

# SENATE BILL NO. 88

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR WEBBER.

0772S.01H

KRISTINA MARTIN, Secretary

## AN ACT

To repeal sections 160.400 and 160.415, RSMo, and to enact in lieu thereof two new sections relating to charter schools.

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

Section A. Sections 160.400 and 160.415, RSMo, are  
2 repealed and two new sections enacted in lieu thereof, to be  
3 known as sections 160.400 and 160.415, to read as follows:

160.400. 1. A charter school is an independent public  
2 school.

3 2. Except as further provided in subsection 4 of this  
4 section, charter schools may be operated only:

5 (1) In a metropolitan school district;

6 (2) In an urban school district containing most or all  
7 of a city with a population greater than three hundred fifty  
8 thousand inhabitants;

9 (3) In a school district that has been classified as  
10 unaccredited by the state board of education;

11 (4) In a school district that has been classified as  
12 provisionally accredited by the state board of education and  
13 has received scores on its annual performance report  
14 consistent with a classification of provisionally accredited  
15 or unaccredited for three consecutive school years beginning  
16 with the 2012-13 accreditation year under the following  
17 conditions:

**EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

18           (a) The eligibility for charter schools of any school  
19 district whose provisional accreditation is based in whole  
20 or in part on financial stress as defined in sections  
21 161.520 to 161.529, or on financial hardship as defined by  
22 rule of the state board of education, shall be decided by a  
23 vote of the state board of education during the third  
24 consecutive school year after the designation of provisional  
25 accreditation; and

26           (b) The sponsor is limited to the local school board  
27 or a sponsor who has met the standards of accountability and  
28 performance as determined by the department based on  
29 sections 160.400 to 160.425 and section 167.349 and properly  
30 promulgated rules of the department; **or**

31           (5) **[In a school district located within a county with**  
32 **more than one hundred fifty thousand but fewer than two**  
33 **hundred thousand inhabitants, provided that the provisions**  
34 **of subsections 15 to 18 of section 160.415 shall not apply**  
35 **to any charter school operated in such county; or**

36           **(6)]** In a school district that has been accredited  
37 without provisions, sponsored only by the local school  
38 board; provided that no board with a current year enrollment  
39 of one thousand five hundred fifty students or greater shall  
40 permit more than thirty-five percent of its student  
41 enrollment to enroll in charter schools sponsored by the  
42 local board under the authority of this subdivision, except  
43 that this restriction shall not apply to any school district  
44 that subsequently becomes eligible under subdivision (3) or  
45 (4) of this subsection or to any district accredited without  
46 provisions that sponsors charter schools prior to having a  
47 current year student enrollment of one thousand five hundred  
48 fifty students or greater.

49           3. Except as further provided in subsection 4 of this  
50 section, the following entities are eligible to sponsor  
51 charter schools:

52           (1) The school board of the district in any district  
53 which is sponsoring a charter school as of August 27, 2012,  
54 as permitted under subdivision (1) or (2) of subsection 2 of  
55 this section, the special administrative board of a  
56 metropolitan school district during any time in which powers  
57 granted to the district's board of education are vested in a  
58 special administrative board, or if the state board of  
59 education appoints a special administrative board to retain  
60 the authority granted to the board of education of an urban  
61 school district containing most or all of a city with a  
62 population greater than three hundred fifty thousand  
63 inhabitants, the special administrative board of such school  
64 district;

65           (2) A public four-year college or university with an  
66 approved teacher education program that meets regional or  
67 national standards of accreditation;

68           (3) A community college, the service area of which  
69 encompasses some portion of the district;

70           (4) Any private four-year college or university with  
71 an enrollment of at least one thousand students, with its  
72 primary campus in Missouri, and with an approved teacher  
73 preparation program;

74           (5) Any two-year private vocational or technical  
75 school designated as a 501(c)(3) nonprofit organization  
76 under the Internal Revenue Code of 1986, as amended, and  
77 accredited by the Higher Learning Commission, with its  
78 primary campus in Missouri;

79           (6) The Missouri charter public school commission  
80 created in section 160.425.

