

FIRST REGULAR SESSION  
[P E R F E C T E D]  
SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE BILLS NOS. 1,  
22, 49 & 70**  
98TH GENERAL ASSEMBLY

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Reported from the Committee on Education, February 12, 2015, with recommendation that the Senate Committee Substitute do pass.

Senate Committee Substitute for Senate Bills Nos. 1, 22, 49 and 70, adopted February 24, 2015.

Taken up for Perfection February 24, 2015. Bill declared Perfected and Ordered Printed, as amended.

ADRIANE D. CROUSE, Secretary.

0479S.09P

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**AN ACT**

To repeal sections 160.011, 160.400, 160.403, 160.405, 160.410, 160.415, 160.417, 160.425, 162.081, 162.471, 162.481, 162.491, 162.1250, 163.036, 167.121, 167.131, 171.031, and 210.861, RSMo, and to enact in lieu thereof forty-nine new sections relating to elementary and secondary education, with an emergency clause.

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

Section A. Sections 160.011, 160.400, 160.403, 160.405, 160.410, 160.415,  
2 160.417, 160.425, 162.081, 162.471, 162.481, 162.491, 162.1250, 163.036, 167.121,  
3 167.131, 171.031, and 210.861, RSMo, are repealed and forty-nine new sections  
4 enacted in lieu thereof, to be known as sections 160.011, 160.400, 160.403,  
5 160.405, 160.408, 160.410, 160.415, 160.417, 160.425, 160.671, 161.084, 161.087,  
6 161.238, 161.1000, 162.081, 162.471, 162.481, 162.491, 162.1250, 162.1303,  
7 162.1305, 162.1310, 162.1313, 163.036, 167.121, 167.127, 167.131, 167.642,  
8 167.685, 167.688, 167.730, 167.825, 167.826, 167.827, 167.830, 167.833, 167.836,  
9 167.839, 167.842, 167.845, 167.848, 167.950, 170.215, 170.320, 171.031, 177.015,  
10 210.861, 1, and 2, to read as follows:

160.011. As used in chapters 160, 161, 162, 163, 164, 165, 167, 168, 170,  
2 171, 177 and 178, the following terms mean:

3 (1) "District" or "school district", when used alone, may include  
4 seven-director, urban, and metropolitan school districts;

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

- 5 (2) "Elementary school", a public school giving instruction in a grade or  
6 grades not higher than the eighth grade;
- 7 (3) "Family literacy programs", services of sufficient intensity in terms of  
8 hours, and of sufficient duration, to make sustainable changes in families that  
9 include:
- 10 (a) Interactive literacy activities between parents and their children;
- 11 (b) Training of parents regarding how to be the primary teacher of their  
12 children and full partners in the education of their children;
- 13 (c) Parent literacy training that leads to high school completion and  
14 economic self sufficiency; and
- 15 (d) An age-appropriate education to prepare children of all ages for  
16 success in school;
- 17 (4) "Graduation rate", the [quotient of the number of graduates in the  
18 current year as of June thirtieth divided by the sum of the number of graduates  
19 in the current year as of June thirtieth plus the number of twelfth graders who  
20 dropped out in the current year plus the number of eleventh graders who dropped  
21 out in the preceding year plus the number of tenth graders who dropped out in  
22 the second preceding year plus the number of ninth graders who dropped out in  
23 the third preceding year] **graduation rate determined by the annual**  
24 **performance report required by the Missouri school improvement**  
25 **program;**
- 26 (5) "High school", a public school giving instruction in a grade or grades  
27 not lower than the ninth nor higher than the twelfth grade;
- 28 (6) "Metropolitan school district", any school district the boundaries of  
29 which are coterminous with the limits of any city which is not within a county;
- 30 (7) "Public school" includes all elementary and high schools operated at  
31 public expense;
- 32 (8) "School board", the board of education having general control of the  
33 property and affairs of any school district;
- 34 (9) "School term", a minimum of one hundred seventy-four school days, as  
35 that term is defined in section 160.041, for schools with a five-day school week or  
36 a minimum of one hundred forty-two school days, as that term is defined in  
37 section 160.041, for schools with a four-day school week, and one thousand  
38 forty-four hours of actual pupil attendance as scheduled by the board pursuant  
39 to section 171.031 during a twelve-month period in which the academic  
40 instruction of pupils is actually and regularly carried on for a group of students

41 in the public schools of any school district. A school term may be within a school  
42 year or may consist of parts of two consecutive school years, but does not include  
43 summer school. A district may choose to operate two or more terms for different  
44 groups of children. A school term for students participating in a school flex  
45 program as established in section 160.539 may consist of a combination of actual  
46 pupil attendance and attendance at college or technical career education or  
47 approved employment aligned with the student's career academic plan for a total  
48 of one thousand forty-four hours;

49 (10) "Secretary", the secretary of the board of a school district;

50 (11) "Seven-director district", any school district which has seven directors  
51 and includes urban districts regardless of the number of directors an urban  
52 district may have unless otherwise provided by law;

53 (12) "Taxpayer", any individual who has paid taxes to the state or any  
54 subdivision thereof within the immediately preceding twelve-month period or the  
55 spouse of such individual;

56 (13) "Town", any town or village, whether or not incorporated, the plat of  
57 which has been filed in the office of the recorder of deeds of the county in which  
58 it is situated;

59 (14) "Urban school district", any district which includes more than half  
60 of the population or land area of any city which has not less than seventy  
61 thousand inhabitants, other than a city which is not within a county.

160.400. 1. A charter school is an independent public school.

2 2. Except as further provided in subsection 4 of this section, Charter  
3 schools may be operated [only]:

4 (1) In a metropolitan school district;

5 (2) In an urban school district containing most or all of a city with a  
6 population greater than three hundred fifty thousand inhabitants;

7 (3) In a school district that has been [declared] **classified as**  
8 **unaccredited by the state board of education;**

9 (4) In a school district that has been classified as provisionally accredited  
10 by the state board of education [and has received scores on its annual  
11 performance report consistent with a classification of provisionally accredited or  
12 unaccredited for three consecutive school years beginning with the 2012-13  
13 accreditation year under the following conditions:

14 (a) The eligibility for charter schools of any school district whose  
15 provisional accreditation is based in whole or in part on financial stress as

16 defined in sections 161.520 to 161.529, or on financial hardship as defined by rule  
17 of the state board of education, shall be decided by a vote of the state board of  
18 education during the third consecutive school year after the designation of  
19 provisional accreditation; and

20 (b) The sponsor is limited to the local school board or a sponsor who has  
21 met the standards of accountability and performance as determined by the  
22 department based on sections 160.400 to 160.425 and section 167.349 and  
23 properly promulgated rules of the department]; [or]

24 (5) In a school district that has been accredited without provisions,  
25 sponsored only by the local school board; provided that no board with a current  
26 year enrollment of one thousand five hundred fifty students or greater shall  
27 permit more than thirty-five percent of its student enrollment to enroll in charter  
28 schools sponsored by the local board under the authority of this subdivision,  
29 except that this restriction shall not apply to any school district that  
30 subsequently becomes eligible under subdivision (3) or (4) of this subsection or to  
31 any district accredited without provisions that sponsors charter schools prior to  
32 having a current year student enrollment of one thousand five hundred fifty  
33 students or greater; or

34 **(6) In any district in a county that contains all or part of a**  
35 **district that has been classified as unaccredited or provisionally**  
36 **accredited by the state board of education or in a county adjoining to**  
37 **any county containing all or part of a district that has been classified**  
38 **as unaccredited or provisionally accredited by the state board of**  
39 **education. Any entity identified in subdivision (2) to (6) of subsection**  
40 **3 of this section is eligible to sponsor a charter school under this**  
41 **subdivision. When a charter school operates pursuant to this**  
42 **subdivision, it may continue to operate even if the district that was**  
43 **previously unaccredited or provisionally accredited regains**  
44 **accreditation without provisions.**

45 3. Except as further provided in subsection 4 of this section, The following  
46 entities are eligible to sponsor charter schools:

47 (1) The school board of the district in any district which is sponsoring a  
48 charter school as of August 27, 2012, as permitted under subdivision (1) or (2) of  
49 subsection 2 of this section, the special administrative board of a metropolitan  
50 school district during any time in which powers granted to the district's board of  
51 education are vested in a special administrative board, or if the state board of

52 education appoints a special administrative board to retain the authority granted  
53 to the board of education of an urban school district containing most or all of a  
54 city with a population greater than three hundred fifty thousand inhabitants, the  
55 special administrative board of such school district;

56 (2) A public four-year college or university with an approved teacher  
57 education program that meets regional or national standards of accreditation;

58 (3) A community college, the service area of which encompasses some  
59 portion of the district;

60 (4) Any private four-year college or university with an enrollment of at  
61 least one thousand students, with its primary campus in Missouri, and with an  
62 approved teacher preparation program;

63 (5) Any two-year private vocational or technical school designated as a  
64 501(c)(3) nonprofit organization under the Internal Revenue Code of 1986, as  
65 amended, [which is a member of the North Central Association] and accredited  
66 by the Higher Learning Commission, with its primary campus in Missouri; [or]

67 (6) The Missouri charter public school commission created in section  
68 160.425;

69 **(7) The school board of a district that is accredited without**  
70 **provisions by the state board of education, in a district classified as**  
71 **unaccredited by the state board of education; or**

72 **(8) A combination of school boards of districts that are**  
73 **accredited without provisions by the state board of education in**  
74 **collaboration, in a district classified as unaccredited by the state board**  
75 **of education.**

76 4. [Changes in a school district's accreditation status that affect charter  
77 schools shall be addressed as follows, except for the districts described in  
78 subdivisions (1) and (2) of subsection 2 of this section:

79 (1) As a district transitions from unaccredited to provisionally accredited,  
80 the district shall continue to fall under the requirements for an unaccredited  
81 district until it achieves three consecutive full school years of provisional  
82 accreditation;

83 (2) As a district transitions from provisionally accredited to full  
84 accreditation, the district shall continue to fall under the requirements for a  
85 provisionally accredited district until it achieves three consecutive full school  
86 years of full accreditation;

87 (3)] **(1)** In any school district classified as unaccredited or provisionally

88 accredited where a charter school is operating and is sponsored by an entity other  
89 than the local school board, when the school district becomes classified as  
90 accredited without provisions, a charter school may continue to be sponsored by  
91 the entity sponsoring it prior to the classification of accredited without provisions  
92 and shall not be limited to the local school board as a sponsor.

93         **(2)** A charter school operating in a school district identified in subdivision  
94 (1) or (2) of subsection 2 of this section may be sponsored by any of the entities  
95 identified in subsection 3 of this section, irrespective of the accreditation  
96 classification of the district in which it is located. A charter school in a district  
97 described in this subsection whose charter provides for the addition of grade  
98 levels in subsequent years may continue to add levels until the planned  
99 expansion is complete to the extent of grade levels in comparable schools of the  
100 district in which the charter school is operated.

