of school time required under
134 section 171.031, and the employee criminal history background check and the family care
135 safety registry check under section 168.133;

136 (3) Except as provided in sections 160.400 to 160.425 and as specifically provided in
137 other sections, be exempt from all laws and rules relating to schools, governing boards and
138 school districts;

139 (4) Be financially accountable, use practices consistent with the Missouri financial
140 accounting manual, provide for an annual audit by a certified public accountant, publish audit
141 reports and annual financial reports as provided in chapter 165, provided that the annual
142 financial report may be published on the department of elementary and secondary education's
143 internet website in addition to other publishing requirements, and provide liability insurance
144 to indemnify the school, its board, staff and teachers against tort claims. A charter school that
145 receives local educational agency status under subsection 6 of this section shall meet the
146 requirements imposed by the Elementary and Secondary Education Act for audits of such
147 agencies and comply with all federal audit requirements for charters with local educational
148 agency status. For purposes of an audit by petition under section 29.230, a charter school
149 shall be treated as a political subdivision on the same terms and conditions as the school
150 district in which it is located. For the purposes of securing such insurance, a charter school
151 shall be eligible for the Missouri public entity risk management fund pursuant to section
152 537.700. A charter school that incurs debt shall include a repayment plan in its financial plan;

153 (5) Provide a comprehensive program of instruction for at least one grade or age
154 group from early childhood through grade twelve, as specified in its charter;

155 (6) (a) Design a method to measure pupil progress toward the pupil academic
156 standards adopted by the state board of education pursuant to section 160.514, establish
157 baseline student performance in accordance with the performance contract during the first
158 year of operation, collect student performance data as defined by the annual performance
159 report throughout the duration of the charter to annually monitor student academic
160 performance, and to the extent applicable based upon grade levels offered by the charter
161 school, participate in the statewide system of assessments, comprised of the essential skills
162 tests and the nationally standardized norm-referenced achievement tests, as designated by the
163 state board pursuant to section 160.518, complete and distribute an annual report card as
164 prescribed in section 160.522, which shall also include a statement that background checks

165 have been completed on the charter school's board members, and report to its sponsor, the
166 local school district, and the state board of education as to its teaching methods and any
167 educational innovations and the results thereof. No charter school shall be considered in the
168 Missouri school improvement program review of the district in which it is located for the
169 resource or process standards of the program.

170 (b) For proposed high-risk or alternative charter schools, sponsors shall approve
171 performance measures based on mission, curriculum, teaching methods, and services.
172 Sponsors shall also approve comprehensive academic and behavioral measures to determine
173 whether students are meeting performance standards on a different time frame as specified in
174 that school's charter. Student performance shall be assessed comprehensively to determine
175 whether a high-risk or alternative charter school has documented adequate student progress.
176 Student performance shall be based on sponsor-approved comprehensive measures as well as
177 standardized public school measures. Annual presentation of charter school report card data
178 to the department of elementary and secondary education, the state board, and the public shall
179 include comprehensive measures of student progress.

180 (c) Nothing in this subdivision shall be construed as permitting a charter school to be
181 held to lower performance standards than other public schools within a district; however, the
182 charter of a charter school may permit students to meet performance standards on a different
183 time frame as specified in its charter. The performance standards for alternative and special
184 purpose charter schools that target high-risk students as defined in subdivision (5) of
185 subsection 2 of this section shall be based on measures defined in the school's performance
186 contract with its sponsors;

187 (7) Comply with all applicable federal and state laws and regulations regarding
188 students with disabilities, including sections 162.670 to 162.710, the Individuals with
189 Disabilities Education Act (20 U.S.C. Section 1400 **et seq.**) and Section 504 of the
190 Rehabilitation Act of 1973 (29 U.S.C. Section 794) or successor legislation;

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

193 (a) Documentation that the applicant has provided a copy of the application to the
194 school board of the district in which the charter school is to be located, except in those
195 circumstances where the school district is the sponsor of the charter school; and

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

198 5. (1) Proposed or existing high-risk or alternative charter schools may include
199 alternative arrangements for students to obtain credit for satisfying graduation requirements in
200 the school's charter application and charter. Alternative arrangements may include, but not be
201 limited to, credit for off-campus instruction, embedded credit, work experience through an

202 internship arranged through the school, and independent studies. When the state board of
203 education approves the charter, any such alternative arrangements shall be approved at such
204 time.

