AN ACT

To repeal sections 160.400 and 160.425, RSMo, and to enact in lieu thereof eight new sections relating to school turnaround models to transform public schools designated in the lowest performing twenty percent of schools in the state.

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

Section A. Sections 160.400 and 160.425, RSMo, are repealed and eight new sections enacted in lieu thereof, to be known as sections 160.400, 160.425, 160.2200, 160.2205, 160.2210, 160.2215, 160.2217, and 160.2220, to read as follows:

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

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

(1) In a metropolitan school district;

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

(3) In a school district that has been declared unaccredited;

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

(a) The eligibility for charter schools of any school district whose provisional accreditation is based in whole or in part on financial stress as defined in sections 161.520 to 161.529, or on financial hardship as defined by rule of the state board of education, shall be decided by a vote of the state board of

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.
education during the third consecutive school year after the designation of provisional accreditation; and

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

(5) In a school district that has been accredited without provisions, sponsored only by the local school board; provided that no board with a current year enrollment of one thousand five hundred fifty students or greater shall permit more than thirty-five percent of its student enrollment to enroll in charter schools sponsored by the local board under the authority of this subdivision, except that this restriction shall not apply to any school district that subsequently becomes eligible under subdivision (3) or (4) of this subsection or to any district accredited without provisions that sponsors charter schools prior to having a current year student enrollment of one thousand five hundred fifty students or greater; or

(6) At a school site located in any school district that parents and legal guardians have successfully petitioned to convert to a charter school under sections 160.2200 to 160.2220 or at a school site that is converted to a charter school after the school has failed to show significant student academic growth from the use of a school turnaround option under sections 160.2200 to 160.2220, as demonstrated by failing to be in the top eighty percent of schools identified through the Missouri school improvement program.

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

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

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

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

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

(5) Any two-year private vocational or technical school designated as a 501(c)(3) nonprofit organization under the Internal Revenue Code of 1986, as amended, which is a member of the North Central Association and accredited by the Higher Learning Commission, with its primary campus in Missouri; or

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

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

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

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

(3) In any school district classified as unaccredited or provisionally accredited where a charter school is operating and is sponsored by an entity other than the local school board, when the school district becomes classified as accredited without provisions, a charter school may continue to be sponsored by the entity sponsoring it prior to the classification of accredited without provisions and shall not be limited to the local school board as a sponsor. A charter school operating in a school district identified in subdivision (1) or (2) of subsection 2 of this section may be sponsored by any of the entities identified in subsection 3 of this section, irrespective of the accreditation classification of the district in which it is located. A charter school in a district described in this subsection whose charter provides for the addition of grade levels in subsequent years may continue to add levels until the planned expansion is complete to the extent of grade levels in comparable schools of the district in which the charter school is operated.
5. The mayor of a city not within a county may request a sponsor under subdivision (2), (3), (4), (5), or (6) of subsection 3 of this section to consider sponsoring a "workplace charter school", which is defined for purposes of sections 160.400 to 160.425 as a charter school with the ability to target prospective students whose parent or parents are employed in a business district, as defined in the charter, which is located in the city.

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

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

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

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

10. A charter school may affiliate with a four-year college or university, including a private college or university, or a community college as otherwise specified in subsection 3 of this section when its charter is granted by a sponsor other than such college, university or community college. Affiliation status recognizes a relationship between the charter school and the college or university for purposes of teacher training and staff development, curriculum and assessment development, use of physical facilities owned by or rented on behalf of the college or university, and other similar purposes. A university, college or community college may not charge or accept a fee for affiliation status.

