

**IN THE CIRCUIT COURT OF COLE COUNTY
STATE OF MISSOURI**

COLUMBIA 93 SCHOOL DISTRICT)
a/k/a **COLUMBIA PUBLIC SCHOOLS,**)

and)

CURT FUCHS, as an individual taxpayer,)
Boone County, Missouri,)

Plaintiffs,)

Case No.: _____

vs.)

Division: _____

STATE OF MISSOURI,)

Serve: Catherine Hanaway)
Attorney General)
Supreme Court Bldg.)
207 West High Street)
Jefferson City, MO 65102)

CATHERINE HANAWAY,)
Attorney General, State of Missouri,)
In Her Official Capacity)

Serve: Catherine Hanaway)
Attorney General)
Supreme Court Bldg.)
207 West High Street)
Jefferson City, MO 65102)

MISSOURI STATE BOARD OF)
EDUCATION,)

Serve: The Commissioner of Education)
Karla Eslinger)
in her official capacity as the)
Executive Director of the Missouri)
State Board of Education)
Missouri Department of Elementary)
and Secondary Education (DESE))
205 Jefferson Street)
Jefferson City, MO 65101)

Defendants.)

**PLAINTIFFS' VERIFIED PETITION
FOR DECLARATORY JUDGMENT AND INJUNCTIVE RELIEF**

Plaintiffs Columbia 93 School District and Boone County resident and taxpayer Dr. Curt Fuchs allege as follows for their Verified Petition for Declaratory Judgment and Injunctive Relief:

INTRODUCTION

1. For more than twenty-five years, Missouri law has limited charter schools to operate only in limited circumstances tied to historic segregation, academic distress, or local consent.

2. In 2024, the 102nd Missouri General Assembly (2024) dismantled that longstanding framework, revising Section 160.400.2 through the passage of Senate Bill 727 (“SB 727”).

3. Without notice to the local residents who would be affected, the State carved out and targeted a single county — ***Boone County*** — for an unconstitutional expansion of charter schools. *See* §160.400.2(5), as amended by SB 727 (the “Boone County Provision”).

4. The Missouri Constitution forbids the State from enacting legislation that singles out a single county for special treatment.

5. If the General Assembly chooses to enact a local or special law disguised as a statewide measure that, in reality, targets only a limited group of Missouri residents, the Missouri Constitution requires advance, published notice to the locality that will be affected prior to the bill being introduced. *See* Mo. Const. art. III, § 42.¹

6. The General Assembly did not provide the required notice for the Boone County Provision in SB 727.

¹ Mo. Const. Art. III, Section 42 reads: Notice of proposed local or special laws. — No local or special law shall be passed unless a notice, setting forth the intention to apply therefor and the substance of the contemplated law, shall have been published in the locality where the matter or thing to be affected is situated at least thirty days prior to the introduction of the bill into the general assembly and in the manner provided by law. Proof of publication shall be filed with the general assembly before the act shall be passed and the notice shall be recited in the act.

7. The legislative debate acknowledges this fatal defect. On the floor, legislators expressly noted that the Boone County Provision of SB 727 functioned as a special law and that the required notice had not been given. Nevertheless, the General Assembly proceeded to pass SB 727 without correcting this constitutional violation and informing the residents of Boone County.

8. Ignoring the Missouri Constitution, the State enacted the revisions to Section 160.400.2 in SB 727 to **target Boone County** to isolate Boone County as the exclusive jurisdiction of charter school expansion.

9. The State decided **to target Boone County (and Boone County alone)** for the expansion of charter schools without explanation, justification, or rational basis.

10. The State decided **to target Boone County (and Boone County alone)** for the expansion of charter schools without providing Boone County residents with the requisite notice.

11. The State of Missouri's decision **to target Boone County (and Boone County alone)** for the expansion of charter schools should be struck down as unlawful and unconstitutional.

12. Moreover, the recent submission of the first charter school application under the Boone County Provision of SB 727 to the State Board of Education for approval underscores the immediate and concrete harm caused by the State's unlawful targeting of Boone County and makes judicial intervention necessary now.

13. On November 21, 2025, Columbia 93 School District was notified for the first time that Saint Louis University had agreed to sponsor Frontier Schools for a proposed charter school in the City of Columbia.

14. The charter application from Frontier Schools violates Missouri law. Frontier Schools failed to provide statutory notice to Columbia Public Schools as required by Section 160.405.1. Saint Louis University failed to follow its own policies and procedures for review and granting of a charter approval as required by Section 160.405.2.

15. With missed deadlines, incomplete submissions, and unlawful actions by Saint Louis University and Frontier Schools, Columbia Public Schools was denied its statutory right to timely review and object to the charter application. These statutory violations are the direct and foreseeable result of an unconstitutional statute that singles out Boone County and has now triggered an unlawful charter-approval process.

16. This case presents a straightforward constitutional question. If the Boone County Provision of SB 727 is a special law, it is unconstitutional because it lacks a rational basis and because a general law could have been made applicable. And if it is a special law, the local notice required by the Missouri Constitution was never given. The State cannot avoid these constitutional obligations by disguising a one-county law behind a pretextual temporary population bracket.

17. Plaintiffs Columbia 93 School District and Boone County resident and taxpayer Curt Fuchs therefore seek declaratory and injunctive relief:

- Declaring the Boone County Provision of SB 727 to be unconstitutional and preventing the State from enforcing that provision;
- Declaring the charter application submitted by Frontier Schools to be in violation of statutory requirements and therefore unlawful;
- Declaring the sponsorship by Saint Louis University of the charter application submitted by Frontier Schools to be in violation of statutory requirements and therefore unlawful; and
- Enjoining the State Board of Education from approving the unlawful charter application submitted by Frontier Schools.

PARTIES

Plaintiff Columbia 93 School District

18. Columbia 93 School District (“the District” or “Columbia Public Schools”) is a Missouri public school district existing pursuant to the laws of the State of Missouri and located within Boone County, Missouri.

19. Columbia Public Schools — along with every other public district in Boone County — is and has always been an accredited district.

20. Columbia Public Schools has a 150-year history of deep community partnership and outstanding commitment to the well-being and academic success of every student in Columbia. In the most recent evaluation completed by the State, CPS ranks in the top 15% of all public school districts in the state, performing above the State average for the Missouri Assessment Program (“MAP”) and American College Testing (“ACT”) in every single content area.

21. As a public school district in Boone County, Columbia Public Schools has standing to seek declaratory and injunctive relief from an unconstitutional law that impermissibly targets Boone County.

22. As a recipient of public dollars from the State for the education of K-12 students, Columbia Public Schools has standing to seek declaratory and injunctive relief from an unconstitutional law that impermissibly alters whether and how it receives those public dollars.

23. As a local public school district, Columbia Public Schools has standing to seek declaratory and injunctive relief from arbitrary, capricious, and unlawful actions taken in connection with the submission and approval of an application to open a charter school in the City of Columbia.

Plaintiff Curt Fuchs

24. Plaintiff Dr. Curt Fuchs is an individual who has resided within Boone County for more than 30 years.

25. Dr. Fuchs is currently and for all relevant times has been a registered voter and taxpayer of Boone County.

26. Dr. Fuchs is currently and for all relevant times has been a taxpayer of the Columbia Public Schools.

27. Dr. Fuchs has an interest in ensuring that tax dollars are constitutionally allocated to political subdivisions in all Missouri counties, including those that exist in Boone County, Missouri.