101         5. The mayor of a city not within a county may request a sponsor under  
102 subdivision (2), (3), (4), (5), or (6) of subsection 3 of this section to consider  
103 sponsoring a "workplace charter school", which is defined for purposes of sections  
104 160.400 to 160.425 as a charter school with the ability to target prospective  
105 students whose parent or parents are employed in a business district, as defined  
106 in the charter, which is located in the city.

107         6. No sponsor shall receive from an applicant for a charter school any fee  
108 of any type for the consideration of a charter, nor may a sponsor condition its  
109 consideration of a charter on the promise of future payment of any kind.

110         7. The charter school shall be organized as a Missouri nonprofit  
111 corporation incorporated pursuant to chapter 355. The charter provided for  
112 herein shall constitute a contract between the sponsor and the charter school.

113         8. As a nonprofit corporation incorporated pursuant to chapter 355, the  
114 charter school shall select the method for election of officers pursuant to section  
115 355.326 based on the class of corporation selected. Meetings of the governing  
116 board of the charter school shall be subject to the provisions of sections 610.010  
117 to 610.030.

118         9. A sponsor of a charter school, its agents and employees are not liable  
119 for any acts or omissions of a charter school that it sponsors, including acts or  
120 omissions relating to the charter submitted by the charter school, the operation  
121 of the charter school and the performance of the charter school.

122         10. A charter school may affiliate with a four-year college or university,  
123 including a private college or university, or a community college as otherwise

124 specified in subsection 3 of this section when its charter is granted by a sponsor  
125 other than such college, university or community college. Affiliation status  
126 recognizes a relationship between the charter school and the college or university  
127 for purposes of teacher training and staff development, curriculum and  
128 assessment development, use of physical facilities owned by or rented on behalf  
129 of the college or university, and other similar purposes. A university, college or  
130 community college may not charge or accept a fee for affiliation status.

131         11. The expenses associated with sponsorship of charter schools shall be  
132 defrayed by the department of elementary and secondary education retaining one  
133 and five-tenths percent of the amount of state and local funding allocated to the  
134 charter school under section 160.415, not to exceed one hundred twenty-five  
135 thousand dollars, adjusted for inflation. The department of elementary and  
136 secondary education shall remit the retained funds for each charter school to the  
137 school's sponsor, provided the sponsor remains in good standing by fulfilling its  
138 sponsorship obligations under sections 160.400 to 160.425 and 167.349 with  
139 regard to each charter school it sponsors, including appropriate demonstration of  
140 the following:

141             (1) Expends no less than ninety percent of its charter school sponsorship  
142 funds in support of its charter school sponsorship program, or as a direct  
143 investment in the sponsored schools;

144             (2) Maintains a comprehensive application process that follows fair  
145 procedures and rigorous criteria and grants charters only to those developers who  
146 demonstrate strong capacity for establishing and operating a quality charter  
147 school;

148             (3) Negotiates contracts with charter schools that clearly articulate the  
149 rights and responsibilities of each party regarding school autonomy, expected  
150 outcomes, measures for evaluating success or failure, performance consequences  
151 **aligned with annual performance report evaluations of public schools,**  
152 and other material terms;

153             (4) Conducts contract oversight that evaluates performance, monitors  
154 compliance, informs intervention and renewal decisions, and ensures autonomy  
155 provided under applicable law; and

156             (5) Designs and implements a transparent and rigorous process that uses  
157 comprehensive data to make merit-based renewal decisions.

158         12. Sponsors receiving funds under subsection 11 of this section shall be  
159 required to submit annual reports to the joint committee on education

160 demonstrating they are in compliance with subsection 17 of this section.

161           13. No university, college or community college shall grant a charter to  
162 a nonprofit corporation if an employee of the university, college or community  
163 college is a member of the corporation's board of directors.

164           14. No sponsor shall grant a charter under sections 160.400 to 160.425  
165 and 167.349 without ensuring that a criminal background check and family care  
166 safety registry check are conducted for all members of the governing board of the  
167 charter schools or the incorporators of the charter school if initial directors are  
168 not named in the articles of incorporation, nor shall a sponsor renew a charter  
169 without ensuring a criminal background check and family care **safety** registry  
170 check are conducted for each member of the governing board of the charter school.

171           15. No member of the governing board of a charter school shall hold any  
172 office or employment from the board or the charter school while serving as a  
173 member, nor shall the member have any substantial interest, as defined in  
174 section 105.450, in any entity employed by or contracting with the board. No  
175 board member shall be an employee of a company that provides substantial  
176 services to the charter school. All members of the governing board of the charter  
177 school shall be considered decision-making public servants as defined in section  
178 105.450 for the purposes of the financial disclosure requirements contained in  
179 sections 105.483, 105.485, 105.487, and 105.489.

180           16. A sponsor shall develop the policies and procedures for:

181           (1) The review of a charter school proposal including an application that  
182 provides sufficient information for rigorous evaluation of the proposed charter and  
183 provides clear documentation that the education program and academic program  
184 are aligned with the state standards and grade-level expectations, and provides  
185 clear documentation of effective governance and management structures, and a  
186 sustainable operational plan;

187           (2) The granting of a charter;

188           (3) The performance [framework] **contract** that the sponsor will use to  
189 evaluate the performance of charter schools. **Charter schools shall meet**  
190 **current state academic performance standards as well as other**  
191 **standards agreed upon by the sponsor and the charter school in the**  
192 **performance contract;**

193           (4) The sponsor's intervention, renewal, and revocation policies, including  
194 the conditions under which the charter sponsor may intervene in the operation  
195 of the charter school, along with actions and consequences that may ensue, and

196 the conditions for renewal of the charter at the end of the term, consistent with  
197 subsections 8 and 9 of section 160.405;

198 (5) Additional criteria that the sponsor will use for ongoing oversight of  
199 the charter; and

200 (6) Procedures to be implemented if a charter school should close,  
201 consistent with the provisions of subdivision (15) of subsection 1 of section  
202 160.405. The department shall provide guidance to sponsors in developing such  
203 policies and procedures.

204 17. (1) A sponsor shall provide timely submission to the state board of  
205 education of all data necessary to demonstrate that the sponsor is in material  
206 compliance with all requirements of sections 160.400 to 160.425 and section  
207 167.349. The state board of education shall ensure each sponsor is in compliance  
208 with all requirements under sections 160.400 to 160.425 and 167.349 for each  
209 charter school sponsored by any sponsor. The state board shall notify each  
210 sponsor of the standards for sponsorship of charter schools, delineating both what  
211 is mandated by statute and what best practices dictate. The state board shall  
212 evaluate sponsors to determine compliance with these standards every three  
213 years. The evaluation shall include a sponsor's policies and procedures in the  
214 areas of charter application approval; required charter agreement terms and  
215 content; sponsor performance evaluation and compliance monitoring; and charter  
216 renewal, intervention, and revocation decisions. Nothing shall preclude the  
217 department from undertaking an evaluation at any time for cause.

218 (2) If the department determines that a sponsor is in material  
219 noncompliance with its sponsorship duties, the sponsor shall be notified and  
220 given reasonable time for remediation. If remediation does not address the  
221 compliance issues identified by the department, the commissioner of education  
222 shall conduct a public hearing and thereafter provide notice to the charter  
223 sponsor of corrective action that will be recommended to the state board of  
224 education. Corrective action by the department may include withholding the  
225 sponsor's funding and suspending the sponsor's authority to sponsor a school that  
226 it currently sponsors or to sponsor any additional school until the sponsor is  
227 reauthorized by the state board of education under section 160.403.

228 (3) The charter sponsor may, within thirty days of receipt of the notice of  
229 the commissioner's recommendation, provide a written statement and other  
230 documentation to show cause as to why that action should not be taken. Final  
231 determination of corrective action shall be determined by the state board of

232 education based upon a review of the documentation submitted to the department  
233 and the charter sponsor.

234 (4) If the state board removes the authority to sponsor a currently  
235 operating charter school under any provision of law, the Missouri charter public  
236 school commission shall become the sponsor of the school.

237 **18. When a sponsor notifies a charter school of closure under**  
238 **subsection 8 of section 160.405, the department of elementary and**  
239 **secondary education shall exercise its financial withholding authority**  
240 **under subsection 12 of section 160.415 to assure all obligations of the**  
241 **charter school shall be met. The state, charter sponsor, or resident**  
242 **district shall not be liable for any outstanding liability or obligations**  
243 **of the charter school.**

160.403. 1. The department of elementary and secondary education shall  
2 establish an annual application and approval process for all entities eligible to  
3 sponsor charters as set forth in section 160.400 which are not sponsoring a  
4 charter school as of August 28, 2012, **except that the Missouri charter public**  
5 **school commission shall not be required to undergo the application and**  
6 **approved process.** No later than November 1, 2012, the department shall  
7 make available information and guidelines for all eligible sponsors concerning the  
8 opportunity to apply for sponsoring authority under this section.

9 2. The application process for sponsorship shall require each interested  
10 eligible sponsor, **except for the Missouri charter public school**  
11 **commission,** to submit an application by February first that includes the  
12 following:

13 (1) Written notification of intent to serve as a charter school sponsor in  
14 accordance with sections 160.400 to 160.425 and section 167.349;

15 (2) Evidence of the applicant sponsor's budget and personnel capacity;

16 (3) An outline of the request for proposal that the applicant sponsor  
17 would, if approved as a charter sponsor, issue to solicit charter school applicants  
18 consistent with sections 160.400 to 160.425;

19 (4) The performance framework that the applicant sponsor would, if  
20 approved as a charter sponsor, use to guide the establishment of a charter  
21 contract and for ongoing oversight and a description of how it would evaluate the  
22 charter schools it sponsors; and

23 (5) The applicant sponsor's renewal, revocation, and nonrenewal processes  
24 consistent with section 160.405.

25           3. By April first of each year, the department shall decide whether to  
26 grant or deny a sponsoring authority to a sponsor applicant. This decision shall  
27 be made based on the applicant charter's compliance with sections 160.400 to  
28 160.425 and properly promulgated rules of the department.

29           4. Within thirty days of the department's decision, the department shall  
30 execute a renewable sponsoring contract with each entity it has approved as a  
31 sponsor. The term of each authorizing contract shall be six years and renewable.  
32 [No eligible sponsor which is not currently sponsoring a charter school as of  
33 August 28, 2012, shall commence charter sponsorship without approval from the  
34 state board of education and a sponsor contract with the state board of education  
35 in effect.]