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

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

(2) Maintains a comprehensive application process that follows fair procedures and rigorous criteria and grants charters only to those developers who demonstrate strong capacity for establishing and operating a quality charter school;

(3) Negotiates contracts with charter schools that clearly articulate the rights and responsibilities of each party regarding school autonomy, expected outcomes, measures for evaluating success or failure, performance consequences, and other material terms;

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

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

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

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

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

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

16. A sponsor shall develop the policies and procedures for:
   (1) The review of a charter school proposal including an application that
       provides sufficient information for rigorous evaluation of the proposed charter and
       provides clear documentation that the education program and academic program
       are aligned with the state standards and grade-level expectations, and provides
       clear documentation of effective governance and management structures, and a
       sustainable operational plan;
   (2) The granting of a charter;
   (3) The performance framework that the sponsor will use to evaluate the
       performance of charter schools;
   (4) The sponsor's intervention, renewal, and revocation policies, including
       the conditions under which the charter sponsor may intervene in the operation
       of the charter school, along with actions and consequences that may ensue, and
       the conditions for renewal of the charter at the end of the term, consistent with
       subsections 8 and 9 of section 160.405;
   (5) Additional criteria that the sponsor will use for ongoing oversight of
       the charter; and
   (6) Procedures to be implemented if a charter school should close,
       consistent with the provisions of subdivision (15) of subsection 1 of section
       160.405. The department shall provide guidance to sponsors in developing such
       policies and procedures.

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

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

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

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

160.425. 1. The "Missouri Charter Public School Commission" is hereby created with the authority to sponsor high quality charter schools throughout the state of Missouri.

2. The commission shall consist of nine members appointed by the governor, by and with the advice and consent of the senate. No more than five of the members shall be of the same political party. No more than two members shall be from the same congressional district. The term of office of each member shall be four years, except those of the members first appointed, of which three shall be appointed for a term of one year, two for a term of two years, two for a term of three years, and two for a term of four years. At the expiration of the term of each member, the governor, by and with the advice and consent of the senate, shall appoint a successor.
3. The appointees to the commission shall be selected as follows:
   (1) One member selected by the governor from a slate of three
       recommended by the commissioner of education;
   (2) One member selected by the governor from a slate of three
       recommended by the commissioner of higher education;
   (3) One member selected by the governor from a slate of three
       recommended by the president pro tempore of the senate;
   (4) One member selected by the governor from a slate of three
       recommended by the speaker of the house of representatives; and
   (5) Five additional members appointed by the governor, one of whom shall
       be selected from a slate of three nominees recommended by the Missouri School
       Boards Association.

4. Members appointed to the commission shall collectively possess strong
   experience and expertise in governance, management and finance, school
   leadership, assessment, curriculum and instruction, and education law. All
   members of the commission shall have demonstrated understanding of and
   commitment to charter schooling as a strategy for strengthening public education.

5. The commission shall annually elect a chairperson and vice
   chairperson, who shall act as chairperson in his or her absence. The commission
   shall meet at the call of the chairperson. The chairperson may call meetings at
   such times as he or she deems advisable and shall call a meeting when requested
   to do so by three or more members of the commission. Members of the
   commission are not eligible to receive compensation.

6. The commission may approve proposed charters for its sponsorship
   under sections 160.400 to 160.425 and shall:
   (1) Comply with all of the requirements applicable to sponsors under
       sections 160.400 to 160.425;
   (2) Exercise sponsorship over charters approved by the commission under
       sections 160.400 to 160.425, including receipt of sponsorship funding under
       subsection 11 of section 160.400.

7. The commission shall serve as the interim sponsor, for a
   period not to exceed three years, of any charter school that:
   (1) The parents successfully petitioned to convert to a charter
       school under sections 160.2200 to 160.2220; or
   (2) Was converted to a charter school after the school failed to
       show significant student academic growth from the use of a school
turnaround option under sections 160.2200 to 160.2220, as demonstrated by failing to be in the top eighty percent of schools identified through the Missouri school improvement program.

During the three year period of interim sponsorship, the commission shall seek a sponsor to assume sponsorship for the school or may choose to be the permanent sponsor of the school.

8. Charter schools sponsored by the commission shall comply with all of the requirements applicable to charter schools under sections 160.400 to 160.425.

