

Bond Case Briefs

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Blue Springs R-IV School Dist. v. School Dist. of Kansas City

Supreme Court of Missouri, En Banc - December 10, 2013 - S.W.3d - 2013 WL 6448904

Taxpayers brought action against school district alleging that requirement that district accept transfer of students who resided in unaccredited districts violated Hancock Amendment of state constitution, which prohibited unfunded mandates. The Circuit Court entered judgment in favor of taxpayers. State appealed and taxpayers cross-appealed.

The Supreme Court of Missouri held that statutory requirement that accredited districts accept transfers from unaccredited districts did not violate Hancock Amendment.

Statutory requirement that accredited school districts accept transfer of students from unaccredited districts did not impose an unfunded mandate in violation of the Hancock Amendment of the state constitution. Hancock Amendment only barred the state from mandating “a new activity or service or an increase in the level of any activity or service beyond that required by existing law.”

Statutory requirement simply addressed which school districts would educate which students, it did not impose a “new” educational activity on local districts because all districts already were required by statute and the state constitution to provide a free public education to students in grades K-12. There was no mandated “increase in the level” of those services for the purposes of the Hancock Amendment, even if the district provided such services to more students as a result of transfers from unaccredited districts, as this was simply an increase in the frequency of providing the same service.