

FIRST REGULAR SESSION

HOUSE BILL NO. 558

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HAFFNER.

0852H.02I

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 160.522 and 161.092, RSMo, and to enact in lieu thereof six new sections relating to accountability measures for elementary and secondary schools.

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

Section A. Sections 160.522 and 161.092, RSMo, are repealed and six new sections
2 enacted in lieu thereof, to be known as sections 160.423, 160.2900, 160.2902, 160.2904,
3 160.2906, and 161.092, to read as follows:

**160.423. 1. Each charter school sponsor shall provide an annual accreditation
2 status for each school based on policies adopted by the sponsor that are consistent with
3 standards for accreditation by the state board of education for the public schools of the
4 state as provided by statute.**

**5 2. Each sponsor shall annually, prior to July first, determine the annual
6 accreditation status for each school it sponsors based on verified accreditation data from
7 the previous school year. The annual accreditation status shall be based on compliance
8 with best practice standards.**

**9 3. As used in this section, the term "best practice standards" shall mean
10 standards that address accepted educational principles and practices believed to
11 promote educational quality. Such standards shall address the areas of legal compliance
12 with Missouri law, leadership stability, the existence and performance of any parent
13 education program at the school, the financial condition of the school, the existence and
14 implementation of any teacher or administrator standards, and any effective
15 instructional practices utilized by the school.**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 **4. After the annual assignment of a school's accreditation status, the sponsor**
17 **shall monitor each school it sponsors to determine the status of the school for the**
18 **upcoming school year.**

19 **(1) If the sponsor determines during the course of the school year that a school**
20 **may be in violation of a best practice standard, the sponsor shall notify the governing**
21 **body of the school and the school's chief executive officer.**

22 **(2) The school shall be given forty-five calendar days from the date of receiving**
23 **the notification to provide a response to the sponsor regarding the alleged violation,**
24 **including any plan of action to correct the violation or refutation of the alleged violation.**

25 **5. Each school shall be assigned an annual accreditation status based on a**
26 **determination by the sponsor of the school's compliance with any policies of the sponsor**
27 **adopted under subsection 1 of this section.**

28 **(1) Any school that complies with all such policies shall be classified as**
29 **accredited.**

30 **(2) Any school that fails to comply with all such policies shall be classified as**
31 **provisionally accredited and shall be required to develop and implement an**
32 **improvement plan, to be filed with the sponsor, that sets forth specific time lines and**
33 **courses of action to address the deficiencies.**

34 **(3) Any school that fails to comply with its improvement plan as described in**
35 **subdivision (2) of this subsection before the start of the next school year shall be**
36 **classified as unaccredited. The sponsor may also classify any school as unaccredited if**
37 **the sponsor finds that the severity of the violation of any such policy warrants**
38 **classification as unaccredited.**

160.2900. 1. The state board of education shall develop a simplified annual
2 **school report card for each local education agency for the purpose of providing**
3 **information about the local education agency's academic performance in accordance**
4 **with the provisions of this section.**

5 **2. The state board shall assign the duties of implementing the provisions of this**
6 **section to the department of elementary and secondary education or may contract with**
7 **a private entity in accordance with the provisions of chapter 34.**

8 **3. The state board shall assign each local education agency one of the following**
9 **grades:**

10 **(1) "A", those local education agencies producing excellent student achievement**
11 **and progress;**

12 **(2) "B", those local education agencies producing above average student**
13 **achievement and progress;**

14 (3) "C", those local education agencies producing satisfactory student
15 achievement and progress;

16 (4) "D", those local education agencies producing less than satisfactory student
17 achievement and progress; and

18 (5) "F", those local education agencies failing to produce adequate student
19 achievement and progress.

20 4. (1) Each public school and charter school that has students who are enrolled
21 in the school for the full academic year and tested on the statewide annual assessment
22 shall earn a school grade, provided that such school shall not earn a school grade if the
23 percent of students tested is greater than ninety-five percent, but the number of students
24 tested is less than ten.

25 (2) A local education agency shall test at least ninety-five percent of its students
26 on the statewide annual assessment in order to earn a grade of A, B, C, or D. Any local
27 education agency that does not test at least ninety-five percent of its students shall have
28 its grade lowered by one letter.

