

MISSOURI SCHOOL ADMINISTRATORS COALITION

MEMORANDUM

TO: MEMBERS
FROM: MIKE LODEWEGEN
SUBJECT: SB 493 SUMMARY
DATE: FEBRUARY 28, 2014

SB 493 was passed out of the State Senate this week by a vote of 27-5. The vote capped nearly 12 hours of debate that saw over 20 amendments offered on the bill.

Accreditation

SB 493 requires DESE to develop a classification system for individual school buildings as well as school districts. (161.238)

SB 493 requires that the State Board of Education only accredit schools with the classifications of Accredited with Distinction, Accredited, Provisional, and Unaccredited. SB 493 prohibits the State Board of Education from classifying a school district as “Unaccredited” unless more than 55% of the school buildings within the district are classified as “Unaccredited”. (161.086)

The State Board of Education would be prohibited from lowering a school district’s accreditation level if the position on the State Board of Education that represents that school district is vacant. (161.084)

Transient Modifier

DESE is required to collect and publish the transient rate of each school building and school district as well as a transient rate for the entire state of Missouri. A transient student would be any student that has not been enrolled in a school district for more than 3 consecutive school years. (162.1303)

In addition to exempting students that enroll in a district after September 1st each year, DESE is also required to weight students’ performance measures on MSIP that have not been enrolled in a school district for three consecutive years. Performance scores for students that have not been enrolled for two consecutive years would be weighted at 30% for the districts performance on MSIP. Students that have been enrolled more than two years but less than three years would be weighted at 70%. (162.1303)

Missouri Association of School Administrators • Missouri Association of Elementary School Principals
Missouri Association Secondary School Principals • Missouri Association of School Business Officials
Missouri Council of Administrators of Special Education • Missouri Association of Rural Education
Missouri United School Insurance Council • Missouri State High School Activities Association
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Transfers

Regardless of the school district's overall accreditation level, any student that has attended an "Unaccredited" school building for at least one year may transfer to an accredited school within his or her school district of residence. If space does not exist within the district, students would be allowed to transfer to a non-sectarian private school within the school district. The school district would be required to pay the lesser of the district's non-resident tuition rate and the private school's tuition rate. The tuition for private school would be required to come from the school districts locally raised funds. (167.825)

If a student has attended an "Unaccredited" school building within an "Unaccredited" school district the student shall first have the right to transfer to an "Accredited" building within the district, if space does not exist in buildings within the district, the student would have the option of transferring to an "Accredited" school building within an "Accredited" school district or to a non-sectarian private school utilizing the same funding mechanism that is described in the above paragraph. (167.826.1)

No "Provisional" or "Unaccredited" district or school building is eligible to receive transfer students. (167.826.2)

Tuition Rate Calculation

If a district elects to charge less than 90% of full tuition, the state of Missouri must pay 10% of the district's tuition rate. The section is a funded mandate on the state of Missouri, meaning that the state is required to pay this cost to receiving districts. (167.826.4)

Districts that receive transfer students are able to set their own tuition rate so long that it does not exceed the district's cost of educating each grade level grouping within the district. If the receiving district elects to charge less than 70% of full tuition, the test scores of students that transfer into the district would not be counted for five years. If tuition were more than 70%, the transferring students' test scores would be counted with the district consistent with the "Transient Modifier" section of this document. (167.826.3)

Class Size Parameters

Each district in the state is able to adopt its own policy on desirable class size in relation to accepting transfer students. However, students that wish to transfer but are denied because of lack of space are allowed to appeal the district's decision to the State Board of Education to determine whether or not the policy is unduly restrictive. (167.826.5)

Transportation Costs

Districts are not required to provide transportation for students that wish to transfer to other districts or to private schools. (167.826.7)

Transfer Authorities & Transfer Process

SB 493 creates three Education Authorities throughout the state. One authority is dedicated to St. Louis and St. Louis County, the second is dedicated to Jackson County, and the third is a statewide

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entity. These authorities are responsible for managing transfers between school districts. (167.830-167.845)

Each district that is in a county or an adjoining county to an “Unaccredited” school district must report the number of available seats in each of the district’s grade levels. Parents eligible to transfer their students from one district to another must notify the Education Authority of their intent to do so by March 1st of the preceding school year. (167.827.1-3)

