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Student transfer bills on fast tracks in Jefferson City

By [DALE SINGER \(/PEOPLE/DALE-SINGER\)](#) • 1 HOUR AGO

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Moving on fast parallel tracks, with the assistance from Gov. Jay Nixon's office that has absent in the past, the Missouri House and Senate have advanced legislation designed to change provisions of the state's student transfer law.

Now, the two chambers have to come up with a compromise bill that can pass both houses and earn the governor's signature. While nothing can be called a sure thing in Jefferson City, the likelihood that a transfer bill will become law this year appears far more certain than it did last year, when Nixon objected (<http://news.stlpublicradio.org/post/nixon-vetoes-school-transfer-bill-citing-public-money-private-schools-and-other-concerns>) to a provision that could use public money for private schools. His veto was upheld by lawmakers.

"Both chambers have learned that it's better to include everybody and work your disagreements out early on," said Kate Casas, state policy director for the Children's Education Alliance of Missouri (<http://www.ceamteam.org/>), "than wait until you get something on the floor to the governor's desk or whatever the case may be."



http://mediad.publicbroadcasting.net/p/kwmu/files/styles/x_large/public/201406/normandyschoolb

CREDIT STEPHANIE ZIMMERMAN

This time around, the option of private schools was dropped. Instead, students who want to transfer out of unaccredited districts like Normandy or Riverview Gardens would have a broader array of charter schools to choose from, and virtual schools would also be in the mix.

A lingering concern is the costs to the sending districts. They would have to foot the bill for the tuition charged by the receiving districts for those students who exercise their right to transfer. Efforts to cap tuition have been rebuffed, though an incentive to limit the transfer costs, which was in the bill last year, has

surfaced again.

That option would let receiving districts charge 70 percent of the tuition they would normally charge for student transferring into their schools. In return, the test scores of transfer students would not count in the receiving districts' annual state evaluations for five years.

When he vetoed the bill last year, Nixon termed that procedure a "cynical bargain," listing it as one of the reasons he rejected the lawmakers' transfer fix. But by all accounts his office has been actively working with legislators this time around, so its inclusion could be a sign that he would accept it.

But the issue of costs still bothers Don Senti, executive director of EducationPlus (<http://edplus.org/>), which represents area school districts. He notes that any money that follows students who leave an unaccredited district means fewer dollars for the majority of that district's students who remain.

"There are 8,000 kids right now in Normandy and Riverview," he said, "and there are 1,000 kids who have transferred. And those 1,000 kids have taken significant resources with them, at the expense of the 8,000 kids who are left behind. So I question the idea of transfers being a reasonable way to deal with unaccredited districts."

But Casas, whose alliance has provided assistance to families who want to take advantage of the transfer law, said broader choice should mean a smaller drain on the budgets of unaccredited districts.

"We're talking about far fewer kids transferring to a place like Clayton that charges a higher tuition," she said. "I think we'd see far more kids go to charter schools, whose tuition is much more in line with their district's schools or even lower than their district's schools."



Another sign of increased harmony at the Capitol is that the language in both the Senate bill

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Don Senti

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(http://www.senate.mo.gov/15info/BTS_Web/Bill.aspx?SessionType=R&BillID=76), SB1, and the House bill (<http://www.house.mo.gov/billsummary.aspx?year=2015&bill=HB%2042&code=R>), HB42, is identical on many issues, and the issues addressed in one is usually addressed in the other as well.

Casas said she is most pleased with the expansion of charter schools, outside of the current limitation of St. Louis and Kansas City, to give students who want to transfer more options. The charters could operate anywhere in the county where an unaccredited districts is located -- or in an adjacent county.

“That would allow kids to cross district boundary lines to attend charter schools,” she said, “because there are just not enough kids in Normandy or Riverview Gardens or you name it to really have a charter school. You need to have a large population of kids to draw from.”

One provision she doesn’t like requires students who want to transfer to have been enrolled in an unaccredited school for at least one semester. Casas said that eliminates kids whose families have sacrificed to send them to private or parochial schools or educated them at home.

“It’s bad public policy to say you have to enroll in this school that we know doesn’t do a great job,” she said, “so that you can lose ground so that we can send you someplace else to catch up.”



