

# SENATE BILL NO. 177

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR NURRENBERN.

0421S.01H

KRISTINA MARTIN, Secretary

## 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  
2 one new section, to be known as section 160.426, to read as  
3 follows:

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

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

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

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

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

16 4. The charter school certificate of need application  
17 shall consist of a written certification, including  
18 supporting documentation, submitted by the governing board  
19 of the school district or the governing body of the city or

20 county in which the proposed charter school would be  
21 located, affirming that the following conditions apply to  
22 the school district in which the proposed charter school  
23 would be operated:

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

26 (2) The school district's attendance area contains  
27 sufficient economies of scale to ensure both an adequate  
28 supply of high quality teachers and a sufficient number of  
29 potential students in order for the proposed charter school  
30 to succeed without detrimentally impacting the school  
31 district's ability to provide a free public education for  
32 students who enroll in the school district. For purposes of  
33 this subdivision, "economies of scale" shall mean the  
34 capacity to reduce costs and increase efficiency as student  
35 enrollment numbers change; and

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

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

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

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

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

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

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

51           5. The state board of education shall review each  
52 charter school certificate of need application and either  
53 approve or disapprove each application within one hundred  
54 twenty calendar days of receipt. If the board determines  
55 that the information provided in the application is factual  
56 and based on sound data and reasoning, the board shall  
57 consider the conditions of this subsection to be satisfied,  
58 and the board shall approve such application. If the board  
59 determines that the information provided in the application  
60 is not factual and based on sound data and reasoning, the  
61 board shall disapprove the application and provide to the  
62 applicant written documentation of the reasons why the  
63 application was not approved.

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