28. A portion of taxes paid by Dr. Fuchs's taxes will be used to fund the unlawful expansion of charter schools in Boone County.

29. As a local taxpayer, Dr. Fuchs has standing to seek declaratory and injunctive relief from an unconstitutional law that impermissibly targets Boone County.

30. As a local taxpayer, Dr. Fuchs has standing to seek declaratory and injunctive relief from an unconstitutional law that impermissibly alters how those tax dollars will be allocated and used.

Defendant State of Missouri

31. Defendant State of Missouri enacted Senate Bill 727, including the revisions to Section 160.400.

32. Defendant State is responsible for the execution of these statutory provisions.

33. The seat of Missouri government is Jefferson City, Cole County, Missouri. *See* § 508.010.2.

Defendant Attorney General Catherine Hanaway

34. Defendant Catherine Hanaway is the Attorney General of Missouri.

35. The Attorney General is the state's chief legal officer and has general authority to enforce all laws of the state. *See* § 27.060, RSMo.

36. Defendant Hanaway maintains her principal office in Cole County, Missouri.

37. Defendant Hanaway intends to enforce the provisions detailed in Section 160.400.1

Defendant Missouri State Board of Education

38. Defendant Missouri State Board of Education (the "State BOE") is vested with the "supervision of instruction in the public schools" of the State of Missouri. *See* Mo. Const. art. IX, § 2(a).

39. The State BOE is made up of eight citizens appointed by the Governor of Missouri and confirmed by Missouri's Senate. The State BOE's duties and responsibilities range from preschool to the postsecondary and adult levels of education throughout Missouri.

40. As part of its duties, the State BOE is responsible for reviewing and approving applications for new charter schools in Missouri, pursuant to Section 160.405.

JURISDICTION AND VENUE

41. This Court has jurisdiction of the subject matter of this action pursuant to Article V, Section 14 of the Missouri Constitution as well as the Declaratory Judgment Act, Chapter 527, RSMo, and, in particular, pursuant to Sections 527.010 and 527.020.

42. Venue is proper in this Court pursuant to Section 508.010, in that Jefferson City, Cole County, Missouri, is the location of the official residence of Defendants State of Missouri, Catherine Hanaway, and Missouri State Board of Education.

FACTS

For a Quarter of a Century, Charter Schools Were Only Allowed in Areas Based on Historical Segregation, Academic Performance, or Local Support

43. The State of Missouri first authorized charter schools in 1998 as part of a court-approved settlement agreement to remedy the lasting effects of historical segregation in the St. Louis City Schools.

44. As part of their desegregation remediation efforts, the State of Missouri passed legislation creating Section 160.400, which authorized the operation of charter schools in certain limited locations. In the years that followed, Section 160.400 was amended, but charter schools continued to be restricted to a limited set of locations.

45. Prior to the passage of SB 727, Section 160.400 allowed charter schools to open and operate only in school districts that fell within one of five classifications:

- In a metropolitan school district;
 - In an urban school district containing most or all of a city with a population greater than three hundred fifty thousand inhabitants;
 - In a school district that has become unaccredited;
 - In a school district that has become provisionally accredited; and,
 - In a school district if sponsored by the local school board.
- §160.400.2(1)-(5), RSMo (2023).

46. In other words, from when charter schools first came into existence until this year, state law only allowed charter schools to open and operate in the following areas:

- The two geographic areas where the local public school systems were determined by the Federal Courts to have engaged in historical segregation, the City of St. Louis and Kansas City;
- Any location where the local school district was failing academically, as documented by the State through loss of accreditation or becoming provisionally accredited; and

- Any location where the local school board sponsored the new charter school as of August 2012.

***State of Missouri Targets Boone County
for Expansion of Charter Schools***

47. On April 24, 2024, the Missouri General Assembly passed Senate Bill 727 (“SB 727”). A true and correct copy of SB 727 is attached hereto as Exhibit 1 and incorporated by reference.

48. SB 727 amended various Missouri statutes, including Section 160.400. A true and correct copy of Section 160.400 is attached hereto as Exhibit 2 and incorporated by reference.

49. On May 7, 2024, Governor Parson signed SB 727 into law.

50. SB 727 went into effect on August 28, 2024.

51. After more than a quarter century, the statutory structure that restricted charter-school operations to specific, statewide criteria, provisions in SB 727 abruptly and without required notice revised Section 160.400.2.

52. SB 727 amended Section 160.400.2 to add a new statutory classification governing where charter schools may be opened and operated:

In a **school district located within a county** with more than **one hundred fifty thousand but fewer than two hundred thousand inhabitants**, provided that the provisions of subsections 15 to 18 of section 160.415 shall not apply to any charter school operated in such county;

SB 727 (§160.400.2(5)) (the “Boone County Provision”).

53. This is the first time throughout all of Missouri’s statutes where the legislature has chosen to create a separate provision in the law to apply only to counties with one hundred fifty thousand and fewer than two hundred thousand inhabitants.

54. There is ***exactly one county out of one hundred and fourteen counties in Missouri*** that has between one hundred fifty thousand and fewer than two hundred thousand inhabitants: **Boone County**.

55. According to the 2020 Census, the top ten counties in Missouri by population are:

County	Population (2020 Census)
1. St. Louis County	999,703
2. Jackson County	715,526
3. St. Charles County	406,262
4. Greene County	299,188
5. St. Louis City/County	298,019
6. Clay County	253,085
7. Jefferson County	226,984
8. Boone County	184,043
9. Jasper County	122,788
10. Cass County	108,205

56. Boone County had 184,043 residents in 2020 and currently has 194,170 residents.

57. Boone County is the only county in Missouri that has more than 150,000 but fewer than 200,000 inhabitants.

58. The State of Missouri drafted this population bracket purposefully narrow, knowing that only Boone County met that definition, thereby ensuring the Boone County Provision of SB 727 would apply exclusively to Boone County and to no other county in the State.

59. Moreover, the State of Missouri drafted this population bracket knowing that Boone County is only a few years away from moving out of the bracket.

60. Boone County's population has increased steadily for the past several decades, as reflected by census data and local planning estimates.

61. Demographers project that Boone County will exceed 200,000 residents within five years. Office of Administration Division of Budget and Planning, Total Population for All Counties, available at <https://budplan.oa.mo.gov/media/pdf/total-population-all-counties> (last accessed December 11, 2025).

62. Correspondingly, no other county in Missouri is projected to enter the 150,000–200,000 band before the 2030 census. *See* Office of Administration Division of Budget and Planning, Total Population for All Counties, available at <https://budplan.oa.mo.gov/media/pdf/total-population-all-counties> (last accessed December 11, 2025).

63. In other words, once Boone County exceeds 200,000 residents in 2-3 years the Boone County Provision in SB 727 will apply to zero counties.

64. A classification for charter expansion that will rapidly have no members cannot be rationally tied to any purported legislative purpose.

65. This confirms that the pretextual population bracket lacks elasticity and cannot operate as a general law over time.

66. The application of the classification to population trends throughout the state demonstrates that the population bracket included in the Boone County Provision was crafted to reach Boone County and Boone County alone. That is a violation of the Missouri Constitution.