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

209 6. The charter of a charter school may be amended at the request of the governing
210 body of the charter school and on the approval of the sponsor. The sponsor and the governing
211 board and staff of the charter school shall jointly review the school's performance,
212 management and operations during the first year of operation and then every other year after
213 the most recent review or at any point where the operation or management of the charter
214 school is changed or transferred to another entity, either public or private. The governing
215 board of a charter school may amend the charter, if the sponsor approves such amendment, or
216 the sponsor and the governing board may reach an agreement in writing to reflect the charter
217 school's decision to become a local educational agency. In such case the sponsor shall give
218 the department of elementary and secondary education written notice no later than March first
219 of any year, with the agreement to become effective July first. The department may waive the
220 March first notice date in its discretion. The department shall identify and furnish a list of its
221 regulations that pertain to local educational agencies to such schools within thirty days of
222 receiving such notice.

223 7. Sponsors shall annually review the charter school's compliance with statutory
224 standards including:

225 (1) Participation in the statewide system of assessments, as designated by the state
226 board of education under section 160.518;

227 (2) Assurances for the completion and distribution of an annual report card as
228 prescribed in section 160.522;

229 (3) The collection of baseline data during the first three years of operation to
230 determine the longitudinal success of the charter school;

231 (4) A method to measure pupil progress toward the pupil academic standards adopted
232 by the state board of education under section 160.514; and

233 (5) Publication of each charter school's annual performance report.

234 8. (1) (a) A sponsor's policies shall give schools clear, adequate, evidence-based, and
235 timely notice of contract violations or performance deficiencies and mandate intervention
236 based upon findings of the state board of education of the following:

237 a. The charter school provides a high school program which fails to maintain a
238 graduation rate of at least seventy percent in three of the last four school years unless the
239 school has dropout recovery as its mission;

240 b. The charter school's annual performance report results are below the district's
241 annual performance report results based on the performance standards that are applicable to
242 the grade level configuration of both the charter school and the district in which the charter
243 school is located in three of the last four school years; and

244 c. The charter school is identified as a persistently lowest achieving school by the
245 department of elementary and secondary education.

246 (b) A sponsor shall have a policy to revoke a charter during the charter term if there
247 is:

248 a. Clear evidence of underperformance as demonstrated in the charter school's annual
249 performance report in three of the last four school years; or

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

251 (c) A sponsor shall revoke a charter or take other appropriate remedial action, which
252 may include placing the charter school on probationary status for no more than twenty-four
253 months, provided that no more than one designation of probationary status shall be allowed
254 for the duration of the charter contract, at any time if the charter school commits a serious
255 breach of one or more provisions of its charter or on any of the following grounds: failure to
256 meet the performance contract as set forth in its charter, failure to meet generally accepted
257 standards of fiscal management, failure to provide information necessary to confirm
258 compliance with all provisions of the charter and sections 160.400 to 160.425 and 167.349
259 within forty-five days following receipt of written notice requesting such information, or
260 violation of law.

261 (2) The sponsor may place the charter school on probationary status to allow the
262 implementation of a remedial plan, which may require a change of methodology, a change in
263 leadership, or both, after which, if such plan is unsuccessful, the charter may be revoked.

264 (3) At least sixty days before acting to revoke a charter, the sponsor shall notify the
265 governing board of the charter school of the proposed action in writing. The notice shall state
266 the grounds for the proposed action. The school's governing board may request in writing a
267 hearing before the sponsor within two weeks of receiving the notice.

268 (4) The sponsor of a charter school shall establish procedures to conduct
269 administrative hearings upon determination by the sponsor that grounds exist to revoke a
270 charter. Final decisions of a sponsor from hearings conducted pursuant to this subsection are
271 subject to an appeal to the state board of education, which shall determine whether the charter
272 shall be revoked.

273 (5) A termination shall be effective only at the conclusion of the school year, unless
274 the sponsor determines that continued operation of the school presents a clear and immediate
275 threat to the health and safety of the children.

276 (6) A charter sponsor shall make available the school accountability report card
277 information as provided under section 160.522 and the results of the academic monitoring
278 required under subsection 3 of this section.

279 9. (1) A sponsor shall take all reasonable steps necessary to confirm that each charter
280 school sponsored by such sponsor is in material compliance and remains in material
281 compliance with all material provisions of the charter and sections 160.400 to 160.425 and
282 167.349. Every charter school shall provide all information necessary to confirm ongoing
283 compliance with all provisions of its charter and sections 160.400 to 160.425 and 167.349 in a
284 timely manner to its sponsor.