160.405. 1. A person, group or organization seeking to establish a charter  
2 school shall submit the proposed charter, as provided in this section, to a sponsor.  
3 If the sponsor is not a school board, the applicant shall give a copy of its  
4 application to the school board of the district in which the charter school is to be  
5 located and to the state board of education, within five business days of the date  
6 the application is filed with the proposed sponsor. The school board may file  
7 objections with the proposed sponsor, and, if a charter is granted, the school  
8 board may file objections with the state board of education. The charter shall  
9 [be] **include** a legally binding performance contract that describes the  
10 obligations and responsibilities of the school and the sponsor as outlined in  
11 sections 160.400 to 160.425 and section 167.349 and shall [also include] **address**  
12 **the following:**

- 13           (1) A mission and vision statement for the charter school;
- 14           (2) A description of the charter school's organizational structure and  
15 bylaws of the governing body, which will be responsible for the policy, financial  
16 management, and operational decisions of the charter school, including the nature  
17 and extent of parental, professional educator, and community involvement in the  
18 governance and operation of the charter school;
- 19           (3) A financial plan for the first three years of operation of the charter  
20 school including provisions for annual audits;
- 21           (4) A description of the charter school's policy for securing personnel  
22 services, its personnel policies, personnel qualifications, and professional  
23 development plan;
- 24           (5) A description of the grades or ages of students being served;
- 25           (6) The school's calendar of operation, which shall include at least the

26 equivalent of a full school term as defined in section 160.011;

27 (7) A description of the charter school's pupil performance standards and  
28 academic program performance standards, which shall meet the requirements of  
29 subdivision (6) of subsection 4 of this section. The charter school program shall  
30 be designed to enable each pupil to achieve such standards and shall contain a  
31 complete set of indicators, measures, metrics, and targets for academic program  
32 performance, including specific goals on graduation rates and standardized test  
33 performance and academic growth;

34 (8) A description of the charter school's educational program and  
35 curriculum;

36 (9) The term of the charter, which shall be five years and [shall] **may** be  
37 **[renewable] renewed**;

38 (10) Procedures, consistent with the Missouri financial accounting  
39 manual, for monitoring the financial accountability of the charter, which shall  
40 meet the requirements of subdivision (4) of subsection 4 of this section;

41 (11) Preopening requirements for applications that require that charter  
42 schools meet all health, safety, and other legal requirements prior to opening;

43 (12) A description of the charter school's policies on student discipline and  
44 student admission, which shall include a statement, where applicable, of the  
45 validity of attendance of students who do not reside in the district but who may  
46 be eligible to attend under the terms of judicial settlements and procedures that  
47 ensure admission of students with disabilities in a nondiscriminatory manner;

48 (13) A description of the charter school's grievance procedure for parents  
49 or guardians;

50 (14) A description of the agreement **and time frame for**  
51 **implementation** between the charter school and the sponsor as to when a  
52 sponsor shall intervene in a charter school, when a sponsor shall revoke a charter  
53 for failure to comply with subsection 8 of this section, and when a sponsor will  
54 not renew a charter under subsection 9 of this section;

55 (15) Procedures to be implemented if the charter school should close, as  
56 provided in subdivision (6) of subsection 16 of section 160.400 including:

57 (a) Orderly transition of student records to new schools and archival of  
58 student records;

59 (b) Archival of business operation and transfer or repository of personnel  
60 records;

61 (c) Submission of final financial reports;

62 (d) **Notwithstanding any provision of chapter 355 to the contrary,**  
63 resolution of any remaining financial obligations **is to be carried out by a**  
64 **trustee agreed upon by the charter school and its sponsor; [and]**

65 (e) Disposition of the charter school's assets upon closure; **and**

66 (f) A notification plan to inform parents or guardians of students, the local  
67 school district, the retirement system in which the charter school's employees  
68 participate, and the state board of education within thirty days of the decision to  
69 close;

70 (16) A description of the special education and related services that shall  
71 be available to meet the needs of students with disabilities; [and]

72 (17) For all new or revised charters, procedures to be used upon closure  
73 of the charter school requiring that unobligated assets of the charter school be  
74 returned to the department of elementary and secondary education for their  
75 disposition, which upon receipt of such assets shall return them to the local  
76 school district in which the school was located, the state, or any other entity to  
77 which they would belong.

78 Charter schools operating on August 27, 2012, shall have until August 28, 2015,  
79 to meet the requirements of this subsection.

80 2. Proposed charters shall be subject to the following requirements:

81 (1) A charter shall be submitted to the sponsor, and follow the sponsor's  
82 policies and procedures for review and granting of a charter approval, and be  
83 approved by the state board of education by [December first of the year] **January**  
84 **thirty-first** prior to **the school year** of the proposed opening date of the  
85 charter school;

86 (2) A charter may be approved when the sponsor determines that the  
87 requirements of this section are met, determines that the applicant is sufficiently  
88 qualified to operate a charter school, and that the proposed charter is consistent  
89 with the sponsor's charter sponsorship goals and capacity. The sponsor's decision  
90 of approval or denial shall be made within ninety days of the filing of the  
91 proposed charter;

92 (3) If the charter is denied, the proposed sponsor shall notify the applicant  
93 in writing as to the reasons for its denial and forward a copy to the state board  
94 of education within five business days following the denial;

95 (4) If a proposed charter is denied by a sponsor, the proposed charter may  
96 be submitted to the state board of education, along with the sponsor's written  
97 reasons for its denial. If the state board determines that the applicant meets the

98 requirements of this section, that the applicant is sufficiently qualified to operate  
99 the charter school, and that granting a charter to the applicant would be likely  
100 to provide educational benefit to the children of the district, the state board may  
101 grant a charter and act as sponsor of the charter school. The state board shall  
102 review the proposed charter and make a determination of whether to deny or  
103 grant the proposed charter within sixty days of receipt of the proposed charter,  
104 provided that any charter to be considered by the state board of education under  
105 this subdivision shall be submitted no later than March first prior to the school  
106 year in which the charter school intends to begin operations. The state board of  
107 education shall notify the applicant in writing as the reasons for its denial, if  
108 applicable; and

109 (5) The sponsor of a charter school shall give priority to charter school  
110 applicants that propose a school oriented to high-risk students and to the reentry  
111 of dropouts into the school system. If a sponsor grants three or more charters,  
112 at least one-third of the charters granted by the sponsor shall be to schools that  
113 actively recruit dropouts or high-risk students as their student body and address  
114 the needs of dropouts or high-risk students through their proposed mission,  
115 curriculum, teaching methods, and services. For purposes of this subsection, a  
116 "high-risk" student is one who is at least one year behind in satisfactory  
117 completion of course work or obtaining high school credits for graduation, has  
118 dropped out of school, is at risk of dropping out of school, needs drug and alcohol  
119 treatment, has severe behavioral problems, has been suspended from school three  
120 or more times, has a history of severe truancy, is a pregnant or parenting teen,  
121 has been referred for enrollment by the judicial system, is exiting incarceration,  
122 is a refugee, is homeless or has been homeless sometime within the preceding six  
123 months, has been referred by an area school district for enrollment in an  
124 alternative program, or qualifies as high risk under department of elementary  
125 and secondary education guidelines. "Dropout" shall be defined through the  
126 guidelines of the school core data report. The provisions of this subsection do not  
127 apply to charters sponsored by the state board of education.

128 3. If a charter is approved by a sponsor, the charter application shall be  
129 submitted to the state board of education, along with a statement of finding **by**  
130 **the sponsor** that the application meets the requirements of sections 160.400 to  
131 160.425 and section 167.349 and a monitoring plan under which the charter  
132 sponsor shall evaluate the academic performance, **including annual**  
133 **performance reports**, of students enrolled in the charter school. The state

134 board of education [may, within] **has** sixty days[, disapprove the granting of the  
135 charter] **from receipt of the charter application to approve or deny the**  
136 **application. Any charter application received by the state board of**  
137 **education on or before November fifteenth of the year prior to the**  
138 **proposed opening of the charter school shall be considered by the state**  
139 **board of education within the sixty-day period.** The state board of  
140 education may disapprove a charter on grounds that the application fails to meet  
141 the requirements of sections 160.400 to 160.425 and section 167.349 or that a  
142 charter sponsor previously failed to meet the statutory responsibilities of a  
143 charter sponsor. **Any disapproval of a charter application made by the**  
144 **state board of education shall be in writing and shall identify the**  
145 **specific failures of the application to meet the requirements of sections**  
146 **160.400 to 160.425 and section 167.349, and the written disapproval shall**  
147 **be provided within ten business days to the sponsor.**

148 4. A charter school shall, as provided in its charter:

149 (1) Be nonsectarian in its programs, admission policies, employment  
150 practices, and all other operations;

151 (2) Comply with laws and regulations of the state, county, or city relating  
152 to health, safety, and state minimum educational standards, as specified by the  
153 state board of education, including the requirements relating to student discipline  
154 under sections 160.261, 167.161, 167.164, and 167.171, notification of criminal  
155 conduct to law enforcement authorities under sections 167.115 to 167.117,  
156 academic assessment under section 160.518, transmittal of school records under  
157 section 167.020, the minimum [number of school days and hours] **amount of**  
158 **school time** required under section 160.041, and the employee criminal history  
159 background check and the family care safety registry check under section 168.133;

160 (3) Except as provided in sections 160.400 to 160.425, be exempt from all  
161 laws and rules relating to schools, governing boards and school districts;

162 (4) Be financially accountable, use practices consistent with the Missouri  
163 financial accounting manual, provide for an annual audit by a certified public  
164 accountant, publish audit reports and annual financial reports as provided in  
165 chapter 165, provided that the annual financial report may be published on the  
166 department of elementary and secondary education's internet website in addition  
167 to other publishing requirements, and provide liability insurance to indemnify the  
168 school, its board, staff and teachers against tort claims. A charter school that  
169 receives local educational agency status under subsection 6 of this section shall

170 meet the requirements imposed by the Elementary and Secondary Education Act  
171 for audits of such agencies and comply with all federal audit requirements for  
172 charters with local education agency status. For purposes of an audit by petition  
173 under section 29.230, a charter school shall be treated as a political subdivision  
174 on the same terms and conditions as the school district in which it is located. For  
175 the purposes of securing such insurance, a charter school shall be eligible for the  
176 Missouri public entity risk management fund pursuant to section 537.700. A  
177 charter school that incurs debt shall include a repayment plan in its financial  
178 plan;

179 (5) Provide a comprehensive program of instruction for at least one grade  
180 or age group from [kindergarten] **early childhood education** through grade  
181 twelve, [which may include early childhood education if funding for such  
182 programs is established by statute,] as specified in its charter;

183 (6) (a) Design a method to measure pupil progress toward the pupil  
184 academic standards adopted by the state board of education pursuant to section  
185 160.514, establish baseline student performance in accordance with the  
186 performance contract during the first year of operation, collect student  
187 performance data as defined by the annual performance report throughout the  
188 duration of the charter to annually monitor student academic performance, and  
189 to the extent applicable based upon grade levels offered by the charter school,  
190 participate in the statewide system of assessments, comprised of the essential  
191 skills tests and the nationally standardized norm-referenced achievement tests,  
192 as designated by the state board pursuant to section 160.518, complete and  
193 distribute an annual report card as prescribed in section 160.522, which shall also  
194 include a statement that background checks have been completed on the charter  
195 school's board members, report to its sponsor, the local school district, and the  
196 state board of education as to its teaching methods and any educational  
197 innovations and the results thereof, and provide data required for the study of  
198 charter schools pursuant to subsection 4 of section 160.410. No charter school  
199 shall be considered in the Missouri school improvement program review of the  
200 district in which it is located for the resource or process standards of the  
201 program.