[8.] 9. The commission shall conduct its business in accordance with chapter 610.

[9.] 10. The department of elementary and secondary education shall provide start-up funding for the commission to operate. The commission shall reimburse the department's costs from any funds it receives as sponsor under section 160.400.

[10.] 11. The commission is authorized to receive and expend gifts, grants, and donations of any kind from any public or private entity to carry out the purposes of sections 160.400 to 160.425, subject to the terms and conditions under which they are given, provided that all such terms and conditions are permissible under law.

160.2200. 1. Sections 160.2200 to 160.2220 shall be known and may be cited as the Parental Involvement Act.

2. As used in sections 160.2200 to 160.2220, unless the context clearly requires otherwise, the following terms shall mean:

(1) "Charter school management organization", a nonprofit organization that operates or manages charter schools by centralizing or sharing certain functions and resources among schools;

(2) "Department", the department of elementary and secondary education;

(3) "Education management organization", a for-profit or nonprofit organization that provides whole-school operation services to a district;

(4) "Restart model", a model in which a district converts a school or closes and reopens a school using a charter school operator, a charter school management organization, or an education management organization that has been selected through a rigorous review process. Any school in which a restart model is used shall enroll,
within the grades it serves, any former student who wishes to attend
the school;

(5) "School closure model", a model in which a district closes a
school and enrolls the students who attended that school in other
schools in the district that are higher achieving and that should be
located within a reasonable proximity to the closed school. Students
may enroll in schools that include, but are not limited to, charter
schools or new schools for which achievement data are not yet
available;

(6) "School turnaround option", when used alone, shall refer to
a restart model, a school closure model, a transformation model, and a
turnaround model;

(7) "Student academic growth", the change in achievement for an
individual student between two or more points in time based on
standards-based measures that are valid, rigorous, and comparable
across classrooms of similar content and levels;

(8) "Transformation model", a model in which a district shall
implement each of the following actions:

(a) The district develops and increases teacher and school leader
effectiveness through required activities. To accomplish this action,
the district shall:

   a. Replace the principal who led the school prior to
      commencement of the transformation model;

   b. Use rigorous, transparent, and equitable evaluation systems
      for teachers and principals that take into account data on student
      academic growth, as defined in this section, as a significant factor as
      well as other factors such as multiple observation-based assessments of
      performance and ongoing collections of professional practice reflective
      of student achievement and increased high school graduation rates and
      that are designed and developed with teacher and principal
      involvement;

   c. Identify and reward school leaders, teachers, and other staff
      who, in implementing this model, have increased student achievement
      and high school graduation rates and identify and remove those who,
      after ample opportunities have been provided for them to improve their
      professional practice, have not done so; and

   d. Provide staff with ongoing, high-quality, job-embedded
professional development, including but not limited to specific subject pedagogy, instruction that reflects a deeper understanding of the community served by the school or differentiated instruction that is aligned with the school's comprehensive instructional program and designed with school staff to ensure they are equipped to facilitate effective teaching and learning and have the capacity to successfully implement school reform strategies;

(b) The district implements strategies, which may include but not be limited to financial incentives, increased opportunities for promotion and career growth, and flexible work conditions that are designed to recruit, place, and retain staff with the skills necessary to meet the needs of the students in a transformation school;

(c) The district implements comprehensive instructional reform strategies, which shall include:

a. The use of data to identify and implement an instructional program that is research-based and vertically aligned from one grade to the next as well as aligned with state academic standards; and

b. The promotion of the continuous use of student data to inform and differentiate instruction in order to meet the academic needs of individual students. Student data may be obtained from the use of formative, interim, and summative assessments;