***Boone County Also Targeted by State
Through Special Charter School Funding Model***

67. In addition to targeting Boone County for the expansion of charter schools, the State of Missouri also targeted Boone County with a different charter funding mechanism.

68. Until SB 727, all charter schools in Missouri were subject to the same funding model. With the passage of SB 727 came a split funding scheme, with Boone County having one model and the rest of the state having a different model.

69. Traditional public schools receive funding from three primary sources: local, state, and federal.

70. State aid is determined by the formula set forth in Section 163.031.1:

The department of elementary and secondary education shall calculate and distribute to each school district qualified to receive state aid under section 163.021 an amount determined by multiplying the district's weighted average daily attendance by the state adequacy target, multiplying this product by the dollar value modifier for the district, and subtracting from this product the district's local effort and subtracting payments from the classroom trust fund under section 163.043.

71. Charter schools also receive state aid.

72. Specifically, a charter school that has declared itself a local educational agency is entitled to receive:

[A]n annual amount equal to the product of the charter school's weighted average daily attendance and the state adequacy target, multiplied by the dollar value modifier for the district, plus local tax revenues per weighted average daily attendance from the incidental and teachers funds in excess of the performance levy as defined in section 163.011 plus all other state aid attributable to such pupils.
§160.415.4.

73. The Department of Elementary and Secondary Education (DESE) deducts this amount from the state aid otherwise payable to the school district in which the charter school is located and remits the deducted amount directly to the charter school.

74. This funding model creates significant financial strain for public school districts as not all the costs associated with educating a student are variable, meaning they do not change when a student transfers to a charter school.

75. As a result, when a student transfers to a charter school, the school district loses funding associated with that student but is still required to pay certain fixed and ongoing district expenditures—such as administrative staff, pensions, and buildings—that cannot be readily or proportionately reduced.

76. This funding model also causes problems for charter schools.

77. For example, in some cases, the number of students attending charter schools reaches a point where the state aid is less than the amount of aid the charter school is entitled to receive.

78. This means that the school district will have all their state aid withheld and the charter school will not receive all the money they are entitled to under the statute.

79. In 2022, the State of Missouri passed and approved House Bill 1552, which resulted in increased funding for charter schools.

80. HB 1552 resulted in the addition of subsections 15-18 to Section 160.415. A true and correct copy of Section 160.415 is attached hereto as Exhibit 3 and incorporated by reference.

81. Subsection 15 of Section 160.415 provides that DESE must remit to charter schools the following:

... an amount equal to the weighted average daily attendance of the charter school multiplied by the difference of:

(1) The amount of state aid and local aid per weighted average daily attendance received by the school district in which the charter school is located, not including any funds remitted to charter schools in the district. For the purposes of this subdivision, the weighted average daily attendance of the school district shall not include the weighted average daily attendance of the charter schools located in the district; and

(2) The amount of state aid and local aid per weighted average daily attendance of the charter school received by the charter school.

82. This change in the funding model benefited charter schools but did nothing to alleviate the financial strain experienced by public school districts.

83. This individualized funding scheme alters the financial obligations and statutory responsibilities of Boone County school districts alone, confirming that SB 727 regulates the affairs of Boone County school districts.

84. Two years later, when working to pass the Boone County Provision in SB 727, the State expressly exempted any charter schools opened and operated in Boone County from the additional funding mechanism provided for in subsections 15-18 of Section 160.415.

85. Unlike every other school district in Missouri in which charter schools operate, then, all school districts in Boone County are required to absorb the entire financial impact of funding charter schools opened in the county without any additional support from the State of Missouri.

86. Prior to the passage of SB 727, school districts exercised exclusive local governance over public education within their boundaries (subject to general state oversight).

87. The Boone County Provision in SB 727 authorizes charter schools (independent public schools) to operate within Boone County outside of district governance.

88. In other words, publicly funded schools may now operate in Boone County without governance by local boards, uniquely affecting Boone County districts.

89. Districts remain responsible for fixed obligations while per-pupil funds are diverted to charters.

90. These combined governance and funding impacts apply only in Boone County.

***State of Missouri Admits
Boone County Provision of SB 727 Targeted Boone County***

91. The State of Missouri was aware that, with the Boone County Provision of SB 727, it was proposing a revision to the current charter school laws that would apply only to Boone County.

92. The State of Missouri did not intend for the revision in SB 727 regarding charter school locations to apply to any other county other than Boone County.

93. The legislative record confirms this intent.

94. The Bill Summary for SB 727 does not refer to the expansion of charter schools to counties “with between 150,000 and 200,000 inhabitants.” A true and correct copy of the Bill Summary for SB 727 is attached hereto as Exhibit 4 and incorporated by reference.

95. Instead, the Bill Summary for SB 727 states plainly:

The act adds all school districts located in Boone County to the list of school districts in which a charter school may be operated by any entity currently authorized to operate a charter school under state law.

Bill Summary for 727 Bill (emphasis added).

96. The legislative records confirms that Boone County Provision was designed to operate as a one-county law rather than a general statute.

97. The Bill Summary for SB 727 further explains that Boone County will be treated differently from all other charter schools in Missouri:

Provisions of current law that provide for additional state aid to charter schools ***shall not apply to any charter school operated in Boone County.***

98. The reference in the Bill Summary to Boone County (and not to the population bracket of counties with between 150,000 and 200,000 inhabitants) was echoed by the members of the General Assembly throughout the legislative session in 2024.

99. For instance, the sponsor of SB 727, Senator Caleb Rowden, a Boone County resident, stated at the end of the legislative session that he was “walking out of here with a charter school in Boone County and going home with my head held high” underscoring that the legislation was designed to affect Boone County, and Boone County alone.

***State of Missouri Targeted Boone County
for Expansion of Charter Schools
Without Explanation, Justification, or Rational Basis***

100. The legislative record is devoid of any explanation, justification, or rational basis for why Boone County should be targeted for expansion of charter schools as opposed to other counties or school districts.

101. During debate on SB 727, legislators offered only generalized remarks about charter schools, none of which addressed any condition or circumstance unique to Boone County. At no point did any legislator identify a specific fact, need, or justification that would support expanding charter schools to counties with between 150,000 and 200,000 inhabitants rather than anywhere else in the State.

102. The absence of any rational explanation is underscored by the significant differences among the public school districts located in Boone County, thus making them subject to charter expansion under the Boone County Provision.

103. Boone County contains all or portions of the following public schools:

School District	Location
Centralia R-VI School District	Centralia, Missouri
Columbia 93 School District	Columbia, Missouri
Fayette R-III School District	Fayette, Missouri
Hallsville R-IV School District	Hallsville, Missouri
Harrisburg R-VIII School District	Harrisburg, Missouri
New Franklin R-I School District	New Franklin, Missouri
North Callaway R-I School District	Kingdom City, Missouri
Southern Boone County R-I	Ashland, Missouri
Sturgeon R-V School District	Sturgeon, Missouri

104. Although these districts (or portions of these districts) are all located within Boone County, these school districts have no common educational characteristic that would distinguish them collectively from school districts elsewhere in the state.