81           4. Changes in a school district's accreditation status  
82 that affect charter schools shall be addressed as follows,  
83 except for the districts described in subdivisions (1) and  
84 (2) of subsection 2 of this section:

85           (1) As a district transitions from unaccredited to  
86 provisionally accredited, the district shall continue to  
87 fall under the requirements for an unaccredited district  
88 until it achieves three consecutive full school years of  
89 provisional accreditation;

90           (2) As a district transitions from provisionally  
91 accredited to full accreditation, the district shall  
92 continue to fall under the requirements for a provisionally  
93 accredited district until it achieves three consecutive full  
94 school years of full accreditation;

95           (3) In any school district classified as unaccredited  
96 or provisionally accredited where a charter school is  
97 operating and is sponsored by an entity other than the local  
98 school board, when the school district becomes classified as  
99 accredited without provisions, a charter school may continue  
100 to be sponsored by the entity sponsoring it prior to the  
101 classification of accredited without provisions and shall  
102 not be limited to the local school board as a sponsor.

103 A charter school operating in a school district identified  
104 in subdivision (1) [ , (2) , or (5) ] **or (2)** of subsection 2 of  
105 this section may be sponsored by any of the entities  
106 identified in subsection 3 of this section, irrespective of  
107 the accreditation classification of the district in which it  
108 is located. A charter school in a district described in  
109 this subsection whose charter provides for the addition of  
110 grade levels in subsequent years may continue to add levels  
111 until the planned expansion is complete to the extent of

112 grade levels in comparable schools of the district in which  
113 the charter school is operated.

114 5. The mayor of a city not within a county may request  
115 a sponsor under subdivision (2), (3), (4), (5), or (6) of  
116 subsection 3 of this section to consider sponsoring a  
117 "workplace charter school", which is defined for purposes of  
118 sections 160.400 to 160.425 as a charter school with the  
119 ability to target prospective students whose parent or  
120 parents are employed in a business district, as defined in  
121 the charter, which is located in the city.

122 6. No sponsor shall receive from an applicant for a  
123 charter school any fee of any type for the consideration of  
124 a charter, nor may a sponsor condition its consideration of  
125 a charter on the promise of future payment of any kind.

126 7. The charter school shall be organized as a Missouri  
127 nonprofit corporation incorporated pursuant to chapter 355.  
128 The charter provided for herein shall constitute a contract  
129 between the sponsor and the charter school.

130 8. As a nonprofit corporation incorporated pursuant to  
131 chapter 355, the charter school shall select the method for  
132 election of officers pursuant to section 355.326 based on  
133 the class of corporation selected. Meetings of the  
134 governing board of the charter school shall be subject to  
135 the provisions of sections 610.010 to 610.030.

136 9. A sponsor of a charter school, its agents and  
137 employees are not liable for any acts or omissions of a  
138 charter school that it sponsors, including acts or omissions  
139 relating to the charter submitted by the charter school, the  
140 operation of the charter school and the performance of the  
141 charter school.

142 10. A charter school may affiliate with a four-year  
143 college or university, including a private college or

144 university, or a community college as otherwise specified in  
145 subsection 3 of this section when its charter is granted by  
146 a sponsor other than such college, university or community  
147 college. Affiliation status recognizes a relationship  
148 between the charter school and the college or university for  
149 purposes of teacher training and staff development,  
150 curriculum and assessment development, use of physical  
151 facilities owned by or rented on behalf of the college or  
152 university, and other similar purposes. A university,  
153 college or community college may not charge or accept a fee  
154 for affiliation status.