29 (3) The state board may create, by rule, additional incentives for local education
30 agencies that receive a grade of A, or that improve by at least two grade levels over a
31 three-year period.

32 5. A local education agency's grade shall be based on the following factors:

33 (1) The percent of students scoring at proficient or higher on the annual
34 statewide assessment for all students in English language arts, mathematics, and
35 science;

36 (2) The percent of students making growth towards proficiency, or advanced
37 proficiency for students already proficient, for all students as measured by the annual
38 statewide assessments in English language arts and mathematics;

39 (3) The percent of students making growth towards proficiency for the students
40 who scored in the basic or below basic categories on the annual statewide assessment in
41 English language arts and mathematics;

42 (4) For high schools, the percent of students earning a standard high school
43 diploma in four years;

44 (5) College and career acceleration, as determined by the department of
45 elementary and secondary education calculation methods, including consideration of
46 advanced placement scores of 3 or greater, International Baccalaureate program credit
47 scores of 4 or greater, dual enrollment in core subjects with C course grade or higher,
48 passing an industry recognized credential or career technical education certificate,
49 completion of an early college or associate degree, completion of stackable credentials,
50 and professional internships;

51 **(6) College and career readiness. A career readiness assessment score that meets**
52 **the state standard, a combination of a college readiness assessment score that meets the**
53 **state standard and advanced credit that meets the state standard, confirmed**
54 **postsecondary employment, college application, other postsecondary training, or**
55 **military commitment, or other department-approved work readiness measures. The**
56 **state standard shall be determined and promulgated through the rulemaking process by**
57 **the department; and**

58 **(7) The grade assigned to elementary and middle schools shall be based on a**
59 **balance of overall student achievement and growth, with growth divided evenly between**
60 **the growth of all students and the growth of the students in the school who scored in the**
61 **basic or below basic categories. For high schools, proficiency shall be weighted more**
62 **than growth and graduation rate should be a factor of no more than ten percent of the**
63 **overall calculation.**

64 **6. Student assessment data utilized in determining the local education agency**
65 **grade shall include the following:**

66 **(1) The scores of all students enrolled in the local education agency for a full**
67 **academic year on the statewide assessment;**

68 **(2) The growth scores of all students enrolled in the local education agency on**
69 **the statewide assessment comparing the current school year scores against the prior**
70 **school year scores;**

71 **(3) The growth scores of students enrolled in the local education agency who**
72 **scored in the basic or below basic categories on the statewide assessment in English**
73 **language arts and mathematics in the current year as compared to such scores in the**
74 **prior school year.**

75 **7. (1) The department shall promulgate rules to develop the methodology for**
76 **local education agencies to earn each letter grade, provided that a local education**
77 **agency complies with section 160.2902 and the scale for assigning such grade shall be**
78 **based on a zero to one hundred scale.**

79 **(2) In any year in which sixty-five percent or more of the local education**
80 **agencies, in the aggregate, earn a grade of A or B, the department shall raise the scale**
81 **required to earn a school grade by five percent for the following year until the scale**
82 **reaches the level where an A grade equals ninety to one hundred percent, a B grade**
83 **equals eighty to eighty-nine percent, a C grade equals seventy to seventy-nine percent, a**
84 **D grade equals sixty to sixty-nine percent, and an F grade equals fifty-nine percent and**
85 **below.**

86 (3) The department shall develop a system of providing awards to local
87 education agencies that annually improve by at least one letter grade and for local
88 education agencies that earn the A grade.

89 8. As used in sections 160.2900 to 160.2906, the term "local education agency"
90 shall include a school district, a public school, and a public charter school.

91 9. The department of elementary and secondary education shall promulgate
92 rules to effectuate the provisions of this section. Any rule or portion of a rule, as that
93 term is defined in section 536.010, that is created under the authority delegated in this
94 section shall become effective only if it complies with and is subject to all of the
95 provisions of chapter 536 and, if applicable, section 536.028. This section and chapter
96 536 are nonseverable and if any of the powers vested with the general assembly
97 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul
98 a rule are subsequently held unconstitutional, then the grant of rulemaking authority
99 and any rule proposed or adopted after August 28, 2023, shall be invalid and void.