105. School districts in Boone County vary dramatically, with extensive ranges in categories traditionally used as points of comparison between school districts:

8. School District	Student Population
Centralia R-VI School District	1,292
Columbia 93 School District	18,034
Fayette R-III School District	632

Hallsville R-IV School District	1,539
Harrisburg R-VIII School District	568
New Franklin R-I School District	361
North Callaway R-I School District	959
Southern Boone County R-I	1,903
Sturgeon R-V School District	2,766

School District	Accreditation Score
Centralia R-VI School District	87.2%
Columbia 93 School District	88.7%
Fayette R-III School District	81.3%
Hallsville R-IV School District	84.6%
Harrisburg R-VIII School District	72.3%
New Franklin R-I School District	86.1%
North Callaway R-I School District	77.8%
Southern Boone County R-I	95.9%
Sturgeon R-V School District	59.5%

School District	Annual Expenditures
Centralia R-VI School District	\$19,000,883
Columbia 93 School District	\$433,025,816
Fayette R-III School District	\$9,808,281
Hallsville R-IV School District	\$22,437,361
Harrisburg R-VIII School District	\$10,603,237

New Franklin R-I School District	\$5,707,277
North Callaway R-I School District	\$22,572,815
Southern Boone County R-I	\$31,349,992
Sturgeon R-V School District	\$23,402,814

School District	Local Tax Per Pupil
Centralia R-VI School District	\$ 5,648
Columbia 93 School District	\$11,561
Fayette R-III School District	\$6,561
Hallsville R-IV School District	\$4,542
Harrisburg R-VIII School District	\$5,827
New Franklin R-I School District	\$6,088
North Callaway R-I School District	\$7,372
Southern Boone County R-I	\$6,701
Sturgeon R-V School District	\$1,517

School District	Expenditure Per Pupil
Centralia R-VI School District	\$11,430
Columbia 93 School District	\$15,658
Fayette R-III School District	\$11,203
Hallsville R-IV School District	\$10,651
Harrisburg R-VIII School District	\$12,846
New Franklin R-I School District	\$12,542
North Callaway R-I School District	\$12,761

Southern Boone County R-I	\$11,821
Sturgeon R-V School District	\$6,298

106. By targeting a single county for the expansion of charter schools, the State of Missouri actually targeted an arbitrary selection of 9 different public school districts that share no meaningful commonalities or unifying characteristics.

107. Based on the comments made by the General Assembly during debate of SB 727, it appears the only reason charter schools were not expanded into other counties was because they could not get enough votes.

108. Senator Caleb Rowden offered the following explanation of why Boone County for charter school expansion:

[Y]eah, I mean, I think he end up having a bigger fight, just the nature of how you one get to a vote . . . thinking about, you know, all of the various machinations that get you to that point. I think there would be probably significantly more opposition from folks in St Louis County, some of which are Democrat, so that, you know, that was the main calculation.²

A General Law Could Have Been Made Applicable

109. A general law could have been made applicable to achieve any legitimate legislative purpose associated with charter school expansion in Missouri. For more than twenty-five years, Missouri has authorized charter schools using uniform, statewide classifications tied to desegregation remedies, accreditation status, academic performance, and local board consent. These criteria apply consistently across the entire State and provide a workable, neutral framework for determining where charter schools may operate.

² Video available at <https://www.youtube.com/watch?v=16ebCB-dFUM> (last accessed December 8, 2025).

110. The Missouri General Assembly could have expanded charter school availability by modifying any of these existing statewide classifications, by creating new performance-based criteria applicable to all districts, or by permitting charter expansion upon local consent and vote. Any of these approaches would and could have operated statewide rather than singling out one county.

111. Nothing in the legislative record suggests that a “Boone County only” carveout was necessary to accomplish any stated goal of SB 727. The legislative debates contain no findings, data, or evidence that Boone County differs in any meaningful way from other Missouri counties with respect to student need, district performance, school choice, market competition, or any other educational factor.

112. The Missouri Constitution requires two separate findings to establish that a statute is an impermissible special law: (1) that the statutory classification lacks any rational basis; and (2) that a general law could have been made applicable.

113. Instead of adopting any general statewide standard, the Legislature chose a narrow population bracket that was crafted to capture Boone County and Boone County alone. This approach was not compelled by educational necessity, by administrative limitations, or by any statewide policy consideration.

114. The availability of existing statewide charter school criteria—and the Legislature’s ability to modify those criteria if desired—demonstrates that a general law could clearly have been made applicable to any legitimate purpose associated with charter-school expansion.

115. The Legislature’s decision to reject a general statewide standard and instead enact a one-county classification confirms that the Boone County Provision of SB 727 is a special law. A statute that could have been drafted to apply uniformly to all similarly situated counties, but instead applies only to one county, violates Article III, Section 40(30) of the Missouri Constitution.

116. Charter School expansion is inherently general in nature and capable of being applied statewide. The 102nd Missouri General chose to make it special for political reasons. Its decision to expand charters into Boone County alone, despite the availability of neutral, general standards, establishes the Boone County Provision of SB 727 as an impermissible special law.

117. Where neutral, statewide standards were readily available, the decision to single out one county confirms the enactment of an impermissible special law.

***The Boone County Provision of SB 727
is Vague, Ambiguous, and Unworkable***

118. The Boone County Provision of SB 727 is vague and ambiguous because it does not define what it means for a school district to be “located within a county with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants.”

119. Several Missouri school districts have boundaries that extend into Boone County even though the Missouri Department of Elementary and Secondary Education (“DESE”) classifies them as belonging to other counties for administrative purposes.

120. For example, Fayette R-III School District includes territory within Boone County yet DESE designates Fayette R-III as a Howard County district. The Boone County Provision of SB 727 provides no guidance on whether a charter school could be opened: anywhere within the Fayette R-III District; only within the geographical portion located within Boone County; or not at all.

121. North Callaway R-I School District and New Franklin R-I School District also include territory within Boone County but are classified by DESE as a Callaway County district and a Howard County district, respectively. The Boone County Provision of SB 727 does not indicate whether North Callaway and New Franklin are considered districts “located within” Boone County for purposes of the statute.

122. This ambiguity produces multiple conflicting interpretations of the Boone County Provision of SB 727, including:

- whether the statute applies to any district with any boundary located in Boone County;
- whether it applies only to districts primarily located in Boone County;
- whether it applies only to the six districts DESE identifies as Boone County districts; or
- whether it applies only to districts whose central office, majority of students, or majority of acreage are located in Boone County.

123. SB 727 provides no answer.

124. The ambiguity is not limited to Fayette R-III, North Callaway R-I, and New Franklin R-I. Other districts—including Centralia R-VI, Harrisburg R-VIII, and Sturgeon R-V—extend beyond Boone County into neighboring counties, further obscuring whether these districts fall within reach of the Boone County Provision in SB 727.

125. As a result, the Boone County Provision of SB 727 leaves school districts, charter school applicants, DESE, the State BOE, and the public without any clear understanding of which districts are subject to charter expansion and which are not.

126. The confusion becomes even more pronounced when examining the students served by districts whose boundaries cross county lines. Several districts with only a small portion of land in Boone County serve many students who reside entirely outside Boone County.

127. Under the Boone County Provision of SB 727, a charter school authorized solely because of Boone County's population could enroll students who do not reside in Boone County at all but who happen to live in a district with a small sliver of boundaries within Boone County.

