

SECOND REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]

SENATE BILL NO. 701

97TH GENERAL ASSEMBLY
2014

5130S.01T

AN ACT

To repeal sections 160.522 and 348.407, RSMo, and to enact in lieu thereof six new sections relating to elementary and secondary education.

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

Section A. Sections 160.522 and 348.407, RSMo, are repealed and six new
2 sections enacted in lieu thereof, to be known as sections 160.522, 168.205,
3 262.960, 262.962, 348.407, and 1, to read as follows:

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

10 2. The department of elementary and secondary education shall develop
11 a standard form for the school accountability report card. The information
12 reported shall include, but not be limited to, the district's most recent
13 accreditation rating, enrollment, rates of pupil attendance, high school dropout
14 rate and graduation rate, the number and rate of suspensions of ten days or
15 longer and expulsions of pupils, the district ratio of students to administrators
16 and students to classroom teachers, the average years of experience of
17 professional staff and advanced degrees earned, student achievement as
18 measured through the assessment system developed pursuant to section 160.518,
19 student scores on the ACT, along with the percentage of graduates taking the

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

20 test, average teachers' and administrators' salaries compared to the state
21 averages, average per pupil current expenditures for the district as a whole and
22 by attendance center as reported to the department of elementary and secondary
23 education, the adjusted tax rate of the district, assessed valuation of the district,
24 percent of the district operating budget received from state, federal, and local
25 sources, the percent of students eligible for free or reduced-price lunch, data on
26 the percent of students continuing their education in postsecondary programs,
27 information about the job placement rate for students who complete district
28 vocational education programs, whether the school district currently has a state-
29 approved gifted education program, and the percentage and number of students
30 who are currently being served in the district's state-approved gifted education
31 program.

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

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

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

52 **6. For purposes of completing and distributing the annual report**
53 **card as prescribed in this section 160.522, a school district may include**
54 **the data from a charter school located within such school district,**
55 **provided the local board of education or special administrative board**

56 for such district and the charter school reach mutual agreement for the
57 inclusion of the data from the charter schools and the terms of such
58 agreement are approved by the state board of education. The charter
59 school shall not be required to be a part of the local educational agency
60 of such school district and may maintain a separate local educational
61 agency status.

168.205. Notwithstanding any provision of law to the contrary,
2 two or more school districts may share a superintendent who possesses
3 a valid Missouri superintendent's license. If any school districts choose
4 to share a superintendent, they shall not be required to receive
5 approval from the department of elementary and secondary education
6 but may notify the department.

262.960. 1. This section shall be known and may be cited as the
2 “Farm-to-School Act”.

3 2. There is hereby created within the department of agriculture
4 the “Farm-to-School Program” to connect Missouri farmers and schools
5 in order to provide schools with locally grown agricultural products for
6 inclusion in school meals and snacks and to strengthen local farming
7 economies. The department shall designate an employee to administer
8 and monitor the farm-to-school program and to serve as liaison between
9 Missouri farmers and schools.

10 3. The following agencies shall make staff available to the
11 Missouri farm-to-school program for the purpose of providing
12 professional consultation and staff support to assist the implementation
13 of this section:

- 14 (1) The department of health and senior services;
15 (2) The department of elementary and secondary education; and
16 (3) The office of administration.

17 4. The duties of the department employee coordinating the farm-
18 to-school program shall include, but not be limited to:

19 (1) Establishing and maintaining a website database to allow
20 farmers and schools to connect whereby farmers can enter the locally
21 grown agricultural products they produce along with pricing
22 information, the times such products are available, and where they are
23 willing to distribute such products;

24 (2) Providing leadership at the state level to encourage schools
25 to procure and use locally grown agricultural products;

26 **(3) Conducting workshops and training sessions and providing**
27 **technical assistance to school food service directors, personnel,**
28 **farmers, and produce distributors and processors regarding the farm-**
29 **to-school program; and**

30 **(4) Seeking grants, private donations, or other funding sources**
31 **to support the farm-to-school program.**

262.962. 1. As used in this section, section 262.960, and
2 **subsection 5 of section 348.707, the following terms shall mean:**

3 **(1) "Locally grown agricultural products", food or fiber produced**
4 **or processed by a small agribusiness or small farm;**