 160.2902. 1. In determining the grade to be assigned to each local education
2 agency under section 160.2900, the department of elementary and secondary education
3 shall promulgate rules consistent with this section that encompass a local education
4 agency's achievement, growth, as determined in subsection 2 of this section, graduation
5 rates, and college and career readiness of its students.

6 (1) The achievement levels of each student shall be distinguished between the
7 categories of proficient, advanced, basic, and below basic.

8 (2) For elementary and middle schools, the assessment of growth and
9 achievement shall be weighted at no less than ninety percent of the total letter grade
10 assigned to the school.

11 (3) For high schools, the assessment of achievement shall be weighted at fifty
12 percent of the total letter grade assigned to the school.

13 (4) In assessing graduation rates of a local education agency, each school district
14 and charter school shall ensure that all students in a four-year cohort successfully
15 complete high school. Graduation rates shall not exceed ten percent of the total letter
16 grade assigned to the local education agency.

17 (5) The department shall create a high school college and career readiness
18 measure that is based on statistical models that identify schools' contributions to
19 students' long-term outcomes separately from other factors such as prior achievement
20 and demographic characteristics. This model shall be designed to allow for fair
21 comparisons of schools that serve different student populations.

22 (6) The department shall calculate the college and career readiness of students
23 for each school and school district by consideration of advanced placement scores of 3 or

24 greater, International Baccalaureate program credit scores of 4 or greater, dual
25 enrollment in core subjects with a C course grade or higher, passing an industry
26 recognized credential or career technical education certificate, completion of an early
27 college or associate degree, completion of stackable credentials, professional internships,
28 and a career readiness assessment score that meets the state standard, a combination of
29 a college readiness assessment score that meets the state standard and advanced credit
30 that meets the state standard, confirmed postsecondary employment, college
31 application, other postsecondary training, or military commitment, or other
32 department-approved work readiness measures. College and career readiness shall
33 account for forty percent of the total letter grade assigned to the local education agency.

34 **2. The department shall calculate the growth of a local education agency as**
35 **provided by this subsection.**

36 **(1) Growth shall be defined as the change in the scaled score for a student from**
37 **one school year to the next school year on the Missouri state assessment program by**
38 **subject area.**

39 **(2) Growth shall be calculated from year to year using a criterion-based method.**
40 **Schools shall be credited with growth for the change in scaled score for each student**
41 **from year to year.**

42 **(3) An increase in the performance level of a student, as determined by metrics**
43 **promulgated by rule by the department, shall be considered as positive growth,**
44 **regardless of any change in the scaled score of the student.**

45 **(4) If a student is considered advanced and stays advanced from one year to the**
46 **next year, but the student's scaled score declines, then the student shall not be included**
47 **in determining the local education agency's growth score.**

48 **(5) If a student decreases in performance level, as determined by metrics**
49 **promulgated by rule by the department, regardless of a change in scaled score, then the**
50 **student shall be considered as declining in determining the local education agency's**
51 **growth score.**

52 **3. Not later than the start of the 2025 school year, the department of elementary**
53 **and secondary education shall implement a growth model that meets the provisions of**
54 **this section and shall make such model available to each local education agency in this**
55 **state.**

56 **4. The department of elementary and secondary education shall promulgate**
57 **rules to effectuate the provisions of this section. Any rule or portion of a rule, as that**
58 **term is defined in section 536.010, that is created under the authority delegated in this**
59 **section shall become effective only if it complies with and is subject to all of the**
60 **provisions of chapter 536 and, if applicable, section 536.028. This section and chapter**

61 **536 are nonseverable and if any of the powers vested with the general assembly**
62 **pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul**
63 **a rule are subsequently held unconstitutional, then the grant of rulemaking authority**
64 **and any rule proposed or adopted after August 28, 2023, shall be invalid and void.**

160.2904. 1. The provisions of this section shall apply to any local education
2 **agency subject to the provisions of sections 160.2900 and 160.2902. For charter local**
3 **education agencies, the sponsor shall be the authorized entity, and for district local**
4 **education agencies, the department of elementary and secondary education shall be the**
5 **authorized entity.**

6 **2. If a local education agency earns a letter grade of D or F for a school year, the**
7 **authorized entity shall provide the local education agency with a list of organizations**
8 **that can provide specific, evidence-based turnaround services.**

