

SECOND REGULAR SESSION

HOUSE BILL NO. 3122

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MURRAY.

6012H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To amend chapter 160, RSMo, by adding thereto one new section relating to charter schools.

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

Section A. Chapter 160, RSMo, is amended by adding thereto one new section, to be
2 known as section 160.426, to read as follows:

3 **160.426. 1. Beginning August 28, 2026, no charter school shall be eligible to**
4 **operate in this state without the state board of education's issuance of a certificate of**
5 **need for such charter school as provided in this section.**

6 **2. A certificate of need shall be required only for proposed charter schools that**
7 **are not established as of August 28, 2026, and shall not be required for:**

8 **(1) The renewal of a charter contract under the provisions of section 160.405; or**

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

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

14 **4. The charter school certificate of need application shall consist of a written**
15 **certification including, but not limited to, supporting documentation, submitted by the**
16 **governing board of the school district or the governing body of the city or county in**
17 **which the proposed charter school would be located, affirming that the following**
18 **conditions apply to the school district in which the proposed charter school would be**
19 **operated:**

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

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.

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

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

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

31 **(d) Result in a more efficient education service delivery system without**
32 **superfluous duplication of services;**

33 **(e) Limit the number of schooling disruptions faced by children and families;**
34 **and**

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

38 **5. The state board of education shall review each charter school certificate of**
39 **need application and either approve or disapprove each application within one hundred**
40 **twenty calendar days of receipt. If the board determines that the information provided**
41 **in the application is factual and based on sound data and reasoning, the board shall**
42 **consider the conditions of this subsection to be satisfied and the board shall approve**
43 **such application. If the board determines that the information provided in the**
44 **application is not factual and based on sound data and reasoning, the board shall**
45 **disapprove the application and provide to the applicant written documentation of the**
46 **reasons why the application was not approved.**

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