202 (b) For proposed high risk or alternative charter schools, sponsors shall  
203 approve performance measures based on mission, curriculum, teaching methods,  
204 and services. Sponsors shall also approve comprehensive academic and  
205 behavioral measures to determine whether students are meeting performance

206 standards on a different time frame as specified in that school's charter. Student  
207 performance shall be assessed comprehensively to determine whether a high risk  
208 or alternative charter school has documented adequate student progress. Student  
209 performance shall be based on sponsor-approved comprehensive measures as well  
210 as standardized public school measures. Annual presentation of charter school  
211 report card data to the department of elementary and secondary education, the  
212 state board, and the public shall include comprehensive measures of student  
213 progress.

214 (c) Nothing in this subdivision shall be construed as permitting a charter  
215 school to be held to lower performance standards than other public schools within  
216 a district; however, the charter of a charter school may permit students to meet  
217 performance standards on a different time frame as specified in its charter. The  
218 performance standards for alternative and special purpose charter schools that  
219 target high-risk students as defined in subdivision (5) of subsection 2 of this  
220 section shall be based on measures defined in the school's performance contract  
221 with its sponsors;

222 (7) Comply with all applicable federal and state laws and regulations  
223 regarding students with disabilities, including sections 162.670 to 162.710, the  
224 Individuals with Disabilities Education Act (20 U.S.C. Section 1400) and Section  
225 504 of the Rehabilitation Act of 1973 (29 U.S.C. Section 794) or successor  
226 legislation;

227 (8) Provide along with any request for review by the state board of  
228 education the following:

229 (a) Documentation that the applicant has provided a copy of the  
230 application to the school board of the district in which the charter school is to be  
231 located, except in those circumstances where the school district is the sponsor of  
232 the charter school; and

233 (b) A statement outlining the reasons for approval or disapproval by the  
234 sponsor, specifically addressing the requirements of sections 160.400 to 160.425  
235 and 167.349.

236 5. (1) Proposed or existing high-risk or alternative charter schools may  
237 include alternative arrangements for students to obtain credit for satisfying  
238 graduation requirements in the school's charter application and  
239 charter. Alternative arrangements may include, but not be limited to, credit for  
240 off-campus instruction, embedded credit, work experience through an internship  
241 arranged through the school, and independent studies. When the state board of

242 education approves the charter, any such alternative arrangements shall be  
243 approved at such time.

244 (2) The department of elementary and secondary education shall conduct  
245 a study of any charter school granted alternative arrangements for students to  
246 obtain credit under this subsection after three years of operation to assess  
247 student performance, graduation rates, educational outcomes, and entry into the  
248 workforce or higher education.

249 6. The charter of a charter school may be amended at the request of the  
250 governing body of the charter school and on the approval of the sponsor. The  
251 sponsor and the governing board and staff of the charter school shall jointly  
252 review the school's performance, management and operations during the first year  
253 of operation and then every other year after the most recent review or at any  
254 point where the operation or management of the charter school is changed or  
255 transferred to another entity, either public or private. The governing board of a  
256 charter school may amend the charter, if the sponsor approves such amendment,  
257 or the sponsor and the governing board may reach an agreement in writing to  
258 reflect the charter school's decision to become a local educational agency. In such  
259 case the sponsor shall give the department of elementary and secondary  
260 education written notice no later than March first of any year, with the  
261 agreement to become effective July first. The department may waive the March  
262 first notice date in its discretion. The department shall identify and furnish a list  
263 of its regulations that pertain to local educational agencies to such schools within  
264 thirty days of receiving such notice.

265 7. Sponsors shall annually review the charter school's compliance with  
266 statutory standards including:

267 (1) Participation in the statewide system of assessments, as designated  
268 by the state board of education under section 160.518;

269 (2) Assurances for the completion and distribution of an annual report  
270 card as prescribed in section 160.522;

271 (3) The collection of baseline data during the first three years of operation  
272 to determine the longitudinal success of the charter school;

273 (4) A method to measure pupil progress toward the pupil academic  
274 standards adopted by the state board of education under section 160.514; and

275 (5) Publication of each charter school's annual performance report.

276 8. (1) (a) A sponsor's [intervention] policies shall give schools clear,  
277 adequate, evidence-based, and timely notice of contract violations or performance

278 deficiencies and mandate intervention based upon findings of the state board of  
279 education of the following:

280 a. The charter school provides a high school program which fails to  
281 maintain a graduation rate of at least seventy percent in three of the last four  
282 school years unless the school has dropout recovery as its mission;

283 b. The charter school's annual performance report results are below the  
284 district's annual performance report results based on the performance standards  
285 that are applicable to the grade level configuration of both the charter school and  
286 the district in which the charter school is located in three of the last four school  
287 years; and

288 c. The charter school is identified as a persistently lowest achieving school  
289 by the department of elementary and secondary education.

290 (b) A sponsor shall have a policy to revoke a charter during the charter  
291 term if there is:

292 a. Clear evidence of underperformance as demonstrated in the charter  
293 school's annual performance report in three of the last four school years; or

294 b. A violation of the law or the public trust that imperils students or  
295 public funds.

296 (c) A sponsor shall revoke a charter or take other appropriate remedial  
297 action, which may include placing the charter school on probationary status for  
298 no more than [twelve] **twenty-four** months, provided that no more than one  
299 designation of probationary status shall be allowed for the duration of the charter  
300 contract, at any time if the charter school commits a serious breach of one or  
301 more provisions of its charter or on any of the following grounds: failure to meet  
302 the performance contract as set forth in its charter, failure to meet generally  
303 accepted standards of fiscal management, failure to provide information necessary  
304 to confirm compliance with all provisions of the charter and sections 160.400 to  
305 160.425 and 167.349 within forty-five days following receipt of written notice  
306 requesting such information, or violation of law.

307 (2) The sponsor may place the charter school on probationary status to  
308 allow the implementation of a remedial plan, which may require a change of  
309 methodology, a change in leadership, or both, after which, if such plan is  
310 unsuccessful, the charter may be revoked.

311 (3) At least sixty days before acting to revoke a charter, the sponsor shall  
312 notify the governing board of the charter school of the proposed action in  
313 writing. The notice shall state the grounds for the proposed action. The school's

314 governing board may request in writing a hearing before the sponsor within two  
315 weeks of receiving the notice.

316 (4) The sponsor of a charter school shall establish procedures to conduct  
317 administrative hearings upon determination by the sponsor that grounds exist to  
318 revoke a charter. Final decisions of a sponsor from hearings conducted pursuant  
319 to this subsection are subject to an appeal to the state board of education, which  
320 shall determine whether the charter shall be revoked.

321 (5) A termination shall be effective only at the conclusion of the school  
322 year, unless the sponsor determines that continued operation of the school  
323 presents a clear and immediate threat to the health and safety of the children.

324 (6) A charter sponsor shall make available the school accountability report  
325 card information as provided under section 160.522 and the results of the  
326 academic monitoring required under subsection 3 of this section.

327 9. (1) A sponsor shall take all reasonable steps necessary to confirm that  
328 each charter school sponsored by such sponsor is in material compliance and  
329 remains in material compliance with all material provisions of the charter and  
330 sections 160.400 to 160.425 and 167.349. Every charter school shall provide all  
331 information necessary to confirm ongoing compliance with all provisions of its  
332 charter and sections 160.400 to 160.425 and 167.349 in a timely manner to its  
333 sponsor.

334 (2) The sponsor's renewal process of the charter school shall be based on  
335 the thorough analysis of a comprehensive body of objective evidence and consider  
336 if:

337 (a) The charter school has maintained results on its annual performance  
338 report that meet or exceed the district in which the charter school is located  
339 based on the performance standards that are applicable to the grade-level  
340 configuration of both the charter school and the district in which the charter  
341 school is located in three of the last four school years;

342 (b) The charter school is organizationally and fiscally viable determining  
343 at a minimum that the school does not have:

344 a. A negative balance in its operating funds;

345 b. A combined balance of less than three percent of the amount expended  
346 for such funds during the previous fiscal year; or

347 c. Expenditures that exceed receipts for the most recently completed fiscal  
348 year;

349 (c) The charter is in compliance with its legally binding performance

350 contract and sections 160.400 to 160.425 and section 167.349;

351 **(d) A charter school that has an annual performance report**  
352 **consistent with a classification of accredited for three of the last four**  
353 **years and is fiscally viable may have an expedited renewal process as**  
354 **defined by rule.**

355 (3) (a) Beginning August first during the year in which a charter is  
356 considered for renewal, a charter school sponsor shall demonstrate to the state  
357 board of education that the charter school is in compliance with federal and state  
358 law as provided in sections 160.400 to 160.425 and section 167.349 and the  
359 school's performance contract including but not limited to those requirements  
360 specific to academic performance.

361 (b) Along with data reflecting the academic performance standards  
362 indicated in paragraph (a) of this subdivision, the sponsor shall submit a revised  
363 charter application to the state board of education for review.

364 (c) Using the data requested and the revised charter application under  
365 paragraphs (a) and (b) of this subdivision, the state board of education shall  
366 determine if compliance with all standards enumerated in this subdivision has  
367 been achieved. The state board of education at its next regularly scheduled  
368 meeting shall vote on the revised charter application.

369 (d) If a charter school sponsor demonstrates the objectives identified in  
370 this subdivision, the state board of education shall renew the school's charter.

371 10. A school district may enter into a lease with a charter school for  
372 physical facilities.

373 11. A governing board or a school district employee who has control over  
374 personnel actions shall not take unlawful reprisal against another employee at  
375 the school district because the employee is directly or indirectly involved in an  
376 application to establish a charter school. A governing board or a school district  
377 employee shall not take unlawful reprisal against an educational program of the  
378 school or the school district because an application to establish a charter school  
379 proposes the conversion of all or a portion of the educational program to a charter  
380 school. As used in this subsection, "unlawful reprisal" means an action that is  
381 taken by a governing board or a school district employee as a direct result of a  
382 lawful application to establish a charter school and that is adverse to another  
383 employee or an educational program.