(d) Increases learning time and creates community-oriented schools by:

a. Establishing schedules and implementing strategies that provide increased and extended learning time and opportunities; and

b. Provides ongoing mechanisms for family and community engagement; and

(e) Provides operational flexibility and sustained support by:

a. Giving the school sufficient operational flexibility to fully implement a comprehensive approach to substantially improve student achievement outcomes and increase high school graduation rates. Operational flexibility shall include, but not be limited to, staffing decisions at the school, changes in school calendars and attendance time, and budgeting; and

b. Ensuring that the school receives ongoing, intensive technical assistance and related support from the district, the department, or a designated external lead partner organization, such as a school
(8) "Turnaround model", a model in which a district performs the following actions:

(a) Replaces the principal and grants a new principal sufficient operational flexibility to implement a comprehensive approach in order to substantially improve student achievement outcomes and increase high school graduation rates. Operational flexibility shall include, but not be limited to, staffing decisions at the school, changes in school calendars and attendance time, and budgeting;

(b) Uses locally adopted competencies to measure the effectiveness of staff who can work within the turnaround environment to meet the needs of students, screen all existing staff and rehire no more than fifty percent of existing staff, and select new staff;

(c) Implements such strategies as financial incentives, increased opportunities for promotion and career growth, and more flexible work conditions that are designed to recruit, place, and retain staff with the skills necessary to meet the needs of the students in the turnaround school;

(d) Provides staff with ongoing, high quality, job-embedded professional development that is aligned with the school's comprehensive instructional program and designed with school staff to ensure that they are equipped to facilitate effective teaching and learning and have the capacity to successfully implement school reform strategies;

(e) Adopts a new governance structure, which may include, but not be limited to, requiring the school to report to a new turnaround office that may be established in the district or in the department, hire a turnaround leader who reports directly to the district superintendent, or enter into a multi-year contract with the district or the department to obtain added flexibility in exchange for greater accountability;

(f) Uses data to identify and implement an instructional program that is research-based and vertically aligned from one grade to the next as well as aligned with state academic standards;

(g) Promotes the continuous use of student data, such as formative assessments, interim assessments, and summative assessments to inform and differentiate instruction in order to meet the
academic needs of individual students;

(h) Establishes schedules and implements strategies that provide increased learning time; and

(i) Provides appropriate social-emotional and community-oriented services and supports for students.

160.2205. 1. For any school in the bottom twenty percent of schools identified through the Missouri school improvement program, the parent of any student who is enrolled in the school or the parent of any student whose age does not exceed twenty-two who resides in the attendance area of the school may petition to convert the school to a charter school or convert the school using a school turnaround option as provided in sections 160.2200 to 160.2220.

2. Each parent may sign the petition once regardless of the number of children he or she has. Parents who do not reside in the attendance area of the school but who have a child who does reside in the attendance area of the school may sign the petition.

3. Petitioning parents shall not submit signed petitions for any school to the district board of education until they have obtained a number of signatures equal to fifty-one percent of the pupils attending the school. The district shall be responsible for verifying the petition signatures and making a decision on its disposition pursuant to sections 160.2200 to 160.2220. Once the district board of education receives the petition, it shall have no more than forty-five calendar days to review and verify the signatures as legitimate. A district's board of education shall initially attempt to verify all signatures by comparing the petitions to their existing files for parents, and may only contact parents about their signatures in the case of a perceived discrepancy. If enough discrepancies exist to put the total support level below fifty-one percent, parents shall have an additional thirty calendar days to reconcile such discrepancies and add the signatures of additional supportive parents.

4. Once the signatures have been verified, the district shall have no more than thirty calendar days to reach a decision on the final disposition of the petition. Any parent who has signed a petition may appeal the district's rejection of the petition to the circuit court in which the school is located within thirty days of the district's rejection. If no appeal is taken within that time, the district's decision shall be
final. The circuit court's decision shall be final.

5. Unless the parent petitioners explicitly request otherwise, the district shall plan the conversion and shall implement the plan no later than the first day of school of the school year beginning in the next calendar year.

6. No school district employee or school board member shall harass, threaten, or intimidate any parent or legal guardian for any action related to the circulation or signature of a petition, or discourage the signing of a petition. No school district employee or school board member shall revoke or remove signatures from a petition.

