

HOUSE _____ AMENDMENT NO. ____

Offered By

1 AMEND House Committee Substitute for House Bill No. 473, Section 160.400, Page 3, Line 82,
2 by deleting the words “general assembly” and inserting in lieu thereof the following:

3 “joint committee on education” ; and

4
5 Further amend said section, Page 5, Line 130, by placing an opening bracket “[“ immediately
6 before the word “for” and a closing bracket “]” immediately after the word “year” ; and

7
8 Further amend said bill, page and section, Line 132, by inserting immediately after the first
9 instance of the word “school” the following:

10 “until the sponsor is reauthorized by the department pursuant to section 160.403” ; and

11
12 Further amend said bill, Page 7, Section 160.405, Line 34, by inserting immediately after the word
13 “settlements” the following:

14 “and procedures that ensure admission of students with disabilities in a nondiscriminatory
15 manner” ;and

16
17 Further amend said bill, page and section, Line 39, by deleting the second instance of the word
18 “and” ; and

19
20 Further amend said bill, page and section, Line 41, by inserting immediately after the figure
21 “160.400” the following:

22 “; and

23 (10) A description of the special education and related services that will be available to
24 meet the needs of students with disabilities” ; and

25
26 Further amend said bill, page and section, Line 45, by deleting “March thirty-first” and inserting
27 in lieu thereof the following:

28 “December first of the year” ; and

1 Further amend said bill and section, Page 8, Line 76, by deleting the word “disorders” and
2 inserting in lieu thereof the following;

3 “problems” ; and
4

5 Further amend said bill, section, and page, Lines 79 and 80, by deleting the following:

6 “is in need of low incident special education services,” ; and
7

8 Further amend said bill and section, Page 10, Lines 159 and 160, by deleting all of said lines and
9 inserting in lieu thereof the following:

10 “(7) [Assure that the needs of special education children are met in compliance] Comply
11 with all applicable federal and state laws and regulations regarding students with disabilities
12 including sections 162.670 to 162.710, the Individuals with Disabilities Education Act (20 U.S. C.
13 1400) and Section 504 of the Rehabilitation Act of 1973 (20 U.S.C. 794) or successor
14 legislation;” ; and
15

16 Further amend said bill and section, Page 12, Line 226, by deleting the words “January 1, 2012,”
17 and inserting in lieu thereof the following:

18 “August first” ; and
19

20 Further amend said bill, section and page, Lines 236 and 237, by deleting all of said lines and
21 inserting in lieu thereof the following:

22 “the persistently lowest achieving five percent of schools by using three years of Missouri
23 assessment program for communication arts and mathematics data; and” ; and
24

25 Further amend said bill, page and section, Lines 239 to 248 and Page 13, Lines 249 to 254, by
26 deleting all of said lines and inserting in lieu thereof the following:

27 “Missouri assessment program scores three out of the last four years.

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

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

35 (d) If compliance with all standards has not been achieved, the charter school and its
36 sponsor may file a statement no later than October thirty-first, stating the reasons why the charter

1 school should not be closed. If no such statement is filed, the charter school shall cease operation
2 at the end of the current academic year. If a statement is timely filed, the department of
3 elementary and secondary education shall hold a public hearing no later than January tenth to
4 determine if the charter should be renewed. The state board of education shall review the findings
5 from the hearing and shall vote no later than February twenty-eighth to continue the operation of
6 the charter school and may impose conditions on its continuing operation as specified in
7 subdivision (1) of subsection 8 of this section, or to close the charter school at the end of the
8 current academic year.

9 10. A charter school shall close at the end of the current academic year if any of the
10 following events takes place:” ; and

11
12 Further amend said bill, Section 160.415, Page 19, Line 83, by deleting all of said line; and

13
14 Further amend said bill, page and section, Line 85, by inserting immediately after the word
15 “years” the following:

16 “;

17 (5) Ensure that the lead administrator and the legal counsel of the charter school shall be
18 direct employees of the charter school governing board; and

19 (6) Provide a process to ensure that the expenditures that the educational service provider
20 intends to bill to the charter school shall receive prior approval of the governing board or its
21 designee” ; and

22
23 Further amend said bill, Section 160.415, Page 20, Line 118, by inserting after all of said line the
24 following:

25 “160.417. 1. By October 1, 2011, and by each October first thereafter, the department of
26 elementary and secondary education shall review the information submitted on the report required
27 by section 162.821 to identify charter schools experiencing financial stress. The department shall
28 be authorized to obtain such additional information from a charter school as may be necessary to
29 determine the financial condition of the charter school. Annually, a listing of charter schools
30 identified as experiencing financial stress according to the provisions of this section shall be
31 provided to the governor, speaker of the house, and president pro tem of the senate by the
32 department of elementary and secondary education.

33 2. For the purposes of this section, a charter school shall be identified as experiencing
34 financial stress if it:

35 (1) At the end of its most recently completed fiscal year:

36 (a) Has a negative balance in its operating funds; or

1 (b) Has a combined balance of less than three percent of the amount expended from such
2 funds during the previous fiscal year; or

3 (2) For the most recently completed fiscal year expenditures, exceeded receipts for any of
4 its funds because of recurring costs.

5 3. The department shall notify by November first the charter sponsor and the board of
6 directors of the charter school of any charter school identified as experiencing financial stress.
7 Upon receiving the notification, the charter sponsor shall develop, or cause to have developed,
8 and shall approve a budget and education plan on forms provided by the department. The budget
9 and education plan shall be submitted to the department, signed by the officers of the charter
10 school, within forty-five calendar days of notification that the charter school has been identified as
11 experiencing financial stress. Minimally, the budget and education plan shall:

12 (1) Give assurances that adequate educational services to students of the charter school
13 shall continue uninterrupted for the remainder of the current school year and that the charter
14 school can provide a minimum school term required by section 163.021;

15 (2) Outline a procedure to be followed by the charter school to report to charter school
16 patrons about the financial condition of the charter school; and

17 (3) Detail the expenditure reduction measures, revenue increases, or other actions to be
18 taken by the charter school to address its condition of financial stress.

19 4. Upon receipt and following review of any budget and education plan, the department
20 may make suggestions to improve the plan. Nothing in the law shall exempt a charter school from
21 submitting a budget and education plan to the department according to the provisions of the
22 section following each such notification that a charter school has been identified as experiencing
23 financial stress, except that the commissioner of elementary and secondary education may permit
24 a charter board to make amendments to or update a budget and education plan previously
25 submitted to the department.

26 5. The department may withhold any payment of financial aid otherwise due to the charter
27 school until such time as the charter school has fully complied with this section.” ; and

28
29 Further amend said bill by amending the title, enacting clause, and intersectional references
30 accordingly.