384 12. Charter school board members shall be subject to the same liability  
385 for acts while in office as if they were regularly and duly elected members of

386 school boards in any other public school district in this state. The governing  
387 board of a charter school may participate, to the same extent as a school board,  
388 in the Missouri public entity risk management fund in the manner provided  
389 under sections 537.700 to 537.756.

390 13. Any entity, either public or private, operating, administering, or  
391 otherwise managing a charter school shall be considered a quasi-public  
392 governmental body and subject to the provisions of sections 610.010 to 610.035.

393 14. The chief financial officer of a charter school shall maintain:

394 (1) A surety bond in an amount determined by the sponsor to be adequate  
395 based on the cash flow of the school; or

396 (2) An insurance policy issued by an insurance company licensed to do  
397 business in Missouri on all employees in the amount of five hundred thousand  
398 dollars or more that provides coverage in the event of employee theft.

399 **15. The department of elementary and secondary education shall**  
400 **calculate an annual performance report for each charter school and**  
401 **shall publish it in the same manner as annual performance reports are**  
402 **calculated and published for districts and attendance centers.**

403 **16. The department of elementary and secondary education shall**  
404 **create a committee to investigate facility access and affordability for**  
405 **charter schools. The committee shall be comprised of equal members**  
406 **of the charter school sector and the public school sector and shall**  
407 **report its findings to the general assembly by December 31, 2015.**

**160.408. 1. A high-quality local education agency is a charter**  
2 **school operating in the state of Missouri which meets the following**  
3 **requirements:**

4 (1) **Receives eighty percent or more of the total points on the**  
5 **annual performance report for three out of the last four school years**  
6 **by comparing points earned to the points possible on the annual**  
7 **performance report for three of the last four school years;**

8 (2) **Maintains a graduation rate of at least eighty percent for**  
9 **three of the last four school years, if the charter school provides a high**  
10 **school program;**

11 (3) **Is in material compliance with its legally binding**  
12 **performance contract and sections 160.400 to 160.425 and section**  
13 **167.349; and**

14 (4) **Is organizationally and fiscally viable as described in**

15 **paragraph (b) of subdivision (2) of subsection 9 of section 160.405.**

16 **2. Notwithstanding any other provision of law, high quality**  
17 **charter schools shall be provided expedited opportunities to replicate**  
18 **and expand into unaccredited districts, a metropolitan school district,**  
19 **or an urban school district containing most or all of a home rule city**  
20 **with more than four hundred thousand inhabitants and located in more**  
21 **than one county. Such replication and expansion shall be subject to the**  
22 **following:**

23 **(1) The school seeking to replicate or expand shall submit its**  
24 **proposed charter to a proposed sponsor. The charter shall include a**  
25 **legally binding performance contract that meets the requirements of**  
26 **sections 160.400 to 160.425 and section 167.349;**

27 **(2) The sponsor's decision to approve or deny shall be made**  
28 **within sixty days of the filing of the proposed charter with the**  
29 **proposed sponsor;**

30 **(3) If a charter is approved by a sponsor, the charter application**  
31 **shall be filed with the state board of education, along with a statement**  
32 **of finding from the sponsor that the application meets the requirements**  
33 **of sections 160.400 to 160.425 and section 167.349 and a monitoring plan**  
34 **under which the sponsor shall evaluate the academic performance of**  
35 **students enrolled in the charter school. Such filing shall be made by**  
36 **January thirty-first prior to the school year of the proposed opening**  
37 **date of the charter school.**

38 **3. The term of the charter for schools operating under this**  
39 **section shall be five years, and the charter may be renewed for terms**  
40 **of up to ten years. Renewal shall be subject to the provisions of**  
41 **paragraphs (a) to (d) of subdivision (3) of subsection 9 of section**  
42 **160.405.**

160.410. 1. A charter school shall enroll:

2 **(1) All pupils resident in the district in which it operates;**

3 **(2) Nonresident pupils eligible to attend a district's school under an urban**  
4 **voluntary transfer program;**

5 **(3) Nonresident pupils who have at least one parent employed by**  
6 **the charter school at which the nonresident pupil is seeking enrollment**  
7 **unless the pupil's enrollment will cause a resident student to be denied**  
8 **enrollment;**

9 **(4) Nonresident pupils from the same or an adjoining county who**

10 **were enrolled in and attended an unaccredited school for at least one**  
11 **semester and who were unable to transfer to an accredited school**  
12 **within their district of residence as provided in section 167.826;**

13 (5) In the case of a charter school whose mission includes student  
14 drop-out prevention or recovery, any nonresident pupil from the same or an  
15 adjacent county who resides in a residential care facility, a transitional living  
16 group home, or an independent living program whose last school of enrollment is  
17 in the school district where the charter school is established, who submits a  
18 timely application; and

19 [(4)] (6) In the case of a workplace charter school, any student eligible  
20 to attend under subdivision (1) or (2) of this subsection whose parent is employed  
21 in the business district, who submits a timely application, unless the number of  
22 applications exceeds the capacity of a program, class, grade level or building. The  
23 configuration of a business district shall be set forth in the charter and shall not  
24 be construed to create an undue advantage for a single employer or small number  
25 of employers.

26 2. If capacity is insufficient to enroll all pupils who submit a timely  
27 application, the charter school shall have an admissions process that assures all  
28 applicants of an equal chance of gaining admission except that:

29 (1) A charter school may establish a geographical area around the school  
30 whose residents will receive a preference for enrolling in the school, provided that  
31 such preferences do not result in the establishment of racially or  
32 socioeconomically isolated schools and provided such preferences conform to  
33 policies and guidelines established by the state board of education;

34 (2) A charter school may also give a preference for admission of children  
35 whose siblings attend the school or whose parents are employed at the school or  
36 in the case of a workplace charter school, a child whose parent is employed in the  
37 business district or at the business site of such school; [and]

38 (3) Charter alternative and special purpose schools may also give a  
39 preference for admission to high-risk students, as defined in subdivision (5) of  
40 subsection 2 of section 160.405, when the school targets these students through  
41 its proposed mission, curriculum, teaching methods, and services; **and**

42 (4) **The lottery system shall not discriminate based on parents'**  
43 **ability to pay fees or tuition.**

44 3. A charter school shall not limit admission based on race, ethnicity,  
45 national origin, disability, income level, proficiency in the English language or

46 athletic ability, but may limit admission to pupils within a given age group or  
47 grade level. Charter schools may limit admission based on gender only when the  
48 school is a single-gender school. Students of a charter school that [are present  
49 for the January membership count as defined in section 163.011] **have been**  
50 **enrolled for a full academic year** shall be counted in the performance of the  
51 charter school on the statewide assessments in that calendar year, unless  
52 otherwise exempted as English language learners. **For the purposes of this**  
53 **section, "full academic year" shall mean the last Wednesday in**  
54 **September through the administration of the Missouri assessment**  
55 **program test without transferring out of the school and re-enrolling.**

56 4. The department of elementary and secondary education shall  
57 commission a study of the performance of students at each charter school in  
58 comparison with an equivalent group of district students representing an  
59 equivalent demographic and geographic population and a study of the impact of  
60 charter schools upon the constituents they serve in the districts in which they are  
61 located, to be conducted by the joint committee on education. The charter school  
62 study shall include analysis of the administrative and instructional practices of  
63 each charter school and shall include findings on innovative programs that  
64 illustrate best practices and lend themselves to replication or incorporation in  
65 other schools. The joint committee on education shall coordinate with individuals  
66 representing charter schools and the districts in which charter schools are located  
67 in conducting the study. The study of a charter school's student performance in  
68 relation to a comparable group shall be designed to provide information that  
69 would allow parents and educators to make valid comparisons of academic  
70 performance between the charter school's students and an equivalent group of  
71 district students representing an equivalent demographic and geographic  
72 population. The student performance assessment and comparison shall include,  
73 but may not be limited to:

- 74 (1) Missouri assessment program test performance and aggregate growth  
75 over several years;
- 76 (2) Student reenrollment rates;
- 77 (3) Educator, parent, and student satisfaction data;
- 78 (4) Graduation rates in secondary programs; and
- 79 (5) Performance of students enrolled in the same public school for three  
80 or more consecutive years. The impact study shall be undertaken every two years  
81 to determine the impact of charter schools on the constituents they serve in the

82 districts where charter schools are operated. The impact study shall include, but  
83 is not limited to, determining if changes have been made in district policy or  
84 procedures attributable to the charter school and to perceived changes in  
85 attitudes and expectations on the part of district personnel, school board  
86 members, parents, students, the business community and other education  
87 stakeholders. The department of elementary and secondary education shall make  
88 the results of the studies public and shall deliver copies to the governing boards  
89 of the charter schools, the sponsors of the charter schools, the school board and  
90 superintendent of the districts in which the charter schools are operated.

91 5. A charter school shall make available for public inspection, and provide  
92 upon request, to the parent, guardian, or other custodian of any school-age pupil  
93 resident in the district in which the school is located the following information:

94 (1) The school's charter;

95 (2) The school's most recent annual report card published according to  
96 section 160.522;

97 (3) The results of background checks on the charter school's board  
98 members; and

99 (4) If a charter school is operated by a management company, a copy of  
100 the written contract between the governing board of the charter school and the  
101 educational management organization or the charter management organization  
102 for services. The charter school may charge reasonable fees, not to exceed the  
103 rate specified in section 610.026 for furnishing copies of documents under this  
104 subsection.

105 6. When a student attending a charter school who is a resident of the  
106 school district in which the charter school is located moves out of the boundaries  
107 of such school district, the student may complete the current semester and shall  
108 be considered a resident student. The student's parent or legal guardian shall  
109 be responsible for the student's transportation to and from the charter school.

110 7. If a change in school district boundary lines occurs under section  
111 162.223, 162.431, 162.441, or 162.451, or by action of the state board of education  
112 under section 162.081, including attachment of a school district's territory to  
113 another district or dissolution, such that a student attending a charter school  
114 prior to such change no longer resides in a school district in which the charter  
115 school is located, then the student may complete the current academic year at the  
116 charter school. The student shall be considered a resident student. The student's  
117 parent or legal guardian shall be responsible for the student's transportation to

118 and from the charter school.

119 8. The provisions of sections 167.018 and 167.019 concerning foster  
120 children's educational rights are applicable to charter schools.

160.415. 1. For the purposes of calculation and distribution of state  
2 school aid under section 163.031, pupils enrolled in a charter school shall be  
3 included in the pupil enrollment of the school district within which each pupil  
4 resides. Each charter school shall report the names, addresses, and eligibility for  
5 free and reduced **price** lunch, special education, or limited English proficiency  
6 status, as well as eligibility for categorical aid, of pupils resident in a school  
7 district who are enrolled in the charter school to the school district in which those  
8 pupils reside. The charter school shall report the average daily attendance data,  
9 free and reduced **price** lunch count, special education pupil count, and limited  
10 English proficiency pupil count to the state department of elementary and  
11 secondary education. Each charter school shall promptly notify the state  
12 department of elementary and secondary education and the pupil's school district  
13 when a student discontinues enrollment at a charter school.