128. At the same time, the Boone County Provision of SB 727 provides no clarity as to whether students who do reside in Boone County—but attend a district administratively designated

as belonging to another county (such as Fayette R-III, North Callaway R-I, or New Franklin R-I)—would have access to a Boone County charter school.

129. These inconsistencies lead to arbitrary and irrational outcomes:

- students outside Boone County may gain access to a Boone County charter school solely because their district crosses the county line;
- while students inside Boone County may be denied access because their district is administratively tied to another county.

130. SB 727 offers no mechanism to reconcile these conflicting results.

131. Consequently, the Boone County Provision of SB 727 creates a situation where the right to attend a Boone County charter school depends not on residence, need, or educational policy, but on whether a student's district happens to include an incidental portion of Boone County.

132. Such arbitrary results are incompatible with a general law and demonstrate the absence of any rational basis for the Boone County Provision in SB 727.

133. The failure of the Boone County Provision in SB 727 to define the operative phrase “located within a county” renders the statute vague, unworkable, and subject to arbitrary enforcement, and provides further evidence of its unconstitutionality.

134. This ambiguity reinforces that the Boone County Provision of SB 727 is an impermissible special law.

135. The ambiguity of the Boone County Provision in SB 727 also underscores the General Assembly's failure to provide the constitutionally required notice under Article III, Section 42. Because residents could not know whether their district fell within reach of the Boone County Provision, meaningful notice was impossible.

136. The vague and undefined language of the Boone County Provision in SB 727 is not merely poor drafting; it is the mechanism through which the State concealed a “Boone County only”

law behind the appearance of a general statute. A law that obscures its true target behind ambiguous wording is the very definition of an impermissible special law.

***State of Missouri Refused to Provide
Constitutionally Required Notice to Boone County***

137. The State of Missouri has a specific procedure for the General Assembly to follow if it wishes to propose, approve, and pass a local or special law targeted to specific group of its residents.

138. Article III, Section 42 of the Missouri Constitution states:

Notice of proposed local or special laws. — No local or special law shall be passed unless a notice, setting forth the intention to apply therefor and the substance of the contemplated law, shall have been published in the locality where the matter or thing to be affected is situated at least thirty days prior to the introduction of the bill into the general assembly and in the manner provided by law. Proof of publication shall be filed with the general assembly before the act shall be passed and the notice shall be recited in the act.

139. The General Assembly was aware of this issue regarding the Boone County Provision of SB 727 and refused to take action to correct it.

140. During debate on SB 727 on the General Assembly floor, Senator Moon stated:

[W]e can create special laws, but we have to follow certain criteria, one of those is to notice that in the area that it's supposed to impact. And then it has to be done 30 days prior to the introduction of the bill and then it has to be cited in the bill too. Do you know if that was done? Because I don't see that citation?

[W]e have to follow Article 3, Section 42 and since we didn't do it, that another reason I can't vote for it unless we changed that.³

141. The General Assembly did not provide notice through publication to Boone County regarding the special law provisions of SB 727 which expanded charter schools into Boone County.

³ Audio available at media.senate.mo.gov/DebateArchive/2024/031224/031224II.mp3 (last accessed December 8, 2025).

***Charter School Application Submitted Without Required Notice
and in Violation of Sponsor's Policies and Procedures***

142. No entity submitted an application to open a charter school in Boone County for approval to the State Board of Education during the 2025 legislative session.

143. On November 21, 2025, the District received a communication from Saint Louis University ("SLU") informing them that Frontier Schools, Inc. ("Frontier") had applied to open a charter public school in Columbia, Missouri, beginning in either the 2026-2027 or the 2027-2028 school year. A true and correct copy of SLU's letter is attached hereto as Exhibit 5 and incorporated by reference.

144. Frontier is a public charter school system currently serving K-12 students at four separate locations in Kansas City, Missouri. Frontier does not currently operate any charter school in Missouri outside of the Kansas City area.

145. SLU informed the District that they had already decided to serve as the sponsor of the proposed new charter school.

146. The communication included part of Frontier's application as an attachment and a link to a Google Drive, which reportedly included other supporting materials and documentation submitted to SLU by Frontier as part of its application.

147. Although the District could view the attached materials, the District was ***not granted access*** to the supporting materials and documentation submitted as part of the application.

148. This was the first time the District had been provided even a partial copy of Frontier's application. A true and correct copy of Frontier's application (as provided at the time and excluding the supporting materials or documentation) is attached hereto as Exhibit 6A and incorporated by reference.

149. The District did not receive access to the supporting materials and documentation until December 2, 2025, and only upon CPS's request. A true and correct copy of Frontier's

application (as provided after access was granted and with the supporting materials or documentation) is attached hereto as Exhibit 6B and incorporated by reference.

150. Pursuant to Section 160.405.1, Frontier Schools was required to provide a copy of its full and complete application, including all required submissions, to the Board of Education of the Columbia Public Schools within five business days of the date the sponsorship application was filed with SLU.

151. Frontier Schools failed to comply to this requirement.

152. Upon information and belief, Frontier submitted its application to SLU more than five business days prior to November 21, 2025.

153. SLU's sponsorship application guidelines state that applications must be submitted no later than July 15 in the year prior to the anticipated opening, and that applicants will receive a response from SLU within 60 days of submission.

154. By failing to adhere to the notice requirements in Section 160.405.1, Frontier eliminated the District's opportunity to file objections to the proposed charter application with SLU as the potential sponsor, prior to SLU's acceptance of sponsorship.

155. Had the District been given the opportunity to voice its objections, it would have raised several concerns, including no demonstrated need; misleading claims and erroneous assumptions; and no local voice.

156. As to the District's first concern—no demonstrated need—Frontier claims that a charter is necessary in Columbia to address the achievement gap among certain student subgroups.

157. Yet Frontier's application fails to identify a single intervention that is not currently being employed by Columbia Public Schools to address the needs of those underperforming student subgroups.

158. Moreover, Frontier’s proposed enrollment plan—first-come, first-serve or, if there are more applications than spots, a lottery—offers no means of reaching the underserved students Frontier identifies as its target.

159. In reality, Frontier’s intended target population appears to be students currently enrolled in private schools.

160. Leadership of the Missouri Charter Association confirmed this target population during a July meeting with District leadership.

161. Thus, Frontier seeks to divert millions of public dollars away from Columbia Public Schools to open a selective, privately run school for families who are currently paying private school tuition.

162. As to the District’s second concern, misleading claims and erroneous assumptions, Frontier explicitly states its enrollment strategy and financial projections are based on accepting “eligible students in Boone County.” This approach to school growth is not permitted under state law, which limits charter student enrollment to the residential boundaries of the local school district in which a charter is located.

163. Frontier cannot open a charter school inside of Columbia district boundaries and then enroll students residing elsewhere in Boone County.

164. Frontier’s assertion that a charter school is needed due to “capacity pressures” at the elementary level ignores significant recent and planned investments, specifically the opening of one new elementary school and the expansion of two existing elementary schools between 2024 and 2026.

165. In its application, Frontier claims that it “promote[s] inclusive practices that support special populations.” State data shows otherwise.

