

SENATE BILL NO. 1090

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR NURRENBERN.

3848S.011

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 160.401, to read as
3 follows:

160.401. 1. Beginning August 28, 2026, 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.

5 2. A certificate of need shall be required only for
6 proposed charter schools that are not established as of
7 August 28, 2026, and shall not be required for:

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

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

13 (3) An addition to the grade levels offered by an
14 established charter school, to be implemented in the same
15 location where the charter school is currently operated.

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

19 4. The charter school certificate of need application
20 shall consist of a written certification, including
21 supporting documentation, submitted by the governing board
22 of the school district or the governing body of the city or
23 county in which the proposed charter school would be
24 located, affirming that the following conditions apply to
25 the school district in which the proposed charter school
26 would be operated:

27 (1) Consumer demand for alternative educational
28 options exceeds supply;

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

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

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

42 (b) Improve students' academic achievement and test
43 scores;

44 (c) Reduce student-teacher ratios across the school
45 district;

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

48 (e) Limit the number of schooling disruptions faced by
49 children and families; and

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

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

67 6. If the state board of education disapproves an
68 application pursuant to subsection 5 of this section, the
69 governing board of the school district or the governing body
70 of the city or county in which the proposed charter school
71 would be located may reapply for a certificate of need
72 pursuant to the provisions of this section not less than one
73 year after the date of such disapproval.

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