285 (2) The sponsor's renewal process of the charter school shall be based on the thorough
286 analysis of a comprehensive body of objective evidence and consider if:

287 (a) The charter school has maintained results on its annual performance report that
288 meet or exceed the district in which the charter school is located based on the performance
289 standards that are applicable to the grade-level configuration of both the charter school and
290 the district in which the charter school is located in three of the last four school years;

291 (b) The charter school is organizationally and fiscally viable determining at a
292 minimum that the school does not have:

293 a. A negative balance in its operating funds;

294 b. A combined balance of less than three percent of the amount expended for such
295 funds during the previous fiscal year; or

296 c. Expenditures that exceed receipts for the most recently completed fiscal year;

297 (c) The charter is in compliance with its legally binding performance contract and
298 sections 160.400 to 160.425 and section 167.349; and

299 (d) The charter school has an annual performance report consistent with a
300 classification of accredited for three of the last four years and is fiscally viable as described in
301 paragraph (b) of this subdivision. If such is the case, the charter school may have an
302 expedited renewal process as defined by rule of the department of elementary and secondary
303 education.

304 (3) (a) Beginning August first during the year in which a charter is considered for
305 renewal, a charter school sponsor shall demonstrate to the state board of education that the
306 charter school is in compliance with federal and state law as provided in sections 160.400 to
307 160.425 and section 167.349 and the school's performance contract including but not limited
308 to those requirements specific to academic performance.

309 (b) Along with data reflecting the academic performance standards indicated in
310 paragraph (a) of this subdivision, the sponsor shall submit a revised charter application to the
311 state board of education for review.

312 (c) Using the data requested and the revised charter application under paragraphs (a)
313 and (b) of this subdivision, the state board of education shall determine if compliance with all
314 standards enumerated in this subdivision has been achieved. The state board of education at
315 its next regularly scheduled meeting shall vote on the revised charter application.

316 (d) If a charter school sponsor demonstrates the objectives identified in this
317 subdivision, the state board of education shall renew the school's charter.

318 10. A school district may enter into a lease with a charter school for physical
319 facilities.

320 11. A governing board or a school district employee who has control over personnel
321 actions shall not take unlawful reprisal against another employee at the school district because
322 the employee is directly or indirectly involved in an application to establish a charter school.
323 A governing board or a school district employee shall not take unlawful reprisal against an
324 educational program of the school or the school district because an application to establish a
325 charter school proposes the conversion of all or a portion of the educational program to a
326 charter school. As used in this subsection, "unlawful reprisal" means an action that is taken
327 by a governing board or a school district employee as a direct result of a lawful application to
328 establish a charter school and that is adverse to another employee or an educational program.

329 12. Charter school board members shall be subject to the same liability for acts while
330 in office as if they were regularly and duly elected members of school boards in any other
331 public school district in this state. The governing board of a charter school may participate, to
332 the same extent as a school board, in the Missouri public entity risk management fund in the
333 manner provided under sections 537.700 to 537.756.

334 13. Any entity, either public or private, operating, administering, or otherwise
335 managing a charter school shall be considered a quasi-public governmental body and subject
336 to the provisions of sections 610.010 to 610.035.

337 14. The chief financial officer of a charter school shall maintain:

338 (1) A surety bond in an amount determined by the sponsor to be adequate based on
339 the cash flow of the school; or

340 (2) An insurance policy issued by an insurance company licensed to do business in
341 Missouri on all employees in the amount of five hundred thousand dollars or more that
342 provides coverage in the event of employee theft.

343 15. The department of elementary and secondary education shall calculate an annual
344 performance report for each charter school and shall publish it in the same manner as annual
345 performance reports are calculated and published for districts and attendance centers.

346 16. The joint committee on education shall create a committee to investigate facility
347 access and affordability for charter schools. The committee shall be comprised of equal
348 numbers of the charter school sector and the public school sector and shall report its findings
349 to the general assembly by December 31, 2016.