7. School and district resources shall not be used to support or oppose any efforts by petitioning parents.

160.2210. 1. If parents representing at least fifty-one percent of the pupils attending a school in the bottom twenty percent of schools identified through the Missouri school improvement program or who reside in the school's attendance area sign a petition requesting a restart model, a school closure model, a transformation model, or a turnaround model, the district shall implement the school turnaround option requested by the parents, except as provided in sections 160.2200 to 160.2220.

2. The district shall adopt and implement the specific school turnaround option selected by parents in their petition unless the district makes a finding in writing, presented at a public meeting, that it is logistically impossible to implement that option. In such a situation, the district shall also state which of the other school turnaround options identified in sections 160.2200 to 160.2220 is logistically possible for it to implement. If the district finds that the school turnaround option selected by parents is logistically impossible, it shall submit both the school turnaround option selected by the parents and the school turnaround option selected by the district to the department. If, after review, the department determines that the school turnaround option selected by parents is logistically possible for the district to implement, the department shall require the district to implement the school turnaround option selected by the parents. Alternatively, if the department determines that it is logistically impossible for the district to implement the school
turnaround option selected by the parents, the department shall authorize the district to implement the turnaround option that it has selected for the school. If either the parents or the district disagrees with the department's decision, either party may appeal to the circuit court in which the school is located within thirty days of the department's decision. If no appeal is taken within that time, the department decision shall be final. The circuit court's decision shall be final.

3. If the department authorizes the district to implement the school turnaround option selected by the district, the district shall plan and implement the selected option for that school turnaround option no later than the first day of school of the school year beginning in the next calendar year.

4. After a designated school has been reorganized, another petition for the reorganization of the school under sections 160.2200 to 160.2220 shall not be submitted to the board of education of the district for at least three years after the school year in which the reorganization occurs.

5. If, after two years of implementation of the school turnaround option, the school has not shown significant student academic growth, as demonstrated by failing to be in the top eighty percent of schools identified through the Missouri school improvement program, the district shall convert the school to a charter school. If the district selects a charter management organization to operate the school after it has been converted, the district shall only select a charter management organization that has performed as well as or better than the top fifty percent of schools in student academic growth, for three or more consecutive years, on the state's student assessment.

6. A school district that only operates one school for the entire district or one school for a particular grade level or levels shall not implement a school closure model for any such school.

7. This section shall not apply to any existing public elementary or secondary school the district has scheduled for closure.

160.2215. 1. Any district that implements a turnaround model may utilize other strategies, including but not limited to any of the activities that may be utilized under the transformation model, or a new school model, including but not limited to implementing a thematic
learning school or a dual language program.

2. Any district that implements a transformation model may also implement other strategies to develop teachers' and school leaders' effectiveness, including but not limited to:

   (1) Providing additional compensation to attract and retain staff with the skills necessary to meet the needs of the students in a school using a transformation model;

   (2) Instituting a system for measuring changes in instructional practices resulting from professional development; or

   (3) Ensuring that the school is not required to accept a teacher without the mutual consent of the teacher and principal, regardless of the teacher's seniority.

3. Any district that implements a transformation model may also implement additional comprehensive instructional reform strategies, such as:

   (1) Conducting periodic reviews to ensure that the curriculum is being implemented in a timely manner, is having the intended impact on student achievement, and is modified if ineffective;

   (2) Implementing a school wide response-to-intervention model;

   (3) Providing additional supports and professional development to teachers and principals in order to implement effective strategies to support students with disabilities in the least restrictive environment and to ensure that students with limited English proficiency acquire language skills to master academic content;

   (4) Using and integrating technology-based supports and interventions as part of the instructional program; and

   (5) In secondary schools:

   (a) Increasing rigor by offering opportunities for students to enroll in advanced coursework, early-college high schools, dual enrollment programs, or thematic learning academies that prepare students for college and careers, including by providing appropriate supports designed to ensure that low achieving students can take advantage of these programs and coursework. For purposes of this paragraph, advanced coursework shall include but not be limited to Advanced Placement or International Baccalaureate courses; science, technology, engineering, and mathematics courses, including those that incorporate rigorous and relevant project-based, inquiry-based, or
design-based contextual learning opportunities;

(b) Improving student transition from elementary school to secondary school through summer transition programs or freshman academies;

(c) Increasing graduation rates through credit recovery programs, re-engagement strategies, smaller learning communities, competency-based instruction and performance-based assessments, and acceleration of basic reading and mathematics skills; or

(d) Establishing early warning systems to identify students who may be at risk of failing to achieve to high standards or graduate.

4. A district using a transformation model may also implement additional strategies that extend learning time and create community-oriented schools, such as:

(1) Partnering with parents and parent organizations, faith-and community-based organizations, health clinics, other state or local agencies, and others to create safe school environments that meet students' social, emotional, and health needs;

(2) Extending or restructuring the school day so as to add time for such strategies as advisory periods that build relationships between students, faculty, and other school staff;

(3) Implementing approaches to improve school climate and discipline, such as implementing a system of positive behavioral supports or taking steps to eliminate bullying and student harassment;

(4) Expanding the school program to offer full-day kindergarten or prekindergarten;

(5) Providing operational flexibility and sustained support.

5. A district using a transformation model may also implement other strategies for providing operational flexibility and intensive support, such as:

(1) Allowing the school to be run under a new governance arrangement, such as a turnaround division within the district or department; or

(2) Implementing a per-pupil school site based budget formula to be used at the district level that is weighted based on student needs.

160.2217.  1. If a number of parents equal to at least fifty-one percent of the pupils attending a school in the bottom twenty percent of schools identified under state law or who reside in the school's
attendance area sign a petition requesting that the school be converted to a charter school, the district shall implement the plan no later than the first day of school of the school year beginning in the next calendar year.

2. If the district approves a parent petition to convert the school into a charter school, any parents who do not want their child to attend the charter school shall have the right to enroll their child in a different public school within the district.

3. A charter school that is established using the methods of sections 160.2200 to 160.2220 shall be subject to the same accountability measures and other standards established for charter schools in sections 160.400 to 160.425 and section 167.349. Notwithstanding the provisions of subsection 1 of section 160.410 to the contrary, any school that is converted to a charter school under sections 160.2200 to 160.2220 shall enroll only students who reside in the attendance area of the school that it has replaced. If sufficient space exists to enroll additional students, the school may enroll students from the district in which it is located and may use a lottery system for such enrollment if needed.

4. If the school is converted to a charter school, any charter school management organization or education management organization selected to operate the school shall not have managed any schools in the previous five years that are in the bottom-performing fifty percent of schools in the state, as identified through the Missouri school improvement program.

5. If a school is converted to a charter school, the Missouri charter public school commission shall serve as the school's interim sponsor for up to three years, unless the commission chooses to be the school's permanent sponsor.

6. This section shall not apply to any existing public elementary or secondary school that the district has scheduled for closure.

160.2220. 1. Within one hundred twenty days from the effective date of sections 160.2200 to 160.2220, the department shall promulgate rules and regulations to implement the provisions of sections 160.2200 to 160.2220, which shall include but not be limited to:

(1) The petition format and submission process;

(2) The appeals procedure and time line should the district
choose to implement a school turnaround option other than that requested by the petitioning parents;

(3) The selection and authorization of the charter operator in circumstances where a charter school is established pursuant to sections 160.2200 to 160.2220;

(4) The procedures, if any, for the rescission of parent signatures.

2. The department shall maintain records regarding the contents of and outcomes from parental petitions in order to ensure appropriate implementation of sections 160.2200 to 160.2220 and address concerns identified through the rulemaking process.

3. The commissioner of education shall preside over appeals filed by petitioning parents under this section and issue his or her determination in writing.

4. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.