155       11. The expenses associated with sponsorship of  
156 charter schools shall be defrayed by the department of  
157 elementary and secondary education retaining one and five-  
158 tenths percent of the amount of state and local funding  
159 allocated to the charter school under section 160.415, not  
160 to exceed one hundred twenty-five thousand dollars, adjusted  
161 for inflation. The department of elementary and secondary  
162 education shall remit the retained funds for each charter  
163 school to the school's sponsor, provided the sponsor remains  
164 in good standing by fulfilling its sponsorship obligations  
165 under sections 160.400 to 160.425 and 167.349 with regard to  
166 each charter school it sponsors, including appropriate  
167 demonstration of the following:

168       (1) Expends no less than ninety percent of its charter  
169 school sponsorship funds in support of its charter school  
170 sponsorship program, or as a direct investment in the  
171 sponsored schools;

172       (2) Maintains a comprehensive application process that  
173 follows fair procedures and rigorous criteria and grants  
174 charters only to those developers who demonstrate strong

175 capacity for establishing and operating a quality charter  
176 school;

177 (3) Negotiates contracts with charter schools that  
178 clearly articulate the rights and responsibilities of each  
179 party regarding school autonomy, expected outcomes, measures  
180 for evaluating success or failure, performance consequences  
181 based on the annual performance report, and other material  
182 terms;

183 (4) Conducts contract oversight that evaluates  
184 performance, monitors compliance, informs intervention and  
185 renewal decisions, and ensures autonomy provided under  
186 applicable law; and

187 (5) Designs and implements a transparent and rigorous  
188 process that uses comprehensive data to make merit-based  
189 renewal decisions.

190 12. Sponsors receiving funds under subsection 11 of  
191 this section shall be required to submit annual reports to  
192 the joint committee on education demonstrating they are in  
193 compliance with subsection 17 of this section.

194 13. No university, college or community college shall  
195 grant a charter to a nonprofit corporation if an employee of  
196 the university, college or community college is a member of  
197 the corporation's board of directors.

198 14. No sponsor shall grant a charter under sections  
199 160.400 to 160.425 and 167.349 without ensuring that a  
200 criminal background check and family care safety registry  
201 check are conducted for all members of the governing board  
202 of the charter schools or the incorporators of the charter  
203 school if initial directors are not named in the articles of  
204 incorporation, nor shall a sponsor renew a charter without  
205 ensuring a criminal background check and family care safety

206 registry check are conducted for each member of the  
207 governing board of the charter school.

208         15. No member of the governing board of a charter  
209 school shall hold any office or employment from the board or  
210 the charter school while serving as a member, nor shall the  
211 member have any substantial interest, as defined in section  
212 105.450, in any entity employed by or contracting with the  
213 board. No board member shall be an employee of a company  
214 that provides substantial services to the charter school.  
215 All members of the governing board of the charter school  
216 shall be considered decision-making public servants as  
217 defined in section 105.450 for the purposes of the financial  
218 disclosure requirements contained in sections 105.483,  
219 105.485, 105.487, and 105.489.

220         16. A sponsor shall develop the policies and  
221 procedures for:

222             (1) The review of a charter school proposal including  
223 an application that provides sufficient information for  
224 rigorous evaluation of the proposed charter and provides  
225 clear documentation that the education program and academic  
226 program are aligned with the state standards and grade-level  
227 expectations, and provides clear documentation of effective  
228 governance and management structures, and a sustainable  
229 operational plan;

230             (2) The granting of a charter;

231             (3) The performance contract that the sponsor will use  
232 to evaluate the performance of charter schools. Charter  
233 schools shall meet current state academic performance  
234 standards as well as other standards agreed upon by the  
235 sponsor and the charter school in the performance contract;

236             (4) The sponsor's intervention, renewal, and  
237 revocation policies, including the conditions under which



238 the charter sponsor may intervene in the operation of the  
239 charter school, along with actions and consequences that may  
240 ensue, and the conditions for renewal of the charter at the  
241 end of the term, consistent with subsections 8 and 9 of  
242 section 160.405;

243 (5) Additional criteria that the sponsor will use for  
244 ongoing oversight of the charter; and

245 (6) Procedures to be implemented if a charter school  
246 should close, consistent with the provisions of subdivision  
247 (15) of subsection 1 of section 160.405.