<http://mediad.publicbroadcasting.net/p/kwmu/files/story/images/education/2014/05/katecasas.jpg>

Kate Casas

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To Senti, the whole idea of school choice has good points and bad. But when it comes to the benefits of competition, he doesn't like the comparison that often is made between public education and private business.

"The idea that school choice is going to somehow cause competition in the marketplace to make unaccredited school districts get better is just not going to happen," he said.

"If a restaurant isn't very good, it closes and another one opens. Competition in the marketplace works there. But it doesn't work, at least in Missouri, to make schools better."

He said his agency is studying how other states, those around Missouri and those ranked at the top, are using accreditation.

Education bills in Jefferson City have a tendency to get weighed down with a wide array of special topics and pet projects, and the legislation this year is no exception, with sections on issues like home visits by school personnel and retention of students who aren't reading at grade level. So once a conference committee sits down to devise a compromise, legislative harmony could evaporate.

But with veto-proof majorities in both houses, and a growing sense of impatience at the school transfer law that was upheld by the Missouri Supreme Court in 2013, chances for success this year appear good, even if the resulting legislation doesn't please everyone involved.

"If anybody tells you they're 100 percent happy with this bill," said Casas, "they're probably not telling you the truth."

Here is a comparison of the House and Senate versions of the transfer bill.

What the Missouri Senate and House education bills cover

After passing a comprehensive students transfer bill last year, only to have it vetoed by Gov. Jay Nixon, Missouri lawmakers made a new attempt one of their top priorities this year. The Senate and the House have passed individual versions, with input from the governor's office. Here is a comparison of what the bills would require. A compromise measure would have to pass both chambers before it is sent to the governor.

Topic	Senate Bill (SB 1)	House Bill (HB 42)
Accreditation	Both bills call for classification of individual schools, not just districts, using the scheme of accredited with distinction, accredited, provisionally accredited or unaccredited.	
Student Transfers	Both bills allow students in unaccredited schools to transfer, first to accredited buildings in their own district, then to accredited schools in other districts or to accredited charter schools or virtual schools. Receiving districts may establish acceptable class sizes and not be required to accept any transfer students that violate their policy.	
Tuition Payments	Both bills require receiving districts to set tuition rates by Feb. 1 for the following school year. Sending and receiving districts can negotiate reduced tuition for a limited number of students. Both bills say if a receiving district charges 70 percent or less of its per-pupil cost, performance scores for transfer students will not be used for five years in its state evaluation.	
Charter Schools	Senate bill liberalizes where charters may operate. Currently, they may be only in St. Louis and Kansas City. Bill says they may operate in any provisionally accredited district or any district in a county or adjacent county where unaccredited or provisionally accredited districts are located.	House bill does not include such charter extensions.
Unused Buildings	Each bill has in slightly different format procedures that would allow charter schools to more easily obtain and use vacant school buildings.	
Virtual Schools	Both bills expand the opportunity for students in unaccredited schools to enroll in virtual schools.	
Area Education Authorities	Both bills create three education authorities – one each for the St. Louis area, the Kansas City area and the rest of the state, run by five-member appointed boards. They would coordinate transfers of students from unaccredited schools.	
Assistance Teams	Both bills call for the state to send teams into struggling districts, with priority given to districts with the lowest state evaluation scores.	
Improvement Task Force	The Senate bill creates an 11-member School Transfer and Improvement Task Force,” to submit recommendations to the legislature by Feb. 1, 2016.	The House bill has no such provision.
Student Retention	Both bills spell out conditions for when a student who is not reading at the second grade level in the St. Louis City and Kansas City schools by the end of second grade may be promoted to third grade.	
Dissolution of Districts	Both bills give the state school board of education the power to lapse all or part of an unaccredited district and appoint a new board, but members of the former elected board may not make up more than 49 percent of the new appointed board.	
Transient Students	The Senate Bill requires districts to publish the ratio of transient students to resident students and includes a detailed formula governing how such students’ test scores are to be counted.	The House bill phases in over three years how the test scores of transient students – ones who transfer two or more times in a single school year – may be counted in the annual evaluation of the district where the student takes the test.
Home Visits	Both bills say any district that has an underperforming school has to have a policy to offer at least one home visit a year from personnel of the school.	

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