14 2. Except as provided in subsections 3 and 4 of this section, the aid  
15 payments for charter schools shall be as described in this subsection.

16 (1) A school district having one or more resident pupils attending a  
17 charter school shall pay to the charter school an annual amount equal to the  
18 product of the charter school's weighted average daily attendance and the state  
19 adequacy target, multiplied by the dollar value modifier for the district, plus local  
20 tax revenues per weighted average daily attendance from the incidental and  
21 teachers' funds in excess of the performance levy as defined in section 163.011  
22 plus all other state aid attributable to such pupils.

23 (2) The district of residence of a pupil attending a charter school shall also  
24 pay to the charter school any other federal or state aid that the district receives  
25 on account of such child.

26 (3) If the department overpays or underpays the amount due to the  
27 charter school, such overpayment or underpayment shall be repaid by the public  
28 charter school or credited to the public charter school in twelve equal payments  
29 in the next fiscal year.

30 (4) The amounts provided pursuant to this subsection shall be prorated  
31 for partial year enrollment for a pupil.

32 (5) A school district shall pay the amounts due pursuant to this subsection  
33 as the disbursal agent and no later than twenty days following the receipt of any

34 such funds. The department of elementary and secondary education shall pay the  
35 amounts due when it acts as the disbursal agent within five days of the required  
36 due date.

37         3. A workplace charter school shall receive payment for each eligible pupil  
38 as provided under subsection 2 of this section, except that if the student is not a  
39 resident of the district and is participating in a voluntary interdistrict transfer  
40 program, the payment for such pupils shall be the same as provided under section  
41 162.1060.

42         4. A charter school that has declared itself as a local educational agency  
43 shall receive from the department of elementary and secondary education an  
44 annual amount equal to the product of the charter school's weighted average daily  
45 attendance and the state adequacy target, multiplied by the dollar value modifier  
46 for the district, plus local tax revenues per weighted average daily attendance  
47 from the incidental and teachers funds in excess of the performance levy as  
48 defined in section 163.011 plus all other state aid attributable to such pupils. If  
49 a charter school declares itself as a local education agency, the department of  
50 elementary and secondary education shall, upon notice of the declaration, reduce  
51 the payment made to the school district by the amount specified in this  
52 subsection and pay directly to the charter school the annual amount reduced from  
53 the school district's payment.

54         5. If a school district fails to make timely payments of any amount for  
55 which it is the disbursal agent, the state department of elementary and secondary  
56 education shall authorize payment to the charter school of the amount due  
57 pursuant to subsection 2 of this section and shall deduct the same amount from  
58 the next state school aid apportionment to the owing school district. If a charter  
59 school is paid more or less than the amounts due pursuant to this section, the  
60 amount of overpayment or underpayment shall be adjusted equally in the next  
61 twelve payments by the school district or the department of elementary and  
62 secondary education, as appropriate. Any dispute between the school district and  
63 a charter school as to the amount owing to the charter school shall be resolved by  
64 the department of elementary and secondary education, and the department's  
65 decision shall be the final administrative action for the purposes of review  
66 pursuant to chapter 536. During the period of dispute, the department of  
67 elementary and secondary education shall make every administrative and  
68 statutory effort to allow the continued education of children in their current  
69 public charter school setting.

70           **6. For purposes of calculation and distribution of state school aid**  
71 **to charter schools under this section, a charter school's weighted**  
72 **average daily attendance shall include any nonresident pupil who**  
73 **attends the charter school and whose parent is employed at the charter**  
74 **school.**

75           **7.** The charter school and a local school board may agree by contract for  
76 services to be provided by the school district to the charter school. The charter  
77 school may contract with any other entity for services. Such services may include  
78 but are not limited to food service, custodial service, maintenance, management  
79 assistance, curriculum assistance, media services and libraries and shall be  
80 subject to negotiation between the charter school and the local school board or  
81 other entity. Documented actual costs of such services shall be paid for by the  
82 charter school.

83           **[7.] 8.** In the case of a proposed charter school that intends to contract  
84 with an education service provider for substantial educational services[,] **or**  
85 management services, the request for proposals shall additionally require the  
86 charter school applicant to:

87           (1) Provide evidence of the education service provider's success in serving  
88 student populations similar to the targeted population, including demonstrated  
89 academic achievement as well as successful management of nonacademic school  
90 functions, if applicable;

91           (2) Provide a term sheet setting forth the proposed duration of the service  
92 contract; roles and responsibilities of the governing board, the school staff, and  
93 the service provider; scope of services and resources to be provided by the service  
94 provider; performance evaluation measures and time lines; compensation  
95 structure, including clear identification of all fees to be paid to the service  
96 provider; methods of contract oversight and enforcement; investment disclosure;  
97 and conditions for renewal and termination of the contract;

98           (3) Disclose any known conflicts of interest between the school governing  
99 board and proposed service provider or any affiliated business entities;

100           (4) Disclose and explain any termination or nonrenewal of contracts for  
101 equivalent services for any other charter school in the United States within the  
102 past five years;

103           (5) Ensure that the legal counsel for the charter school shall report  
104 directly to the charter school's governing board; and

105           (6) Provide a process to ensure that the expenditures that the educational

106 service provider intends to bill to the charter school shall receive prior approval  
107 of the governing board or its designee.

108 [8.] 9. A charter school may enter into contracts with community  
109 partnerships and state agencies acting in collaboration with such partnerships  
110 that provide services to children and their families linked to the school.

111 [9.] 10. A charter school shall be eligible for transportation state aid  
112 pursuant to section 163.161 and shall be free to contract with the local district,  
113 or any other entity, for the provision of transportation to the students of the  
114 charter school.

115 [10.] 11. (1) The proportionate share of state and federal resources  
116 generated by students with disabilities or staff serving them shall be paid in full  
117 to charter schools enrolling those students by their school district where such  
118 enrollment is through a contract for services described in this section. The  
119 proportionate share of money generated under other federal or state categorical  
120 aid programs shall be directed to charter schools serving such students eligible  
121 for that aid.

122 (2) A charter school shall provide the special services provided pursuant  
123 to section 162.705 and may provide the special services pursuant to a contract  
124 with a school district or any provider of such services.

125 [11.] 12. A charter school may not charge tuition[, nor may it] **or** impose  
126 fees that a school district is prohibited from **charging or imposing except that**  
127 **a charter school may receive tuition payments from districts in the**  
128 **same or an adjoining county for nonresident students who transfer to**  
129 **a charter school from an unaccredited school.**

130 [12.] 13. A charter school is authorized to incur debt in anticipation of  
131 receipt of funds. A charter school may also borrow to finance facilities and other  
132 capital items. A school district may incur bonded indebtedness or take other  
133 measures to provide for physical facilities and other capital items for charter  
134 schools that it sponsors or contracts with. **Except as otherwise specifically**  
135 **provided in sections 160.400 to 160.425**, upon the dissolution of a charter  
136 school, any liabilities of the corporation will be satisfied through the procedures  
137 of chapter 355. The department of elementary and secondary education may  
138 withhold funding at a level the department determines to be adequate during a  
139 school's last year of operation until the department determines that school  
140 records, liabilities, and reporting requirements, including a full audit, are  
141 satisfied.

142 [13.] 14. Charter schools shall not have the power to acquire property by  
143 eminent domain.

144 [14.] 15. The governing body of a charter school is authorized to accept  
145 grants, gifts or donations of any kind and to expend or use such grants, gifts or  
146 donations. A grant, gift or donation may not be accepted by the governing body  
147 if it is subject to any condition contrary to law applicable to the charter school or  
148 other public schools, or contrary to the terms of the charter.

160.417. 1. By October 1, 2012, and by each October first thereafter, the  
2 sponsor of each charter school shall review the information submitted on the  
3 report required by section 162.821 to identify charter schools experiencing  
4 financial stress. The department of elementary and secondary education shall be  
5 authorized to obtain such additional information from a charter school as may be  
6 necessary to determine the financial condition of the charter school. Annually,  
7 a listing of charter schools identified as experiencing financial stress according  
8 to the provisions of this section shall be provided to the governor, speaker of the  
9 house of representatives, and president pro tempore of the senate by the  
10 department of elementary and secondary education.

11 2. For the purposes of this section, a charter school shall be identified as  
12 experiencing financial stress if it:

13 (1) At the end of its most recently completed fiscal year:

14 (a) Has a negative balance in its operating funds; or

15 (b) Has a combined balance of less than three percent of the amount  
16 expended from such funds during the previous fiscal year; or

17 (2) For the most recently completed fiscal year expenditures, exceeded  
18 receipts for any of its funds because of recurring costs.

19 3. The sponsor shall notify by November first the governing board of the  
20 charter school identified as experiencing financial stress. Upon receiving the  
21 notification, the governing board shall develop, or cause to have developed, and  
22 shall approve a budget and education plan on forms provided by the sponsor. The  
23 budget and education plan shall be submitted to the sponsor, signed by the  
24 officers of the charter school, within forty-five calendar days of notification that  
25 the charter school has been identified as experiencing financial  
26 stress. Minimally, the budget and education plan shall:

27 (1) Give assurances that adequate educational services to students of the  
28 charter school shall continue uninterrupted for the remainder of the current  
29 school year and that the charter school can provide the minimum [number of

30 school days and hours] **amount of school time** required by section 160.041;

31 (2) Outline a procedure to be followed by the charter school to report to  
32 charter school patrons about the financial condition of the charter school; and

33 (3) Detail the expenditure reduction measures, revenue increases, or other  
34 actions to be taken by the charter school to address its condition of financial  
35 stress.

36 4. Upon receipt and following review of any budget and education plan,  
37 the sponsor may make suggestions to improve the plan. Nothing in sections  
38 160.400 to 160.425 or section 167.349 shall exempt a charter school from  
39 submitting a budget and education plan to the sponsor according to the provisions  
40 of this section following each such notification that a charter school has been  
41 identified as experiencing financial stress, except that the sponsor may permit a  
42 charter school's governing board to make amendments to or update a budget and  
43 education plan previously submitted to the sponsor.

44 5. The department may withhold any payment of financial aid otherwise  
45 due to the charter school until such time as the sponsor and the charter school  
46 have fully complied with this section.

160.425. 1. The "Missouri Charter Public School Commission" is hereby  
2 created with the authority to sponsor high quality charter schools throughout the  
3 state of Missouri **as specified in section 160.400.**

4 2. The commission shall consist of nine members appointed by the  
5 governor, by and with the advice and consent of the senate. No more than five  
6 of the members shall be of the same political party. No more than two members  
7 shall be from the same congressional district. The term of office of each member  
8 shall be four years, except those of the members first appointed, of which three  
9 shall be appointed for a term of one year, two for a term of two years, two for a  
10 term of three years, and two for a term of four years. At the expiration of the  
11 term of each member, the governor, by and with the advice and consent of the  
12 senate, shall appoint a successor.