248 The department shall provide guidance to sponsors in  
249 developing such policies and procedures.

250 17. (1) A sponsor shall provide timely submission to  
251 the state board of education of all data necessary to  
252 demonstrate that the sponsor is in material compliance with  
253 all requirements of sections 160.400 to 160.425 and section  
254 167.349. The state board of education shall ensure each  
255 sponsor is in compliance with all requirements under  
256 sections 160.400 to 160.425 and 167.349 for each charter  
257 school sponsored by any sponsor. The state board shall  
258 notify each sponsor of the standards for sponsorship of  
259 charter schools, delineating both what is mandated by  
260 statute and what best practices dictate. The state board  
261 shall evaluate sponsors to determine compliance with these  
262 standards every three years. The evaluation shall include a  
263 sponsor's policies and procedures in the areas of charter  
264 application approval; required charter agreement terms and  
265 content; sponsor performance evaluation and compliance  
266 monitoring; and charter renewal, intervention, and  
267 revocation decisions. Nothing shall preclude the department  
268 from undertaking an evaluation at any time for cause.

269           (2) If the department determines that a sponsor is in  
270 material noncompliance with its sponsorship duties, the  
271 sponsor shall be notified and given reasonable time for  
272 remediation. If remediation does not address the compliance  
273 issues identified by the department, the commissioner of  
274 education shall conduct a public hearing and thereafter  
275 provide notice to the charter sponsor of corrective action  
276 that will be recommended to the state board of education.  
277 Corrective action by the department may include withholding  
278 the sponsor's funding and suspending the sponsor's authority  
279 to sponsor a school that it currently sponsors or to sponsor  
280 any additional school until the sponsor is reauthorized by  
281 the state board of education under section 160.403.

282           (3) The charter sponsor may, within thirty days of  
283 receipt of the notice of the commissioner's recommendation,  
284 provide a written statement and other documentation to show  
285 cause as to why that action should not be taken. Final  
286 determination of corrective action shall be determined by  
287 the state board of education based upon a review of the  
288 documentation submitted to the department and the charter  
289 sponsor.

290           (4) If the state board removes the authority to  
291 sponsor a currently operating charter school under any  
292 provision of law, the Missouri charter public school  
293 commission shall become the sponsor of the school.

294           18. If a sponsor notifies a charter school of closure  
295 under subsection 8 of section 160.405, the department of  
296 elementary and secondary education shall exercise its  
297 financial withholding authority under subsection 12 of  
298 section 160.415 to assure all obligations of the charter  
299 school shall be met. The state, charter sponsor, or

300 resident district shall not be liable for any outstanding  
301 liability or obligations of the charter school.

160.415. 1. For the purposes of calculation and  
2 distribution of state school aid under section 163.031,  
3 pupils enrolled in a charter school shall be included in the  
4 pupil enrollment of the school district within which each  
5 pupil resides. Each charter school shall report the  
6 eligibility for free and reduced price lunch, special  
7 education, or limited English proficiency status, as well as  
8 eligibility for categorical aid, of pupils resident in a  
9 school district who are enrolled in the charter school to  
10 the school district in which those pupils reside. The  
11 charter school shall report the average daily attendance  
12 data, free and reduced price lunch count, special education  
13 pupil count, and limited English proficiency pupil count to  
14 the state department of elementary and secondary education.  
15 Each charter school shall promptly notify the state  
16 department of elementary and secondary education and the  
17 pupil's school district when a pupil discontinues enrollment  
18 at a charter school.

19 2. Except as provided in subsections 3 and 4 of this  
20 section, the aid payments for charter schools shall be as  
21 described in this subsection.

22 (1) A school district having one or more resident  
23 pupils attending a charter school shall pay to the charter  
24 school an annual amount equal to the product of the charter  
25 school's weighted average daily attendance and the state  
26 adequacy target, multiplied by the dollar value modifier for  
27 the district, plus local tax revenues per weighted average  
28 daily attendance from the incidental and teachers' funds in  
29 excess of the performance levy as defined in section 163.011  
30 plus all other state aid attributable to such pupils.