161.092. The state board of education shall:

2 (1) Adopt rules governing its own proceedings and formulate policies for the
3 guidance of the commissioner of education and the department of elementary and secondary
4 education;

5 (2) Carry out the educational policies of the state relating to public schools that are
6 provided by law and supervise instruction in the public schools;

7 (3) Direct the investment of all moneys received by the state to be applied to the
8 capital of any permanent fund established for the support of public education within the
9 jurisdiction of the department of elementary and secondary education and see that the funds
10 are applied to the branches of educational interest of the state that by grant, gift, devise or law
11 they were originally intended, and if necessary institute suit for and collect the funds and
12 return them to their legitimate channels;

13 (4) Cause to be assembled information which will reflect continuously the condition
14 and management of the public schools of the state;

15 (5) Require of county clerks or treasurers, boards of education or other school
16 officers, recorders and treasurers of cities, towns and villages, copies of all records required to
17 be made by them and all other information in relation to the funds and condition of schools
18 and the management thereof that is deemed necessary;

19 (6) Provide blanks suitable for use by officials in reporting the information required
20 by the board;

21 (7) When conditions demand, cause the laws relating to schools to be published in a
22 separate volume, with pertinent notes and comments, for the guidance of those charged with
23 the execution of the laws;

24 (8) Grant, without fee except as provided in section 168.021, certificates of
25 qualification and licenses to teach in any of the public schools of the state, establish
26 requirements therefor, formulate regulations governing the issuance thereof, and cause the
27 certificates to be revoked for the reasons and in the manner provided in section 168.071;

28 (9) Classify the public schools of the state, subject to limitations provided by law and
29 subdivision (14) of this section, establish requirements for the schools of each class, and
30 formulate rules governing the inspection and accreditation of schools preparatory to
31 classification, with such requirements taking effect not less than two years from the date of
32 adoption of the proposed rule by the state board of education, provided that this condition
33 shall not apply to any requirement for which a time line for adoption is mandated in either

34 federal or state law. Such rules shall include a process to allow any district that is accredited
35 without provision that does not meet the state board's promulgated criteria for a classification
36 designation of accredited with distinction to propose alternative criteria to the state board to
37 be classified as accredited with distinction;

38 (10) Make an annual report on or before the first Wednesday after the first day of
39 January to the general assembly or, when it is not in session, to the governor for publication
40 and transmission to the general assembly. The report shall be for the last preceding school
41 year, and shall include:

42 (a) A statement of the number of public schools in the state, the number of pupils
43 attending the schools, their sex, and the branches taught;

44 (b) A statement of the number of teachers employed, their sex, their professional
45 training, and their average salary;

46 (c) A statement of the receipts and disbursements of public school funds of every
47 description, their sources, and the purposes for which they were disbursed;

48 (d) Suggestions for the improvement of public schools; and

49 (e) Any other information relative to the educational interests of the state that the law
50 requires or the board deems important;

51 (11) Make an annual report to the general assembly and the governor concerning
52 coordination with other agencies and departments of government that support family literacy
53 programs and other services which influence educational attainment of children of all ages;

54 (12) Require from the chief officer of each division of the department of elementary
55 and secondary education, on or before the thirty-first day of August of each year, reports
56 containing information the board deems important and desires for publication;

57 (13) Cause fifty copies of its annual report to be reserved for the use of each division
58 of the state department of elementary and secondary education, and ten copies for
59 preservation in the state library;

60 (14) Promulgate rules under which the board shall classify the public schools of the
61 state; provided that the appropriate scoring guides, instruments, and procedures used in
62 determining the accreditation status of a district shall be subject to a public meeting upon
63 notice in a newspaper of general circulation in each of the three most populous cities in the
64 state and also a newspaper that is a certified minority business enterprise or woman-owned
65 business enterprise in each of the two most populous cities in the state, and notice to each
66 district board of education, each superintendent of a school district, and to the speaker of the
67 house of representatives, the president pro tem of the senate, and the members of the joint
68 committee on education, at least fourteen days in advance of the meeting, which shall be
69 conducted by the department of elementary and secondary education not less than ninety days

70 prior to their application in accreditation, with all comments received to be reported to the
71 state board of education;

72 **(15) Provide a method for nonpublic schools to file student transcripts and all**
73 **other student records as specified in the rules and regulations with a repository**
74 **approved by the board if the nonpublic school terminates its operations. Such method**
75 **shall include a form providing notice of the requirements for a repository to be**
76 **approved that a nonpublic school can submit to the board indicating the school's**
77 **proposed repository, which the board shall approve if the proposed repository meets the**
78 **requirements; and**

79 ~~(15)~~ (16) Have other powers and duties prescribed by law.

✓