13 3. The appointees to the commission shall be selected as follows:

14 (1) One member selected by the governor from a slate of three  
15 recommended by the commissioner of education;

16 (2) One member selected by the governor from a slate of three  
17 recommended by the commissioner of higher education;

18 (3) One member selected by the governor from a slate of three  
19 recommended by the president pro tempore of the senate;

20 (4) One member selected by the governor from a slate of three  
21 recommended by the speaker of the house of representatives; and

22 (5) Five additional members appointed by the governor, one of whom shall  
23 be selected from a slate of three nominees recommended by the Missouri School  
24 Boards Association.

25 4. Members appointed to the commission shall collectively possess strong  
26 experience and expertise in governance, management and finance, school  
27 leadership, assessment, curriculum and instruction, and education law. All  
28 members of the commission shall have demonstrated understanding of and  
29 commitment to charter schooling as a strategy for strengthening public education.

30 5. The commission shall annually elect a chairperson and vice  
31 chairperson, who shall act as chairperson in his or her absence. The commission  
32 shall meet at the call of the chairperson. The chairperson may call meetings at  
33 such times as he or she deems advisable and shall call a meeting when requested  
34 to do so by three or more members of the commission. Members of the  
35 commission are not eligible to receive compensation.

36 6. The commission may approve proposed charters for its sponsorship  
37 under sections 160.400 to 160.425 and shall:

38 (1) Comply with all of the requirements applicable to sponsors under  
39 sections 160.400 to 160.425;

40 (2) Exercise sponsorship over charters approved by the commission under  
41 sections 160.400 to 160.425, including receipt of sponsorship funding under  
42 subsection 11 of section 160.400.

43 7. Charter schools sponsored by the commission shall comply with all of  
44 the requirements applicable to charter schools under sections 160.400 to 160.425.

45 8. The commission shall conduct its business in accordance with chapter  
46 610.

47 9. The department of elementary and secondary education shall provide  
48 start-up funding for the commission to operate. The commission shall reimburse  
49 the department's costs from any funds it receives as sponsor under section  
50 160.400.

51 10. The commission is authorized to receive and expend gifts, grants, and  
52 donations of any kind from any public or private entity to carry out the purposes  
53 of sections 160.400 to 160.425, subject to the terms and conditions under which  
54 they are given, provided that all such terms and conditions are permissible under  
55 law.

56           11. The commission may employ staff, including but not limited  
57 to an executive director, as needed to carry out its duties. The  
58 commission may establish personnel, payroll, benefit, and other such  
59 systems as needed and may provide death and disability  
60 benefits. Commission employees shall be considered state employees  
61 for the purposes of membership in the Missouri state employees'  
62 retirement system and the Missouri consolidated health care  
63 plan. Compensation paid by the commission shall constitute pay from  
64 a state department for purposes of accruing benefits under the  
65 Missouri state employees' retirement system.

66           12. There is hereby created in the state treasury the "Missouri  
67 charter public school commission revolving fund", which shall consist  
68 of money collected under this section. The state treasurer shall be  
69 custodian of the fund. In accordance with sections 30.170 and 30.180,  
70 the state treasurer may approve disbursements. The fund shall be a  
71 dedicated fund and money in the fund shall be used solely by the  
72 Missouri charter public school commission for purposes of sections  
73 160.400 to 160.425 and section 167.349. Notwithstanding the provisions  
74 of section 33.080 to the contrary, any moneys remaining in the fund at  
75 the end of the biennium shall not revert to the credit of the general  
76 revenue fund. The state treasurer shall invest moneys in the fund in  
77 the same manner as other funds are invested. Any interest and moneys  
78 earned on such investments shall be credited to the fund.

160.671. 1. A school board member of any urban school district  
2 located in a home rule city with more than seventy-one thousand but  
3 fewer than seventy-nine thousand inhabitants may be removed by the  
4 voters in a recall election. Proceedings may be commenced for the  
5 recall of any such member by the filing of a notice of intention to  
6 circulate a recall petition under this section.

7           2. The notice of intention to circulate a recall petition shall be  
8 served personally, or by certified mail, on the board member sought to  
9 be recalled. A copy thereof shall be filed, along with an affidavit of the  
10 time and manner of service, with the election authority, as defined in  
11 chapter 115. A separate notice shall be filed for each board member  
12 sought to be recalled and shall contain all of the following:

- 13           (1) The name of the board member sought to be recalled;
- 14           (2) A statement, not exceeding two hundred words in length, of

15 the reasons for the proposed recall; and

16 (3) The names and business or residential addresses of at least  
17 one but not more than five proponents of the recall.

18 3. Within seven days after the filing of the notice of intention,  
19 the board member may file with the election authority a statement, not  
20 exceeding two hundred words in length, including an answer to the  
21 statement of the proponents. If an answer is filed, the board member  
22 shall also serve a copy of it, personally or by certified mail, on one of  
23 the proponents named in the notice of intention. The statement and  
24 answer are intended solely to be used for the information of the voters.  
25 No insufficiency in form or substance of such statements shall affect  
26 the validity of the election proceedings.

27 4. Before any signature may be affixed to a recall petition, the  
28 petition is required to bear all of the following:

29 (1) A request that an election be called to elect a successor to the  
30 board member;

31 (2) A copy of the notice of intention, including a general  
32 statement of the grounds for which removal is sought;

33 (3) The answer of the board member sought to be recalled, if any  
34 exists. If the board member has not answered, the petition shall so  
35 state; and

36 (4) A place for each signer to affix his or her signature, printed  
37 name, and residential address, including any address in a city, town,  
38 village, or unincorporated community.

39 5. Each section of the petition, when submitted to the election  
40 authority, shall have attached to it an affidavit signed by the person  
41 circulating such section of the petition, setting forth all of the  
42 following:

43 (1) The printed name of the affiant;

44 (2) The residential address of the affiant;

45 (3) That the affiant circulated that section of the petition and  
46 saw the appended signatures be written;

47 (4) That according to the best information and belief of the  
48 affiant, each signature is the genuine signature of the person whose  
49 name it purports to be;

50 (5) That the affiant is a registered voter in the school district;

51 and

52           **(6) The dates between which all of the signatures to the petition**  
53 **were obtained.**

54           **6. A recall petition shall be filed with the election authority and**  
55 **secretary of the school board not more than one hundred eighty days**  
56 **after the filing of the notice of intention.**

57           **7. The qualified signatures of three hundred registered voters**  
58 **shall be required for the submission of a petition.**

59           **8. Within thirty days after the date of filing the petition, the**  
60 **election authority shall examine and ascertain whether the petition is**  
61 **signed by the requisite number of voters. The election authority shall**  
62 **file with the petition a certificate showing the results of the**  
63 **examination. The election authority shall give the proponents a copy**  
64 **of the certificate upon their request.**

65           **9. If the election authority certifies the petition to be**  
66 **insufficient, it may be supplemented within ten days of the date of**  
67 **certification by filing additional petition sections containing all of the**  
68 **information required by this section. Within ten days after the**  
69 **supplemental copies are filed, the election authority shall file with**  
70 **them a certificate stating whether or not the petition as supplemented**  
71 **is sufficient.**

72           **10. If the election authority finds the signatures on the petition,**  
73 **together with the supplementary petition sections, if any, to be**  
74 **sufficient, it shall submit its certificate as to the sufficiency of the**  
75 **petition to the school board prior to its next meeting. The certificate**  
76 **shall contain the following:**

77           **(1) The name of the member whose recall is sought;**

78           **(2) The number of signatures required by law;**

79           **(3) The total number of signatures on the petition; and**

80           **(4) The number of valid signatures on the petition.**

81           **11. Following the school board's receipt of the certificate, the**  
82 **election authority shall order an election to be held on the next**  
83 **election day as specified in section 115.123. The election shall be held**  
84 **not less than forty-five days but not more than one hundred twenty**  
85 **days from the date the school board receives the petition.**

86           **12. At any time prior to forty-two days before the election, the**  
87 **member sought to be recalled may offer his or her resignation. If his**  
88 **or her resignation is offered, the recall question shall be removed from**

89 the ballot and the office declared vacant. At such time, the vacancy  
90 shall be filled as provided in section 162.471, except that the member  
91 who resigned shall not fill the vacancy.

92 13. If a majority of the voters vote in favor of retaining the  
93 member, the member shall remain in office and shall not be subject to  
94 another recall election during his or her term of office. If a majority  
95 of voters vote to remove the member, his or her successor shall be  
96 chosen as provided in section 162.471.

161.084. When classifying the public schools of the state under  
2 section 161.092, if there is no state board of education member who is  
3 a resident of the congressional district in which such school district is  
4 located, the state board of education shall assign to any school district  
5 a classification designation of unaccredited or change a district's  
6 classification designation from accredited to provisionally accredited  
7 only after notifying the governor of its intent to change the  
8 classification of the district. The governor shall make the appointment  
9 within thirty days of notification.

161.087. 1. When the state board of education assigns  
2 classification designations to school districts and attendance centers  
3 pursuant to its authority to classify the public schools of the state in  
4 section 161.092, the state board shall use only the following  
5 classification designations based on the standards adopted by the state  
6 board:

- 7 (1) Unaccredited;
- 8 (2) Provisionally accredited;
- 9 (3) Accredited; and
- 10 (4) Accredited with distinction.

11 2. The state board of education shall develop and implement a  
12 process to provide assistance teams to borderline districts as  
13 determined by the department of elementary and secondary education  
14 and to underperforming districts upon assignment of a classification  
15 designation of unaccredited or provisionally accredited or  
16 determination made by the state board of education. The composition  
17 and size of the team may vary, based on academic, demographic, and  
18 financial circumstances of the district, but in no case will the team  
19 have fewer than ten members, two of whom shall be active classroom  
20 teachers in the district, two of whom shall be principals, and one of

21 whom shall be a parent of a student in the district. The department  
22 staff member assigned to the region in which the district is located may  
23 be included in the assistance team's activities but shall not be formally  
24 assigned to the team. The team shall provide both analysis of, at a  
25 minimum, the assessment data, classroom practices, and  
26 communication processes within buildings, within the district, and with  
27 the larger community, and prescriptions for improvement based on the  
28 district's and community's needs. Separate teams may be used to  
29 provide analysis and recommendations at the discretion of the state  
30 board. Beginning with school year 2015-2016, the team shall provide its  
31 recommendations no later than June 30, 2016, for underperforming  
32 districts and borderline districts. The state board shall prioritize the  
33 assignment of teams so that the districts with the lower annual  
34 performance report scores are addressed first. The assistance team's  
35 suggestions for improvement shall be mandatory for underperforming  
36 districts but shall not be mandatory for borderline districts. If an  
37 underperforming district disagrees with any suggestion of the  
38 assistance team, the district shall propose a different method of  
39 accomplishing what the assistance team has suggested, and the state  
40 board of education shall be the final arbiter of the matter.