9 **(1) The local education agency shall work with the authorized entity to choose a**
10 **potential partner from a repository of authorized entity-approved organizations and**
11 **implement a criterion-based plan for improvement that is approved by the authorized**
12 **entity after presentation of the plan to the authorized entity board.**

13 **(2) Upon request of the local education agency, school improvement funds may**
14 **be allocated by the department upon choosing a partner and development of an**
15 **improvement plan.**

16 **3. If a local education agency earns a letter grade of D or F for three consecutive**
17 **school years, students shall have the option of transferring out of the school or district to**
18 **any nonresident school or district.**

19 **(1) Students who apply to attend a nonresident school that has an academic or**
20 **competitive entrance process shall provide proof that they meet the admission**
21 **requirements.**

22 **(2) Students may complete all remaining school years in their nonresident**
23 **school.**

24 **4. Notwithstanding any provision of law to the contrary, if a local education**
25 **agency earns a letter grade of D or F for four consecutive school years, the authorized**
26 **entity shall choose a managing partner to lead a reorganization of the local education**
27 **agency. The partner shall have authority over personnel, curriculum, the school year**
28 **calendar, and assessments of students.**

29 **5. If a local education agency earns a letter grade of D or F for five consecutive**
30 **school years, the authorized entity shall consider school closures. The authorized entity**
31 **shall consider closures based on proximity of the school to other local education agencies**
32 **and schools in the area. The authorized entity shall also consider the performance of the**

33 partner described in subsection 2 of this section that has led the reorganization during
34 the previous year.

160.2906. The department of elementary and secondary education shall prepare
2 annual reports of the results of the accountability measures described in subsection 2 of
3 section 161.092, section 160.423, and sections 160.2900 to 160.2904 to describe student
4 achievement in the state and all local education agencies. The department, with input
5 from the school districts, public charter schools, parents, and community stakeholders,
6 shall design these reports, which shall include, without limitation, the local education
7 agency's grade, an explanation of school performance on all accountability measures,
8 descriptions of the performance of all schools participating in the statewide assessment
9 program and all their major student populations as determined by the department, and
10 information regarding school improvement. The provisions of the Family Educational
11 Rights and Privacy Act of 1974, 20 U.S.C. 1232g, pertaining to student records and any
12 similar state law shall apply to this section. The department, on its website, shall
13 publish each local education agency's report card annually, and the local education
14 agency shall provide the school report card to each parent no later than one month prior
15 to the beginning of the next school year.

161.092. 1. The state board of education shall:

2 (1) Adopt rules governing its own proceedings and formulate policies for the
3 guidance of the commissioner of education and the department of elementary and secondary
4 education;

5 (2) Carry out the educational policies of the state relating to public schools that are
6 provided by law and supervise instruction in the public schools;

7 (3) Direct the investment of all moneys received by the state to be applied to the
8 capital of any permanent fund established for the support of public education within the
9 jurisdiction of the department of elementary and secondary education and see that the funds
10 are applied to the branches of educational interest of the state that by grant, gift, devise or law
11 they were originally intended, and if necessary institute suit for and collect the funds and
12 return them to their legitimate channels;

13 (4) Cause to be assembled information which will reflect continuously the condition
14 and management of the public schools of the state;

15 (5) Require of county clerks or treasurers, boards of education or other school
16 officers, recorders and treasurers of cities, towns and villages, copies of all records required to
17 be made by them and all other information in relation to the funds and condition of schools
18 and the management thereof that is deemed necessary;

19 (6) Provide blanks suitable for use by officials in reporting the information required
20 by the board;

21 (7) When conditions demand, cause the laws relating to schools to be published in a
22 separate volume, with pertinent notes and comments, for the guidance of those charged with
23 the execution of the laws;

24 (8) Grant, without fee except as provided in section 168.021, certificates of
25 qualification and licenses to teach in any of the public schools of the state, establish
26 requirements therefor, formulate regulations governing the issuance thereof, and cause the
27 certificates to be revoked for the reasons and in the manner provided in section 168.071;