If enough seats were available, the authority would be required to give each student a choice of three accredited schools in which to transfer. Transfers are done on a first come, first serve basis. However, if sufficient enrollment slots are not available, the Education Authority is required to give preference to the lowest achieving students. Students unable to transfer would be given first preference the following year. (167.827.4)

Private School Accountability

SB 493 requires that for a non-sectarian private school to receive transfer students it must meet the following standards... (167.828)

1. The North Central Association Commission on Accreditation must accredit the private school.
2. The school is required to administer MAP tests but only to students that transfer from a public school.
3. The school must comply with health and safety laws that apply to non-public schools.
4. The school must hold a valid occupancy permit.
5. The school must file its intent to receive students with DESE.

Charter School Accountability & Accreditation

SB 493 requires that charter school sponsors be responsible for overseeing the closure of a charter school. If the charter school closes and there are financial commitments that are left unmet, the responsibility to fund those commitments lies with the charter school sponsor. (160.400)

SB 493 also creates a new accreditation system for charter schools in which the sponsor of the charter school is tasked with creating its own accreditation system. Further, SB 493 seeks to prevent DESE from closing or revoking a charter based on poor performance and instead allows DESE to act only if the general legalities of the charter are not met. (160.405)

SB 493 would allow for the immediate granting of a charter to a school if DESE does not act within sixty days of its application. If DESE does not act within sixty days of application, the State Board of Education would lose its ability to deny the charter and it would be immediately approved. (160.405)

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Ramifications for Drops in Accreditation

When a school building or a school district is classified as “Unaccredited” the school district is required to notify parents within seven business days of the change in accreditation and of the parents right to transfer their students from the school building or district. (162.1310.1)

Districts are required to adopt a policy to allow parents an opportunity for school personnel to visit the homes of students that attend “Provisional” or “Unaccredited” buildings. (162.130.2)

Retention & Personal Learning Plans

Except for the St. Louis and Kansas City Public School Districts, any school district that is classified as “Provisional” or “Unaccredited” is prohibited from promoting students from the fifth grade to the sixth grade or from eighth grade to the ninth grade if the student does not score proficient on MAP tests for both English Language Arts and Mathematics. (167.642)

The St. Louis and Kansas City School Districts are required to develop “personalized learning plans” for any student that does not read at grade level between kindergarten and third grade and requires those plans to continually be updated as long as students remain below grade level as they move through other grades. The bill prevents students from being promoted from second grade to third grade if the student is not reading at grade level unless the district gets the student to grade level in summer school or moves the same teacher along with the student from second to third grade, at which time the student would be retained in third grade if the student was not reading at a third grade level. A parent would be able to waive the retention of a student and allow their child to be promoted at any time. (167.730)

Students with an IEP or who are subject to Section 504 of the federal code are exempt from both of these requirements.

Free Tutoring

“Provisional” and “Unaccredited” school districts are required to offer free tutoring services to students that perform below grade level if there are donations from public or private donations available to the district. A state fund is created to collect these funds, which creates the possibility for future state appropriations to be sent to the fund for this purpose. (167.685)

It is unknown how many districts would take advantage of this or how much it would cost the state.

Extended Learning Fund

SB 493 authorizes any school district in the state to adopt a policy to increase the length of the school day by 10% for “Provisional” or “Unaccredited” school building that have a student population with 75% or more of its students on free and reduced lunch. Additionally, a new state fund is created that the General Assembly could appropriate money to in order to reimburse districts that adopt a policy to extend its school day. (171.031)

It is unknown how many districts would take advantage of this or how much it would cost the state.

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Hardship Transfers/Open Enrollment

SB 493 requires for the immediate granting of a hardship transfer to a student if the student lives more than seventeen miles away from his or her school building but lives within seven miles of a school building that the student would be eligible to attend in an adjoining school district. (167.121)

Boundary Changes

SB 493 also changes the way local effort is calculated in the foundation formula any time that one district receives part of another district through an annexation or attachment, particularly in an instance of a district becoming insolvent. For the purposes of calculating a district's state aid payment from the foundation formula, the bill would require that the new territory that is attached or annexed be assessed at the same rate that the existing district uses to calculate their "local effort" in the foundation formula. (162.432)

Other

SB 493 allows for two districts to share a superintendent without the approval of DESE. (168.205)