166. Using data reported to the public by DESE, the average percentage enrollment of students receiving special education services across all of Frontier's existing schools was 6.13% while the corresponding average for CPS was double that percentage at 12.5%. Similarly, over the last 4 years of state testing, Frontier KC administered state assessments to special education students in only two of seven disability categories. By comparison, Columbia Public Schools administered state assessments to special education students in all seven categories.

167. In other words, Frontier has an established track record of serving fewer special education students than Columbia Public Schools, both in volume and in scope.

168. Finally, the District would have expressed its concerns regarding the complete lack of local voice.

169. Despite wishing to open a charter school in the Columbia area, upon information and belief, Frontier's governing board includes only a single person who resides in Columbia.

170. Moreover, and also upon information and belief, Frontier's governing board includes multiple individuals who live outside Missouri.⁴

171. SLU's submission procedures require a prospective charter to document evidence of interest from families the charter intends to serve. There has been no public engagement to determine support in Columbia for Frontier's proposed charter.

172. Indeed, community leaders have been objecting to the expansion of charter schools in Boone County since the Boone County Provision in SB 727 was introduced.

- On March 1, 2024, five Superintendents representing school districts in Boone County sent a letter to Missouri legislators expressing their strong opposition to any legislation that expanded charter schools in Boone County. A true and correct copy of the Superintendent's March 1, 2024, letter is attached hereto as Exhibit 7 and incorporated by reference.

⁴ Pursuant to Missouri law, "members of the governing board of a charter school shall be residents of the state of Missouri." Section 160.415.20(1) RSMo.

- On May 3, 2024, seven Superintendents representing school districts in Boone County sent a letter to then-Governor Mike Parson expressing opposition to SB 727 and requesting a veto from the Governor. A true and correct copy of the Superintendent's May 3, 2024, letter is attached hereto as Exhibit 8 and incorporated by reference.

- On September 2, 2025, a letter by Senator Stephen Webber and other officials representing Boone County expressing their strong opposition to Saint Louis University's sponsorship of a charter school in Boone County, was hand delivered to SLU's President, Edward Feser. A true and correct copy of Senator Webber's letter is attached hereto as Exhibit 9 and incorporated by reference.

173. The lack of local public engagement is also reflected in the lack of local leadership within Frontier. The application seeks to open a school that will be managed and overseen from out of town. Frontier plans to use corporate administrators in Kansas City to operate a school in Columbia, and SLU plans to oversee that operation from St. Louis.

174. Overall, Frontier submitted a haphazard application and even resorted to "copying and pasting" portions of its Kansas City application into its Columbia application.

175. For example, when describing how it developed its goals in the application, Frontier failed to change the name of the local district to Columbia; instead, it states that "the Performance Contract requires that academic goals meet or exceed the aggregated pupil performance of Kansas City Public Schools."

176. Frontier's failure to provide the required statutory notice related to its sponsorship application denied Columbia Public Schools the ability to send objections to SLU and highlight the numerous deficiencies in Frontier's application:

- Frontier's failure to submit a completed Missouri Charter School 5-Year Budget Template that makes clear all major underlying budget assumptions, as required by SLU's application.
- Frontier's failure to include a detailed and comprehensive financial plan for the first three years of operation of the charter school, as required by Section 160.405.1(3).

- Frontier's failure to adequately explain how its academic goals aiming to meet or exceed the aggregated pupil performance of Columbia Public Schools fairly documents student learning and the demonstrable impact of the charter's education, as required by SLU's application.
- Frontier's failure to provide a detailed and complete school calendar for the first year of operation, as required by SLU's application and Section 160.405.1(6).
- Frontier's failure to document the procedures to be implemented if the charter school should close, as required by Section 160.405.1(15).

177. Not only did Frontier fail to provide the District with a copy of its application in a timely manner as required under Section 160.405.1, but Frontier also failed to follow SLU's internal policies and procedures for reviewing and approving charter school sponsorship applications.

178. Section 160.405.2(1) requires that a charter school follow the sponsor's policies and procedures for review and granting of a charter approval.

179. In its sponsorship application, SLU sets forth the following deadlines:

Action	Timing/Deadline
Prospectus Submitted to SLU	No later than May 15 in the year prior to anticipated opening.
Response to Prospectus to Applicant	30 days following submission
Application Submitted	No later than July 15 in the year prior to anticipated opening
Response to Application to Applicant	60 days following submission
Contract Signed (<i>if application accepted</i>)	No later than October 15 th in the year prior to anticipated opening
Fully agreed-upon Charter Submitted to DESE	No later than November 10 th in the year prior to anticipated opening

SBOE Decides on charter	No later than January 31 st in the year of anticipated school opening
School opens	August 20XX

180. On information and belief, Frontier did not submit a prospectus to SLU.

181. On information and belief, Frontier did not submit an application on or before July 15, 2025.

182. On information and belief, the contract between Frontier and SLU was not signed on or before October 15, 2025.

183. On information and belief, the fully agreed-upon Frontier Charter was not submitted to DESE by November 10, 2025.

184. Despite Frontier's failure to adhere to SLU's internal deadlines—and Frontier's failure to notify Columbia Public Schools as required when it submitted its application to SLU—SLU still accepted Frontier's application and agreed to serve as the sponsor.

185. The lack of attention to detail by both Frontier and SLU is deeply concerning given that this charter intends to divert millions of local taxpayer dollars from the local public school district.

The Issue is Ripe for Judgment

186. On December 15, 2025, the Board of Education of the Columbia Public Schools sent a letter to SLU and the State Board of Education objecting to Frontier's sponsorship application. A true and correct copy of the Board's letter is attached hereto as Exhibit 10 and incorporated by reference.

187. In the letter, the Board identified multiple concerns, including substantive objections to Frontier's application and procedural objections arising from Frontier's failure to provide the required statutory notice and to follow SLU's internal sponsorship procedures.

188. As part of this communication, the Board also asked to be added to the Missouri Board of Education's January 2026 meeting agenda to voice their objection to Frontier's application.

189. The Missouri Board of Education has not responded to the Board's request.

190. Upon information and belief, the Missouri Board of Education intends to make its decision on Frontier's application no later than January 31, 2026.

191. Until a charter school application was submitted and processed pursuant to the Boone County Provision, Plaintiffs had no concrete, particularized injury and no practical ability to challenge the General Assembly's failure to provide notice specific to that provision. Plaintiffs were first aggrieved, or among the first persons aggrieved, by the Boone County Provision when it was invoked to initiate and advance the Frontier Schools charter sponsorship and approval process in Boone County beginning in November 2025. Plaintiffs bring this action promptly after becoming aggrieved and before the State Board of Education takes final action.

192. Absent Court action in this case, Plaintiffs have no adequate remedy at law to prevent the enforcement of an unconstitutional statute or the approval of an unlawful charter application.

193. Absent immediate injunctive relief, Plaintiffs will suffer irreparable harm, including the diversion of public funds, the loss of statutory rights, and the operation of publicly funded schools in Boone County pursuant to an unconstitutional and unlawful statutory scheme.

194. The balance of equities favors injunctive relief because Defendants have no legitimate interest in enforcing an unconstitutional statute or approving an application that fails to comply with Missouri law.

195. Injunctive relief is in the public interest because it preserves constitutional governance, protects public education funding, and ensures that charter school approvals occur only in compliance with statutory requirements.