28 (9) Classify the public schools **and school districts** of the state, subject to limitations
29 provided by law and subdivision (14) of this section, establish requirements for the schools of
30 each class, and formulate rules governing the inspection and accreditation of schools **and**
31 **school districts** preparatory to classification, with such requirements taking effect not less
32 than two years from the date of adoption of the proposed rule by the state board of education,
33 provided that this condition shall not apply to any requirement for which a time line for
34 adoption is mandated in either federal or state law. Such rules shall include a process to allow
35 any **school or school** district that is accredited without provision that does not meet the state
36 board's promulgated criteria for a classification designation of accredited with distinction to
37 propose alternative criteria to the state board to be classified as accredited with distinction;

38 (10) Make an annual report on or before the first Wednesday after the first day of
39 January to the general assembly or, when it is not in session, to the governor for publication
40 and transmission to the general assembly. The report shall be for the last preceding school
41 year, and shall include:

42 (a) A statement of the number of public schools in the state, the number of pupils
43 attending the schools, their sex, and the branches taught;

44 (b) A statement of the number of teachers employed, their sex, their professional
45 training, and their average salary;

46 (c) A statement of the receipts and disbursements of public school funds of every
47 description, their sources, and the purposes for which they were disbursed;

48 (d) Suggestions for the improvement of public schools; and

49 (e) Any other information relative to the educational interests of the state that the law
50 requires or the board deems important;

51 (11) Make an annual report to the general assembly and the governor concerning
52 coordination with other agencies and departments of government that support family literacy
53 programs and other services which influence educational attainment of children of all ages;

54 (12) Require from the chief officer of each division of the department of elementary
55 and secondary education, on or before the thirty-first day of August of each year, reports
56 containing information the board deems important and desires for publication;

57 (13) Cause fifty copies of its annual report to be reserved for the use of each division
58 of the state department of elementary and secondary education, and ten copies for
59 preservation in the state library;

60 (14) Promulgate rules under which the board shall classify the public schools of the
61 state; provided that the appropriate scoring guides, instruments, and procedures used in
62 determining the accreditation status of a district shall be subject to a public meeting upon
63 notice in a newspaper of general circulation in each of the three most populous cities in the
64 state and also a newspaper that is a certified minority business enterprise or woman-owned
65 business enterprise in each of the two most populous cities in the state, and notice to each
66 district board of education, each superintendent of a school district, and to the speaker of the
67 house of representatives, the president pro tem of the senate, and the members of the joint
68 committee on education, at least fourteen days in advance of the meeting, which shall be
69 conducted by the department of elementary and secondary education not less than ninety days
70 prior to their application in accreditation, with all comments received to be reported to the
71 state board of education;

72 (15) Have other powers and duties prescribed by law.

73 **2. Rules promulgated under the provisions of subdivision (14) of subsection 1 of**
74 **this section shall be in accordance with the provisions of this subsection.**

75 **(1) The state board shall establish and implement an accountability process for**
76 **all public schools and school districts and shall provide an annual accreditation status**
77 **for each school and school district based on rules promulgated by the board that**
78 **address accreditation policies and define what constitutes best practice standards.**

79 **(2) The department of elementary and secondary education shall annually, prior**
80 **to July first, determine the annual accreditation status for each school district and each**
81 **public school within a school district based on verified accreditation data from the**
82 **previous school year. The annual accreditation status shall be based on compliance with**
83 **best practice standards.**

84 **(3) As used in this subsection, the term "best practice standards" shall mean**
85 **standards that address accepted educational principles and practices believed to**
86 **promote educational quality. Such standards shall address the areas of legal compliance**
87 **with Missouri law, leadership stability, the existence and performance of any parent**
88 **education program at the school or school district, the financial condition of the school**
89 **or school district, the existence and implementation of any teacher or administrator**
90 **standards, and any effective instructional practices utilized by the school or school**
91 **district.**

92 **(4) After the annual assignment of a district's or school's accreditation status,**
93 **the department of elementary and secondary education shall monitor each school and**

94 school district to determine the status of the school and school district for the following
95 school year.

96 (a) If the department determines during the course of the school year that a
97 school or school district may be in violation of a best practice standard, the department
98 shall notify the superintendent and school board of the district or the district in which
99 the school is located.

100 (b) The school district shall be given forty-five calendar days from the date of
101 receiving the notification to provide a response to the department regarding the alleged
102 violation, including any plan of action to correct the violation or refutation of the alleged
103 violation.

