

Senator says parents in failing Missouri districts should sue when denied transfer rights



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FERGUSON • Missouri Sen. Maria Chappelle-Nadal stood outside McCluer South-Berkeley High School on Thursday and urged parents to sue if denied the opportunity to transfer their children from unaccredited school districts to more successful schools.

She was surrounded by about 30 parents and supporters, most of whom backed her efforts to modify the controversial school transfer law in the spring through a measure Gov. Jay Nixon vetoed last week. Nixon vetoed her other attempt last year.

Chappelle-Nadal, D-University City, said she won't be trying again. Instead, she's directing parents to file lawsuits whenever they are told they have missed the deadline to apply or that classrooms in their preferred school system are too full for their children.

"If DESE says you cannot leave, you should sue," Chappelle-Nadal said, referring to the state's Department of Elementary and Secondary Education. "If you want to go to Parkway, go to Parkway. If you want to go to Brentwood, go to Brentwood."

Nixon, she said, will be responsible for the fallout.

After the Missouri Supreme Court upheld the law in 2013, the state education department issued directives to school districts to reduce potential chaos. It advised them to turn away transfer requests when classrooms exceeded certain targets. It allowed them to set a deadline for transfer requests. And it allowed unaccredited districts to choose one district to send buses to, rather than provide transportation to all students.

None of these directives is included in the statute itself. It states that children in unaccredited districts can leave for better schools at their home district's expense, without exception. More than 7,000 children attend Normandy and Riverview Gardens schools, in north St. Louis County.

"I will do everything in my power to get as many of these children out," she said.

Last week, Nixon said he was supportive of the transfer bill up until the final days of the legislative session, when it became laden with amendments.

It would have extended interdistrict transfer rights to students in unaccredited buildings, even in if their district itself was high-performing. It offered receiving districts incentives to reduce tuition costs in exchange for not being held accountable for test scores of transfer students for up to five years. It would have given children in unaccredited districts other education options, such as virtual education, and allowed for further expansion of charter schools.

Nixon said he opposed sending public dollars to private companies that provide virtual education services, calling it a “voucher scheme.” He also disliked the bill because it failed to limit the amount school districts charge for transfer student tuition. He said it created unnecessary and expensive bureaucracy. And it required students in the unaccredited districts, who have never attended their schools, to enroll in them for at least one semester before being allowed to transfer.

Lawmakers who worked on the bill were furious about the veto. Some said they won't try again.

“Student transfer legislation is finished during the Nixon Administration,” Rep. Jay Barnes, R-Jefferson City, wrote in the Jefferson City Tribune.

“It will take a leader who can be trusted in the governor's office before the Legislature is willing to make another run at it.”

Rep. David Wood, R-Versailles, the bill's sponsor, also said he's through. “I'm not getting a lot of support for going out and trying again, especially in an election year.”

“It is extremely frustrating,” said Sen. David Pearce, R-Warrensburg. “That being said, there still are some issues that need to be addressed that are very important to students who are in those districts.”

Chappelle-Nadal has long been a critic of Nixon's, from his stance on education issues to his response during the Ferguson unrest, which took place in her district.

She said black children will be hurt the most by the veto. In troubled schools, enrollment is mostly African-American.

“He vetoed a bill that would give our children opportunity,” she said. “How dare he? How dare he?”

When asked where parents in high-poverty districts could find an attorney, Chappelle-Nadal smiled.

“Oh, we'll figure it out,” she said.

In the crowd were members of the Children's Education Alliance of Missouri, a school choice advocacy group backed by billionaire investor Rex Sinquefeld. The group helped Normandy parents file legal challenges last year when several area school districts told them that their children could not return.

