



THE UNSAFE SCHOOL CHOICE OPTION

The Policy

Under the federal Every Student Succeeds Act (ESSA), passed in 2015, every state must define what makes a school unsafe and any student attending an unsafe school must be allowed to exercise their legal right to transfer to a safer one. This is called the Unsafe School Choice Option (USCO). The burden is placed on states to identify schools that are persistently dangerous and to notify families in those schools of their right to transfer to a safe public school (including charter schools).

Missouri Today

Incredibly, in the ten years since the USCO was put into federal law, Missouri has yet to identify a single persistently dangerous school, even though the Missouri Department of Elementary and Secondary Education (DESE) has reported that over 26,000 violent incidents and 11,000 weapons violations during that time. This leaves families without the transfer option the law intends.

Missouri's rule sets a very high bar for declaring a school dangerous. A school must show violent incidents or weapons violations every year for three years and exceed expulsion thresholds in at least two of those years. In practice, schools very rarely meet those expulsion thresholds, which makes it almost impossible for any school to qualify. In 2024, not one student in the state was expelled and in 2023, just five were. No school has ever met this combined test.

What Missouri Should Do

- Revise the definition of a "persistently dangerous school" using clear, annual criteria that reflect real risks to student safety.
- Base decisions on actual incidents, including law-enforcement referrals and weapons reports, with expulsions being a secondary condition. In other words, change the definition from violence and expulsions to violence or expulsions.
- Provide timely, plain-language notice to parents and guarantee real transfer options, including charter schools and cross-district agreements

Bottom Line

We cannot expect children to learn if they're worried about their personal safety. This federal law must be enforced with integrity.

Examples from Missouri Schools

Poplar Bluff High School

According to the Department of Elementary and Secondary Education, there were 12 violent incidents at the school in 2022, 19 in 2023, and 10 in 2024. In that same three-year period, there were 266 out-of-school suspensions. A violent incident in a Missouri school is when a student uses physical force with the intent to cause serious bodily harm to another person. It is hard to believe that a school with this level of violence feels safe to students.

University City Senior High

From 2022 to 2024 there were 51 violent incidents and 21 weapons violations. Families had no transfer option under USCO.

Vashon High, St. Louis

Teachers petitioned the district about unsafe conditions, and one teacher used pepper spray to stop a crowd of students.

Action is Needed

The Unsafe School Choice Option was designed to give families an emergency exit from these situations. Missouri leaders must stop ignoring this law and start empowering parents to protect their children.



Talk to a Policy Expert

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