196. The issue is ripe for judgment.

COUNT I – DECLARATORY JUDGMENT
(AGAINST STATE OF MISSOURI AND ATTORNEY GENERAL)

The Boone County Provision of Senate Bill 727
is an Impermissible Special Law

197. Plaintiffs incorporate by reference all preceding paragraphs of the Petition as if set forth fully herein.

198. Missouri’s Constitution prohibits special legislation.

199. Article III, Section 40 of the Constitution of the State of Missouri states:

The general assembly shall not pass any local or special law. . . .

(21) creating offices, prescribing the powers and duties of officers in or ***regulating the affairs*** of counties, cities, townships, election or ***school districts***; . . .

(24) ***regulating the management of public schools***, the building or repairing the schoolhouses, and ***raising of money for such purposes***; . . . [or]

(30) ***where a general law can be made applicable***

Mo. Const. art. III, §40 (emphasis added).

200. When a statute uses a facially general population bracket that, in practice, isolates only one county, courts treat this as a red flag for a prohibited special law.

201. The Boone County Provision of SB 727 is a special law because there is no rational basis for expanding charter schools in Boone County while exempting other counties in Missouri from this expansion.

202. The Boone County Provision of SB 727 is a special law because there is no rational basis for expanding charter schools only into counties based on a population bracket of one hundred fifty thousand and fewer than two hundred thousand inhabitants.

203. The Boone County Provision of SB 727 is a special law because there is no rational basis for expanding charter schools into a single county with a handful of different public school districts that share nothing in common.

204. The Boone County Provision of SB 727 is a special law because the population bracket of one hundred fifty thousand and fewer than two hundred thousand inhabitants is not projected to apply to any counties before the next census in 2030.

205. The Boone County Provision of SB 727 is a special law because a classification for charter expansion that will soon have no members cannot be rationally tied to any purported legislative purpose.

206. The Boone County Provision of SB 727 is a special law because the temporary nature of the statute's application reveals that the population bracket lacks elasticity, which Missouri case law requires for general laws.

207. The Boone County Provision of SB 727 is a special law because there is no rational basis for changing the funding mechanism for charter schools in Boone County compared to how charter schools in other parts of the state are funded.

208. A law that applies to one and only one county, without any meaningful relationship between the population bracket and the legislation's purpose, is an unconstitutional special law disguised as a general one.

209. The special law adopted through the Boone County Provision of SB 727 does not further the social or economic interests of the State.

210. Missouri law defines a charter school as an “independent public school”. *See* §160.400(1).

211. Boone County Provision of SB 727 authorizes and funds public school operating outside district governance solely within Boone County,

212. SB 727 establishes a dual public-school system in Boone County by funding public schools that operate outside district governance, while other counties’ districts are not subjected to the same structure.

213. The Boone County Provision of SB 727 is a special law that prescribes the powers and duties of officers in Boone County school districts, including Columbia Public Schools, in violation of Article III, Section 40(21) of the Constitution of the State of Missouri.

214. The Boone County Provision of SB 727 is a special law that regulates the affairs of Boone County school districts, including Columbia Public Schools, in violation of Article III, Section 40(21) of the Constitution of the State of Missouri.

215. The Boone County Provision of SB 727 is a special law that regulates the management and funding of public schools in Boone County, in violation of Article III, Section 40(24) of the Constitution of the State of Missouri.

216. The Boone County Provision of SB 727 is a special law where a general law could have been made applicable, in violation of Article III, Section 40(30) of the Constitution of the State of Missouri.

COUNT II – DECLARATORY JUDGMENT
(AGAINST STATE OF MISSOURI AND ATTORNEY GENERAL)

***The General Assembly Failed to Provide Notice
as Required by Missouri’s Constitution***

217. Plaintiffs incorporate by reference all preceding paragraphs of the Petition as if set forth fully herein.

218. Article III, Section 42 of the Missouri Constitution states:

Notice of proposed local or special laws. — No local or special law shall be passed unless a notice, setting forth the intention to apply therefor and the substance of the contemplated law, shall have been published in the locality where the matter or thing to be affected is situated at least thirty days prior to the introduction of the bill into the general assembly and in the manner provided by law. Proof of publication shall be filed with the general assembly before the act shall be passed and the notice shall be recited in the act.

219. The General Assembly did not publish the Boone County Provision of SB 727 in Boone County at least thirty days prior to the introduction of the bill into the General Assembly.

220. The General Assembly did not publish the Boone County Provision of SB 727 in the manner provided by law in Boone County at least thirty days prior to the introduction of the bill into the General Assembly.

221. The General Assembly did not file proof of such publication with the General Assembly before the Boone County Provision of SB 727 was passed.

222. The General Assembly did not recite in SB 727 the published notice for the Boone County Provision.

223. The Boone County Provision of SB 727 violates Article III, Section 42.

COUNT III – DECLARATORY JUDGMENT
(AGAINST MISSOURI STATE BOARD OF EDUCATION)

***Approval of Frontier’s Application Would Be Unlawful
Because Frontier Failed to Provide the Notice Required by Section 160.405.1***

224. Plaintiffs incorporate by reference all preceding paragraphs of the Petition as if set forth fully herein.

225. Section 160.405.1 states:

A person, group or organization seeking to establish a charter school shall submit the proposed charter, as provided in this section, to a sponsor. If the sponsor is not a school board, the applicant shall give a copy of its application to the school board of the district in which the charter school is to be located and to the state board of education, within five business days of the date the application is filed with the proposed sponsor.

226. Frontier did not provide a copy of its application to the Columbia Public Schools Board within five days of the date the application was filed with its proposed sponsor, SLU.

227. Indeed, Columbia Public Schools did not receive a copy of Frontier's application until after SLU had already agreed to serve as Frontier's sponsor.

228. Frontier failed to provide timely notice as required by Section 160.405.1.

229. Frontier's failure to follow the requirements of Section 160.405.1 denied the Board of Education for the Columbia Public Schools its statutory right to provide timely objections to Frontier's charter application.

230. Because Frontier did not meet the requirements of Section 160.405.1, the Missouri State Board of Education's approval of Frontier's application would be unlawful.

COUNT IV – DECLARATORY JUDGMENT
(AGAINST MISSOURI STATE BOARD OF EDUCATION)
Approval of Frontier's Application Would Be Arbitrary and Capricious

231. Plaintiffs incorporate by reference all preceding paragraphs of the Petition as if set forth fully herein.

232. Section 160.405.2(1) provides that a charter shall follow the sponsor's policies and procedures for review and granting of a charter approval.

233. Frontier did not follow SLU's policies and procedures for review and granting of a charter approval.

234. Frontier did not submit a prospectus to SLU, as required by SLU's policies and procedures.

235. Frontier did not submit an application to SLU on or before July 15, 2025, as required by SLU's policies and procedures.

236. The contract between Frontier and SLU was not signed on or before October 15, 2025, as required by SLU's policies and procedures.

237. Frontier did not engage the public to determine the level of support in Columbia for Frontier's publicly funded charter, as required by SLU's policies and procedures.

238. Frontier did not submit a completed Missouri Charter School 5-Year Budget Template that makes clear all major underlying budget assumptions, as required by SLU's application.