31           (2) The district of residence of a pupil attending a  
32 charter school shall also pay to the charter school any  
33 other federal or state aid that the district receives on  
34 account of such pupil.

35           (3) If the department overpays or underpays the amount  
36 due to the charter school, such overpayment or underpayment  
37 shall be repaid by the charter school or credited to the  
38 charter school in twelve equal payments in the next fiscal  
39 year.

40           (4) The amounts provided pursuant to this subsection  
41 shall be prorated for partial year enrollment for a pupil.

42           (5) A school district shall pay the amounts due  
43 pursuant to this subsection as the disbursal agent and no  
44 later than twenty days following the receipt of any such  
45 funds. The department of elementary and secondary education  
46 shall pay the amounts due when it acts as the disbursal  
47 agent within five days of the required due date.

48           3. A workplace charter school shall receive payment  
49 for each eligible pupil as provided under subsection 2 of  
50 this section, except that if the pupil is not a resident of  
51 the district and is participating in a voluntary  
52 interdistrict transfer program, the payment for such pupils  
53 shall be the same as provided under section 162.1060.

54           4. A charter school that has declared itself as a  
55 local educational agency shall receive from the department  
56 of elementary and secondary education an annual amount equal  
57 to the product of the charter school's weighted average  
58 daily attendance and the state adequacy target, multiplied  
59 by the dollar value modifier for the district, plus local  
60 tax revenues per weighted average daily attendance from the  
61 incidental and teachers funds in excess of the performance  
62 levy as defined in section 163.011 plus all other state aid

63 attributable to such pupils. If a charter school declares  
64 itself as a local educational agency, the department of  
65 elementary and secondary education shall, upon notice of the  
66 declaration, reduce the payment made to the school district  
67 by the amount specified in this subsection and pay directly  
68 to the charter school the annual amount reduced from the  
69 school district's payment.

70         5. If a school district fails to make timely payments  
71 of any amount for which it is the disbursal agent, the state  
72 department of elementary and secondary education shall  
73 authorize payment to the charter school of the amount due  
74 pursuant to subsection 2 of this section and shall deduct  
75 the same amount from the next state school aid apportionment  
76 to the owing school district. If a charter school is paid  
77 more or less than the amounts due pursuant to this section,  
78 the amount of overpayment or underpayment shall be adjusted  
79 equally in the next twelve payments by the school district  
80 or the department of elementary and secondary education, as  
81 appropriate. Any dispute between the school district and a  
82 charter school as to the amount owing to the charter school  
83 shall be resolved by the department of elementary and  
84 secondary education, and the department's decision shall be  
85 the final administrative action for the purposes of review  
86 pursuant to chapter 536. During the period of dispute, the  
87 department of elementary and secondary education shall make  
88 every administrative and statutory effort to allow the  
89 continued education of students in their current charter  
90 school setting.

91         6. The charter school and a local school board may  
92 agree by contract for services to be provided by the school  
93 district to the charter school. The charter school may  
94 contract with any other entity for services. Such services

95 may include but are not limited to food service, custodial  
96 service, maintenance, management assistance, curriculum  
97 assistance, media services and libraries and shall be  
98 subject to negotiation between the charter school and the  
99 local school board or other entity. Documented actual costs  
100 of such services shall be paid for by the charter school.

101 7. In the case of a proposed charter school that  
102 intends to contract with an education service provider for  
103 substantial educational services or management services, the  
104 request for proposals shall additionally require the charter  
105 school applicant to:

106 (1) Provide evidence of the education service  
107 provider's success in serving student populations similar to  
108 the targeted population, including demonstrated academic  
109 achievement as well as successful management of nonacademic  
110 school functions, if applicable;

111 (2) Provide a term sheet setting forth the proposed  
112 duration of the service contract; roles and responsibilities  
113 of the governing board, the school staff, and the service  
114 provider; scope of services and resources to be provided by  
115 the service provider; performance evaluation measures and  
116 time lines; compensation structure, including clear  
117 identification of all fees to be paid to the service  
118 provider; methods of contract oversight and enforcement;  
119 investment disclosure; and conditions for renewal and  
120 termination of the contract;