104 (5) Each school and school district shall be assigned an annual accreditation
105 status based on a determination by the state board of the school's or school district's
106 compliance with any promulgated rules establishing accreditation policies and best
107 practice standards.

108 (a) Any school or school district that complies with all accreditation policies and
109 all best practice standards shall be classified as accredited.

110 (b) Any school or school district that fails to comply with all accreditation
111 policies and all best practice standards shall be classified as provisionally accredited and
112 shall be required to develop and implement an improvement plan, to be filed with the
113 state board, that sets forth specific time lines and courses of action to address the
114 deficiencies.

115 (c) Any school or school district that fails to comply with its improvement plan
116 as described in paragraph (b) of this subdivision before the start of the next school year
117 shall be classified as unaccredited. The state board may also classify any school or
118 school district as unaccredited if the state board finds that the severity of the violation of
119 any accreditation policy or best practice standard warrants classification as
120 unaccredited.

2 ~~[160.522. 1. The department of elementary and secondary education~~
3 ~~shall produce or cause to be produced, at least annually, a school~~
4 ~~accountability report card for each public school district, each public school~~
5 ~~building in a school district, and each charter school in the state. The report~~
6 ~~card shall be designed to satisfy state and federal requirements for the~~
7 ~~disclosure of statistics about students, staff, finances, academic achievement,~~
8 ~~and other indicators. The purpose of the report card shall be to provide~~
9 ~~educational statistics and accountability information for parents, taxpayers,~~
10 ~~school personnel, legislators, and the print and broadcast news media in a~~
11 ~~standardized, easily accessible form.~~

12 ~~2. The department of elementary and secondary education shall~~
~~develop a standard form for the school accountability report card. The~~

13 information reported shall include, but not be limited to, the district's most
14 recent accreditation rating, enrollment, rates of pupil attendance, high school
15 dropout rate and graduation rate, the number and rate of suspensions of ten
16 days or longer and expulsions of pupils, the district ratio of students to
17 administrators and students to classroom teachers, the average years of
18 experience of professional staff and advanced degrees earned, student
19 achievement as measured through the assessment system developed pursuant
20 to section 160.518, student scores on the ACT, along with the percentage of
21 graduates taking the test, average teachers' and administrators' salaries
22 compared to the state averages, average per pupil current expenditures for
23 the district as a whole and by attendance center as reported to the department
24 of elementary and secondary education, the adjusted tax rate of the district,
25 assessed valuation of the district, percent of the district operating budget
26 received from state, federal, and local sources, the percent of students eligible
27 for free or reduced price lunch, data on the percent of students continuing their
28 education in postsecondary programs, information about the job placement
29 rate for students who complete district vocational education programs,
30 whether the school district currently has a state approved gifted education
31 program, and the percentage and number of students who are currently being
32 served in the district's state approved gifted education program.

33 3. The report card shall permit the disclosure of data on a school-by-
34 school basis, but the reporting shall not be personally identifiable to any
35 student or education professional in the state.

36 4. The report card shall identify each school or attendance center that
37 has been identified as a priority school under sections 160.720 and 161.092.
38 The report also shall identify attendance centers that have been categorized
39 under federal law as needing improvement or requiring specific school
40 improvement strategies.

41 5. The report card shall not limit or discourage other methods of public
42 reporting and accountability by local school districts. Districts shall provide
43 information included in the report card to parents, community members, the
44 print and broadcast news media, and legislators by December first annually or
45 as soon thereafter as the information is available to the district, giving
46 preference to methods that incorporate the reporting into substantive official
47 communications such as student report cards. The school district shall provide
48 a printed copy of the district level or school level report card to any patron
49 upon request and shall make reasonable efforts to supply businesses such as,
50 but not limited to, real estate and employment firms with copies or other
51 information about the reports so that parents and businesses from outside the
52 district who may be contemplating relocation have access.

53 6. For purposes of completing and distributing the annual report card
54 as prescribed in this section, a school district may include the data from a
55 charter school located within such school district, provided the local board of
56 education or special administrative board for such district and the charter
57 school reach mutual agreement for the inclusion of the data from the charter
58 schools and the terms of such agreement are approved by the state board of

59 ~~education. The charter school shall not be required to be a part of the local~~
60 ~~educational agency of such school district and may maintain a separate local~~
61 ~~educational agency status.]~~

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