239. Frontier did not adequately explain how its academic goals aiming to meet or exceed the aggregated pupil performance of Columbia Public Schools fairly documents student learning and the demonstrable impact of the charter's education, as required by SLU's application.

240. Frontier did not provide a detailed and complete school calendar for the first year of operation, as required by SLU's application.

241. Because Frontier failed to follow SLU's internal policies and procedures, the Missouri State Board of Education's approval of Frontier's application would be arbitrary and capricious.

242. Section 160.405.2(2) provides that a charter may be approved when the sponsor determines that the requirements of this section are met, determines that the applicant is sufficiently qualified to operate a charter school, and that the proposed charter is consistent with the sponsor's charter sponsorship goals and capacity.

243. Frontier did not meet the requirements of Section 160.405.

244. Frontier did not include a detailed and comprehensive financial plan for the first three years of operation of the charter school, as required by Section 160.405.1(3).

245. Frontier did not provide a detailed and complete school calendar for the first year of operation, as required by Section 160.405.1(6).

246. Frontier did not document the procedures to be implemented if the charter school should close, as required by Section 160.405.1(15).

247. Frontier is not sufficiently qualified to operate a charter school.

248. The proposed charter is not consistent with SLU's charter sponsorship goals and capacity.

249. Because Frontier did not meet the requirements of Section 160.405, is not sufficiently qualified to operate a charter school, and is not consistent with the SLU's goals and capacity, the Missouri State Board of Education's approval of Frontier's application would be arbitrary and capricious.

PRAYERS FOR RELIEF

WHEREFORE, Plaintiffs respectfully request that the Court enter judgment in their favor and against the Defendants and for the following relief:

- (a) a declaration that the Boone County Provision of SB 727 amending Section 160.400.2(5) RSMo is an unconstitutional special law in violation of Article III, Section 40, including subsections (21), (24) and (30), of the Missouri Constitution;
- (b) a declaration that the Boone County Provision of SB 727 amending Section 160.400.2(5) RSMo is an unconstitutional special law that (i) prescribes the powers and duties of officers in, and regulates the affairs of, Boone County school districts, including Columbia Public Schools, and and (ii) regulates the management of public schools and the raising and allocation of money for such purposes in Boone County, in violation of Article III, Sections 40(24) of the Constitution of the State of Missouri;
- (c) a declaration that the Boone County Provision of SB 727 amending Section 160.400.2(5) RSMo is a special law where a general law could have been made applicable, in violation of Article III, Section 40(30) of the Constitution of the State of Missouri;

- (d) a declaration that the Boone County Provision of SB 727 amending Section 160.400.2(5) RSMo was introduced, passed, and approved without notice as required by Article III, Section 42 of the Constitution of the State of Missouri;
- (e) a declaration that the Boone County Provision of SB 727 amending Section 160.400.2(5) RSMo is unconstitutional, invalid, unlawful, and unenforceable;
- (f) a declaration that population classification within the Boone County Provision of SB 727 amending Section 160.400.2(5) (i.e., 150,000–200,000 inhabitants) is arbitrary, lacks any rational basis, and violates the Missouri Constitution;
- (g) a declaration that the Boone County Provision of SB 727 is unconstitutionally vague, ambiguous, unworkable, and incapable of consistent statewide application;
- (h) a declaration that Frontier failed to provide timely notice as required by Section 160.405.1 RSMo;
- (i) a declaration that Frontier failed to follow SLU's internal policies and procedures as required by Section 160.405.2(1) RSMo;
- (j) a declaration that Frontier's sponsorship application is invalid and void because it was not submitted or processed in compliance with Section 160.405;
- (k) a declaration that the Missouri Board of Education's approval of Frontier's application would be arbitrary, capricious, and unlawful;
- (l) temporary, preliminary, and permanent injunctive relief enjoining the Missouri State Board of Education from placing Frontier's application on its agenda, hearing the application, voting upon it, approving it, or taking any action related to the application;
- (m) temporary, preliminary, and permanent injunctive relief enjoining the Missouri State Board of Education from approving any charter school application seeking to operate in Boone County;
- (n) temporary, preliminary, and permanent injunctive relief enjoining the State from enforcing the Boone County Provision of SB 727 amending Section 160.400.2(5) RSMo;
- (o) an order vacating any actions already taken by DESE or the Missouri State Board of Education concerning Frontier's application;
- (p) an award of Plaintiffs' costs herein expended, to the full extent that is equitable and just, including a reasonable fee for Plaintiffs' attorneys; and,
- (q) such other and further relief as may be equitable and just in the premises.

MICKES O'TOOLE, LLC

By: /s/ Natalie Hoernschemeyer

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Grant Wiens, #65701

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*Attorneys for Plaintiffs Columbia 93 School District
and Curt Fuchs*

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Official Court Document Not an Official Court Document Verification Not an Official Court Document

Not an Official Court Document The undersigned hereby certifies that the allegations contained in the above Verified Petition
are true and correct according to his best knowledge, information and belief. Not an Official Court Document

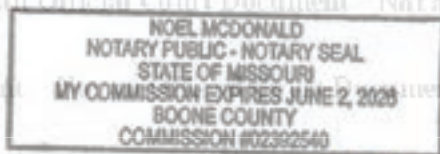
Not an Official Court Document COLUMBIA 93 SCHOOL DISTRICT
aka Columbia Public Schools Not an Official Court Document

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Not an Official Court Document By: Dr. Jeff Klein
Title: Superintendent Not an Official Court Document

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STATE OF MISSOURI)
) ss
COUNTY OF BOONE)

Not an Official Court Document On this 11 day of December, 2025, before me, the undersigned, a Notary Public,
appeared Dr. Jeff Klein, the Superintendent of COLUMBIA 93 SCHOOL DISTRICT aka
Columbia Public Schools, to me personally known to be such person, who being by me duly sworn,
did say that the foregoing instrument was signed in behalf of the Columbia 93 School District by
authority of its governing body, and said officials acknowledged said instrument to be executed for
the purposes therein stated and as the free act and deed of the district. Not an Official Court Document

Not an Official Court Document IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day
and year last above written. Not an Official Court Document



Not an Official Court Document Noel McDonald
Notary Public Not an Official Court Document

Not an Official Court Document My commission expires: 6/2/26 Not an Official Court Document

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Not an Official Court Document The undersigned hereby certifies that the allegations contained in the above Verified Petition,
are true and correct according to his best knowledge, information and belief. Not an Official Court Document

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an Official Court Document Not an Official Court Document Curt Fuchs
By: Curt Fuchs

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STATE OF MISSOURI)
(Document Not an Official Court Document) ss Document Not an Official Court Document Not an Official Court Document
COUNTY OF BOONE)

cial Court Document Not an Official Court Document Not an Official Court Document Not an Official Court Document
On this 12 day of December, 2025, before me, the undersigned, a Notary Public,
appeared Curt Fuchs, to me personally known to be such person, who being by me duly sworn, did
say that the foregoing instrument was signed for the purposes therein stated and as the free act and
deed.

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IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day
and year last above written.

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NOEL McDONALD
NOTARY PUBLIC - NOTARY SEAL
STATE OF MISSOURI
MY COMMISSION EXPIRES JUNE 2, 2028
BOONE COUNTY
COMMISSION #02392540
Noel McDonald
Notary Public

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My commission expires: 6/2/26

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