121 (3) Disclose any known conflicts of interest between  
122 the school governing board and proposed service provider or  
123 any affiliated business entities;

124 (4) Disclose and explain any termination or nonrenewal  
125 of contracts for equivalent services for any other charter  
126 school in the United States within the past five years;

127           (5) Ensure that the legal counsel for the charter  
128 school shall report directly to the charter school's  
129 governing board; and

130           (6) Provide a process to ensure that the expenditures  
131 that the education service provider intends to bill to the  
132 charter school shall receive prior approval of the governing  
133 board or its designee.

134           8. A charter school may enter into contracts with  
135 community partnerships and state agencies acting in  
136 collaboration with such partnerships that provide services  
137 to students and their families linked to the school.

138           9. A charter school shall be eligible for  
139 transportation state aid pursuant to section 163.161 and  
140 shall be free to contract with the local district, or any  
141 other entity, for the provision of transportation to the  
142 students of the charter school.

143           10. (1) The proportionate share of state and federal  
144 resources generated by students with disabilities or staff  
145 serving them shall be paid in full to charter schools  
146 enrolling those students by their school district where such  
147 enrollment is through a contract for services described in  
148 this section. The proportionate share of money generated  
149 under other federal or state categorical aid programs shall  
150 be directed to charter schools serving such students  
151 eligible for that aid.

152           (2) A charter school shall provide the special  
153 services provided pursuant to section 162.705 and may  
154 provide the special services pursuant to a contract with a  
155 school district or any provider of such services.

156           11. A charter school shall not charge tuition or  
157 impose fees that a school district is prohibited from  
158 charging or imposing, except that a charter school may

159 receive tuition payments from districts in the same or an  
160 adjoining county for nonresident students who transfer to an  
161 approved charter school, as defined in section 167.895, from  
162 an unaccredited district.

163 12. A charter school is authorized to incur debt in  
164 anticipation of receipt of funds. A charter school may also  
165 borrow to finance facilities and other capital items. A  
166 school district may incur bonded indebtedness or take other  
167 measures to provide for physical facilities and other  
168 capital items for charter schools that it sponsors or  
169 contracts with. Except as otherwise specifically provided  
170 in sections 160.400 to 160.425, upon the dissolution of a  
171 charter school, any liabilities of the corporation will be  
172 satisfied through the procedures of chapter 355. A charter  
173 school shall satisfy all its financial obligations within  
174 twelve months of notice from the sponsor of the charter  
175 school's closure under subsection 8 of section 160.405.  
176 After satisfaction of all its financial obligations, a  
177 charter school shall return any remaining state and federal  
178 funds to the department of elementary and secondary  
179 education for disposition as stated in subdivision (17) of  
180 subsection 1 of section 160.405. The department of  
181 elementary and secondary education may withhold funding at a  
182 level the department determines to be adequate during a  
183 school's last year of operation until the department  
184 determines that school records, liabilities, and reporting  
185 requirements, including a full audit, are satisfied.

186 13. Charter schools shall not have the power to  
187 acquire property by eminent domain.

188 14. The governing board of a charter school is  
189 authorized to accept grants, gifts or donations of any kind  
190 and to expend or use such grants, gifts or donations. A



191 grant, gift or donation shall not be accepted by the  
192 governing board if it is subject to any condition contrary  
193 to law applicable to the charter school or other public  
194 schools, or contrary to the terms of the charter.

195 15. In addition to any state aid remitted to charter  
196 schools under this section, the department of elementary and  
197 secondary education shall remit to any charter school an  
198 amount equal to the weighted average daily attendance of the  
199 charter school multiplied by the difference of:

200 (1) The amount of state aid and local aid per weighted  
201 average daily attendance received by the school district in  
202 which the charter school is located, not including any funds  
203 remitted to charter schools in the district. For the  
204 purposes of this subdivision, the weighted average daily  
205 attendance of the school district shall not include the  
206 weighted average daily attendance of the charter schools  
207 located in the district; and

208 (2) The amount of state aid and local aid per weighted  
209 average daily attendance of the charter school received by  
210 the charter school.