5 **(2) "Schools", includes any school in this state that maintains a**
6 **food service program under the United States Department of**
7 **Agriculture and administered by the school;**

8 **(3) "Small agribusiness", as defined in section 348.400, and**
9 **located in Missouri with gross annual sales of less than five million**
10 **dollars;**

11 **(4) "Small farm", a family-owned farm or family farm corporation**
12 **as defined in section 350.010, and located in Missouri with less than two**
13 **hundred fifty thousand dollars in gross sales per year.**

14 **2. There is hereby created a taskforce under the AgriMissouri**
15 **program established in section 261.230, which shall be known as the**
16 **"Farm-to-School Taskforce". The taskforce shall be made up of at least**
17 **one representative from each of the following agencies: the University**
18 **of Missouri extension service, the department of agriculture, the**
19 **department of elementary and secondary education, and the office of**
20 **administration. In addition, the director of the department of**
21 **agriculture shall appoint two persons actively engaged in the practice**
22 **of small agribusiness. In addition, the director of the department of**
23 **elementary and secondary education shall appoint two persons from**
24 **schools within the state who direct a food service program. One**
25 **representative for the department of agriculture shall serve as the**
26 **chairperson for the taskforce and shall coordinate the taskforce**
27 **meetings. The taskforce shall hold at least two meetings, but may hold**
28 **more as it deems necessary to fulfill its requirements under this**
29 **section. Staff of the department of agriculture may provide**
30 **administrative assistance to the taskforce if such assistance is**
31 **required.**

32 **3. The mission of the taskforce is to provide recommendations**
33 **for strategies that:**

34 **(1) Allow schools to more easily incorporate locally grown**
35 **agricultural products into their cafeteria offerings, salad bars, and**
36 **vending machines; and**

37 **(2) Allow schools to work with food service providers to ensure**
38 **greater use of locally grown agricultural products by developing**
39 **standardized language for food service contracts.**

40 **4. In fulfilling its mission under this section, the taskforce shall**
41 **review various food service contracts of schools within the state to**
42 **identify standardized language that could be included in such contracts**
43 **to allow schools to more easily procure and use locally grown**
44 **agricultural products.**

45 **5. The taskforce shall prepare a report containing its findings**
46 **and recommendations and shall deliver such report to the governor, the**
47 **general assembly, and to the director of each agency represented on the**
48 **taskforce by no later than December 31, 2015.**

49 **6. In conducting its work, the taskforce may hold public**
50 **meetings at which it may invite testimony from experts, or it may**
51 **solicit information from any party it deems may have information**
52 **relevant to its duties under this section.**

53 **7. This section shall expire on December 31, 2015.**

348.407. 1. The authority shall develop and implement agricultural
2 products utilization grants as provided in this section.

3 2. The authority may reject any application for grants pursuant to this
4 section.

5 3. The authority shall make grants, and may make loans or guaranteed
6 loans from the grant fund to persons for the creation, development and operation,
7 for up to three years from the time of application approval, of rural agricultural
8 businesses whose projects add value to agricultural products and aid the economy
9 of a rural community.

10 4. The authority may make loan guarantees to qualified agribusinesses
11 for agricultural business development loans for businesses that aid in the
12 economy of a rural community and support production agriculture or add value
13 to agricultural products by providing necessary products and services for
14 production or processing.

15 **5. The authority may make grants, loans, or loan guarantees to**
16 **Missouri businesses to access resources for accessing and processing**
17 **locally grown agricultural products for use in schools within the state.**

18 **6.** The authority may, upon the provision of a fee by the requesting person
19 in an amount to be determined by the authority, provide for a feasibility study of
20 the person's rural agricultural business concept.

21 **[6.] 7.** Upon a determination by the authority that such concept is
22 feasible and upon the provision of a fee by the requesting person, in an amount
23 to be determined by the authority, the authority may then provide for a
24 marketing study. Such marketing study shall be designed to determine whether
25 such concept may be operated profitably.

26 **[7.] 8.** Upon a determination by the authority that the concept may be
27 operated profitably, the authority may provide for legal assistance to set up the
28 business. Such legal assistance shall include, but not be limited to, providing
29 advice and assistance on the form of business entity, the availability of tax credits
30 and other assistance for which the business may qualify as well as helping the
31 person apply for such assistance.

32 **[8.] 9.** The authority may provide or facilitate loans or guaranteed loans
33 for the business including, but not limited to, loans from the United States
34 Department of Agriculture Rural Development Program, subject to
35 availability. Such financial assistance may only be provided to feasible projects,
36 and for an amount that is the least amount necessary to cause the project to
37 occur, as determined by the authority. The authority may structure the financial
38 assistance in a way that facilitates the project, but also provides for a
39 compensatory return on investment or loan payment to the authority, based on
40 the risk of the project.

41 **[9.] 10.** The authority may provide for consulting services in the building
42 of the physical facilities of the business.

43 **[10.] 11.** The authority may provide for consulting services in the
44 operation of the business.

45 **[11.] 12.** The authority may provide for such services through employees
46 of the state or by contracting with private entities.

47 **[12.] 13.** The authority may consider the following in making the
48 decision:

- 49 (1) The applicant's commitment to the project through the applicant's risk;
50 (2) Community involvement and support;

- 51 (3) The phase the project is in on an annual basis;
- 52 (4) The leaders and consultants chosen to direct the project;
- 53 (5) The amount needed for the project to achieve the bankable stage; and
- 54 (6) The [projects] **project's** planning for long-term success through
- 55 feasibility studies, marketing plans and business plans.

56 [13.] **14.** The department of agriculture, the department of natural

57 resources, the department of economic development and the University of

58 Missouri may provide such assistance as is necessary for the implementation and

59 operation of this section. The authority may consult with other state and federal

60 agencies as is necessary.

61 [14.] **15.** The authority may charge fees for the provision of any service

62 pursuant to this section.

63 [15.] **16.** The authority may adopt rules to implement the provisions of

64 this section.

65 [16.] **17.** Any rule or portion of a rule, as that term is defined in section

66 536.010, that is created under the authority delegated in sections 348.005 to

67 348.180 shall become effective only if it complies with and is subject to all of the

68 provisions of chapter 536 and, if applicable, section 536.028. All rulemaking

69 authority delegated prior to August 28, 1999, is of no force and effect and

70 repealed. Nothing in this section shall be interpreted to repeal or affect the

71 validity of any rule filed or adopted prior to August 28, 1999, if it fully complied

72 with all applicable provisions of law. This section and chapter 536 are

73 nonseverable and if any of the powers vested with the general assembly pursuant

74 to chapter 536 to review, to delay the effective date or to disapprove and annul

75 a rule are subsequently held unconstitutional, then the grant of rulemaking

76 authority and any rule proposed or adopted after August 28, 1999, shall be

77 invalid and void.

Section 1. 1. Notwithstanding any provision of law to the

2 contrary, no district shall be penalized for any reason under the

3 Missouri school improvement program if students who graduate from

4 the district complete career and technical education programs

5 approved by the department of elementary and secondary education

6 but are not placed in occupations directly related to their training

7 within six months of graduating.

8 2. The department of elementary and secondary education shall

9 revise its scoring guide under the Missouri school improvement

10 program to provide additional points to districts that create and enter
11 into a partnership with area career centers, comprehensive high
12 schools, industry, and business to develop and implement a pathway for
13 students to:

14 (1) Enroll in a program of career and technical education while
15 in high school;

16 (2) Participate and complete an internship or apprenticeship
17 during their final year of high school; and

18 (3) Obtain the industry certification or credentials applicable to
19 their program or career and technical education and internship or
20 apprenticeship.

21 3. Each school district shall be authorized to create and enter
22 into a partnership with area career centers, comprehensive high
23 schools, industry, and business to develop and implement a pathway for
24 students to:

25 (1) Enroll in a program of career and technical education while
26 in high school;

27 (2) Participate and complete an internship or apprenticeship
28 during their final year of high school; and

29 (3) Obtain the industry certification or credentials applicable to
30 their program or career and technical education and internship or
31 apprenticeship.

32 4. The department of elementary and secondary education shall
33 permit student scores, that are from a nationally recognized
34 examination that demonstrates achievement of workplace employability
35 skills, to count towards credit for college and career readiness
36 standards on the Missouri school improvement program or any
37 subsequent school accreditation or improvement program.

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President of the Senate

Speaker of the House of Representatives

Governor