211 16. Charter schools may adjust weighted average daily  
212 attendance pursuant to section 163.036.

213 17. When calculating the amounts in subdivisions (1)  
214 and (2) of subsection 15 of this section, the department  
215 shall utilize the most current data to which the department  
216 has access.

217 18. For the purposes of subsection 15 of this section:

218 (1) The definitions contained in section 163.011,  
219 shall apply;

220 (2) The term "local aid" shall mean all local and  
221 county revenue received, including, but not limited to, the  
222 following:

223 (a) Property taxes and delinquent taxes;  
224 (b) Merchants' and manufacturers' tax revenues;  
225 (c) Financial institutions' tax revenues;  
226 (d) City sales tax revenue, including city sales tax  
227 collected in any city not within a county;  
228 (e) Payments in lieu of taxes; and  
229 (f) Revenues from state-assessed railroad and  
230 utilities tax;

231 (3) The term local aid shall not be construed to  
232 include:

233 (a) Charitable contributions, gifts, and grants made  
234 to school districts;

235 (b) Interest earnings of school districts and student  
236 fees paid to school districts;

237 (c) Debt service authorized by a public vote for the  
238 purpose of making payments on a bond issuance of a school  
239 district;

240 (d) Proposition C revenues received for school  
241 purposes from the school district trust fund under section  
242 163.087; or

243 (e) Any other funding solely intended for a particular  
244 school district or their respective employees, schools,  
245 foundations, or organizations;

246 (4) The term "state aid" shall mean any revenues  
247 received pursuant to this section and sections 163.043 and  
248 163.087.

249 19. Notwithstanding any other provision of law to the  
250 contrary, subsections 15 to 18 of this section shall be  
251 applicable to charter schools operated only in the following  
252 school districts[, provided that no such school district  
253 shall be located in a county with more than one hundred

254 fifty thousand but fewer than two hundred thousand  
255 inhabitants]:

256 (1) In a metropolitan school district;

257 (2) In an urban school district containing most or all  
258 of a city with more than four hundred thousand inhabitants  
259 and located in more than one county;

260 (3) In a school district that has been classified as  
261 unaccredited by the state board of education;

262 (4) In a school district that has been classified as  
263 provisionally accredited by the state board of education and  
264 has received scores on its annual performance report  
265 consistent with a classification of provisionally accredited  
266 or unaccredited for three consecutive school years beginning  
267 with the 2012-13 accreditation year under the conditions  
268 described in paragraphs (a) and (b) of subdivision (4) of  
269 subsection 2 of section 160.400; or

270 (5) In a school district that has been accredited  
271 without provisions, sponsored only by the local school board  
272 under the conditions described in subdivision (6) of  
273 subsection 2 of section 160.400.

274 20. (1) The members of the governing board of a  
275 charter school shall be residents of the state of Missouri.

276 (2) Any current member of a governing board of a  
277 charter school who does not meet the requirements in  
278 subdivision (1) of this subsection may complete their term.  
279 Such individual shall not be renominated as a member of the  
280 governing board on which he or she sits.

281 21. (1) Any charter school management company  
282 operating a charter school in the state shall be a nonprofit  
283 corporation incorporated pursuant to chapter 355.

284 (2) Notwithstanding any provision of law to the  
285 contrary, if a charter school is operated by a charter

286 school management company, all laws and regulations that  
287 apply to employees of such charter school shall apply to the  
288 actions of any employees of the management company while  
289 they are conducting any work relating to the direct decision-  
290 making of the operation of such charter school.

291         22. Beginning July 1, 2023, the provisions of section  
292 160.995 shall be applicable to charter schools.

293         23. Each charter school shall publish its annual  
294 performance report on the school's website in a downloadable  
295 format.

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