161.238. 1. As authorized under its duty to classify the schools  
2 of the state under section 161.092, no later than school year 2016-2017,  
3 the state board of education shall adopt and implement a system of  
4 classification that accredits attendance centers within a district  
5 separately from the district as a whole using the classification  
6 designations provided in section 161.087. The state board of education  
7 shall assign classification designations to attendance centers under this  
8 section by July 1, 2016.

9 2. The state board of education may consider the classification  
10 designation of an attendance center in its accreditation classification  
11 system to exempt attendance centers, as that term is defined in section  
12 167.848, with classification numbers outside the range of numbers  
13 assigned to high schools, middle schools, junior high schools, or  
14 elementary schools. Public separate special education schools within  
15 a special school district and within a school district are exempted from  
16 the accreditation requirements of this section and section 161.087. The  
17 state board of education shall prepare an annual performance report

18 for each attendance center that only offers grades kindergarten  
19 through grade two but shall not assign a classification to any such  
20 attendance center. While not applicable for the purpose of  
21 accreditation, a special school district shall continue to report all  
22 scores on its annual performance report to the department of  
23 elementary and secondary education for all of its schools. Juvenile  
24 detention centers within a special school district are also exempted  
25 from the accreditation standards of this section.

26 3. Notwithstanding the provisions of subdivision (9) of section  
27 161.092, the rules and regulations promulgated under this section shall  
28 be effective thirty days after publication in the code of state  
29 regulations as provided in section 536.021 and shall not be subject to  
30 the two-year delay contained in subdivision (9) of section 161.092.

31 4. Any rule or portion of a rule, as that term is defined in section  
32 536.010, that is created under the authority delegated in this section  
33 shall become effective only if it complies with and is subject to all of  
34 the provisions of chapter 536 and, if applicable, section 536.028. This  
35 section and chapter 536 are nonseverable and if any of the powers  
36 vested with the general assembly pursuant to chapter 536 to review, to  
37 delay the effective date, or to disapprove and annul a rule are  
38 subsequently held unconstitutional, then the grant of rulemaking  
39 authority and any rule proposed or adopted after the effective date of  
40 this section shall be invalid and void.

161.1000. 1. There is hereby established within the department  
2 of elementary and secondary education a task force, to be known as the  
3 "School Transfer and Improvement Task Force", which shall be  
4 composed of eleven members.

5 2. The task force is hereby created to study the following:

6 (1) Means to address failing schools, including but not limited to,  
7 the creation of a school improvement district;

8 (2) Developing options for school transfer finance formulas;

9 (3) Best practices for how to design and finance public virtual  
10 and blended schools;

11 (4) Best practices and possible pilot projects to assist transient  
12 students;

13 (5) Options for comprehensive school quality indicators leading  
14 to student success;

15           **(6) Options for school quality review models based on successful**  
16 **review models currently in use;**

17           **(7) Options for locally-created assessment and accountability**  
18 **systems; and**

19           **(8) Best practices in parent and community engagement.**

20           **3. The task force shall consist of the following members:**

21           **(1) Three members of the senate, appointed by the president pro**  
22 **tempore of the senate, of whom not more than two shall be of the same**  
23 **party;**

24           **(2) One member from an education policy research organization**  
25 **in Missouri, appointed by the president pro tempore of the senate;**

26           **(3) Three members of the house of representatives, appointed by**  
27 **the speaker, of whom not more than two shall be of the same party;**

28           **(4) One member from a statewide business association, appointed**  
29 **by the speaker of the house of representatives;**

30           **(5) The commissioner of education, or his or her designee;**

31           **(6) One member from an education organization consisting**  
32 **exclusively of elected officials, appointed by the commissioner of**  
33 **education;**

34           **(7) The lieutenant governor, or his or her designee.**

35           **4. The first meeting of the task force shall be called by the**  
36 **president pro tempore of the senate. The task force shall elect a**  
37 **presiding officer by a majority vote of the membership of the task**  
38 **force. Subsequent meetings of the task force shall be at the call of the**  
39 **presiding officer.**

40           **5. The task force shall make recommendations regarding the**  
41 **provisions of subsection 2 of this section. In making those**  
42 **recommendations, the task force shall receive reports and testimony**  
43 **from individuals, state and local agencies, experts and other public and**  
44 **private organizations.**

45           **6. The task force's recommendations may include proposals for**  
46 **specific statutory changes.**

47           **7. The members shall receive no compensation for their services**  
48 **on the task force but shall be reimbursed for ordinary and necessary**  
49 **expenses incurred in the performance of their duties.**

50           **8. By February 1, 2016, the task force shall report its findings**  
51 **and recommendations to the general assembly.**

52           **9. The provisions of this section shall expire on April 30, 2016.**

162.081. 1. Whenever any school district in this state fails or refuses in  
2 any school year to provide for the minimum school term required by section  
3 163.021 or is classified unaccredited, the state board of education shall, upon a  
4 district's initial classification or reclassification as unaccredited:

5           (1) Review the governance of the district to establish the conditions under  
6 which the existing school board shall continue to govern; or

7           (2) Determine the date the district shall lapse and determine an  
8 alternative governing structure for the district.

9           2. If at the time any school district in this state shall be classified as  
10 unaccredited, the department of elementary and secondary education shall  
11 conduct at least two public hearings at a location in the unaccredited school  
12 district regarding the accreditation status of the school district. The hearings  
13 shall provide an opportunity to convene community resources that may be useful  
14 or necessary in supporting the school district as it attempts to return to  
15 accredited status, continues under revised governance, or plans for continuity of  
16 educational services and resources upon its attachment to a neighboring  
17 district. The department may request the attendance of stakeholders and district  
18 officials to review the district's plan to return to accredited status, if any; offer  
19 technical assistance; and facilitate and coordinate community resources. Such  
20 hearings shall be conducted at least twice annually for every year in which the  
21 district remains unaccredited or provisionally accredited.

22           3. Upon classification of a district as unaccredited, the state board of  
23 education may:

24           (1) Allow continued governance by the existing school district board of  
25 education under terms and conditions established by the state board of education;  
26 or

27           (2) Lapse the corporate organization of **all or part of** the unaccredited  
28 district and:

29           (a) Appoint a special administrative board for the operation of all or part  
30 of the district. **If a special administrative board is appointed for the**  
31 **operation of a part of a school district, the state board of education**  
32 **shall determine an equitable apportionment of state and federal aid for**  
33 **the part of the district, and the school district shall provide local**  
34 **revenue in proportion to the weighted average daily attendance of the**  
35 **part.** The number of members of the special administrative board shall not be

36 less than five, the majority of whom shall be residents of the district. The  
37 members of the special administrative board shall reflect the population  
38 characteristics of the district and shall collectively possess strong experience in  
39 school governance, management and finance, and leadership. **The state board**  
40 **of education may appoint members of the district's elected school board**  
41 **to the special administrative board but members of the elected school**  
42 **board shall not comprise more than forty-nine percent of the special**  
43 **administrative board's membership.** Within fourteen days after the  
44 appointment by the state board of education, the special administrative board  
45 shall organize by the election of a president, vice president, secretary and a  
46 treasurer, with their duties and organization as enumerated in section  
47 162.301. The special administrative board shall appoint a superintendent of  
48 schools to serve as the chief executive officer of the school district, **or a subset**  
49 **of schools,** and to have all powers and duties of any other general  
50 superintendent of schools in a seven-director school district. **Nothing in this**  
51 **section shall be construed to permit either the state board of education**  
52 **or a special administrative board to raise, in any way not specifically**  
53 **allowed by law, the tax levy of the district or any part of the district**  
54 **without a vote of the people.** Any special administrative board appointed  
55 under this section shall be responsible for the operation of the district **or part**  
56 **of the district** until such time that the district is classified by the state board  
57 of education as provisionally accredited for at least two successive academic  
58 years, after which time the state board of education may provide for a transition  
59 pursuant to section 162.083; or

60 (b) Determine an alternative governing structure for the district  
61 including, at a minimum:

62 a. A rationale for the decision to use an alternative form of governance  
63 and in the absence of the district's achievement of full accreditation, the state  
64 board of education shall review and recertify the alternative form of governance  
65 every three years;

66 b. A method for the residents of the district to provide public comment  
67 after a stated period of time or upon achievement of specified academic objectives;

68 c. Expectations for progress on academic achievement, which shall include  
69 an anticipated time line for the district to reach full accreditation; and

70 d. Annual reports to the general assembly and the governor on the  
71 progress towards accreditation of any district that has been declared unaccredited

72 and is placed under an alternative form of governance, including a review of the  
73 effectiveness of the alternative governance; or

74 (c) Attach the territory of the lapsed district to another district or districts  
75 for school purposes; or

76 (d) Establish one or more school districts within the territory of the lapsed  
77 district, with a governance structure specified by the state board of education,  
78 with the option of permitting a district to remain intact for the purposes of  
79 assessing, collecting, and distributing property taxes, to be distributed equitably  
80 on a weighted average daily attendance basis, but to be divided for operational  
81 purposes, which shall take effect sixty days after the adjournment of the regular  
82 session of the general assembly next following the state board's decision unless  
83 a statute or concurrent resolution is enacted to nullify the state board's decision  
84 prior to such effective date.

85 4. If a district remains under continued governance by the school board  
86 under subdivision (1) of subsection 3 of this section and either has been  
87 unaccredited for three consecutive school years and failed to attain accredited  
88 status after the third school year or has been unaccredited for two consecutive  
89 school years and the state board of education determines its academic progress  
90 is not consistent with attaining accredited status after the third school year, then  
91 the state board of education shall proceed under subdivision (2) of subsection 3  
92 of this section in the following school year.

93 5. A special administrative board **or any other form of governance**  
94 appointed under this section shall retain the authority granted to a board of  
95 education for the operation of the lapsed school district under the laws of the  
96 state in effect at the time of the lapse and may enter into contracts with  
97 accredited school districts or other education service providers in order to deliver  
98 high-quality educational programs to the residents of the district. If a student  
99 graduates while attending a school building in the district that is operated under  
100 a contract with an accredited school district as specified under this subsection,  
101 the student shall receive his or her diploma from the accredited school  
102 district. The authority of the special administrative board **or any other form**  
103 **of governance appointed under this section** shall expire at the end of the  
104 third full school year following its appointment, unless extended by the state  
105 board of education. If the lapsed district is reassigned, the [special  
106 administrative board] **governing board prior to lapse** shall provide an  
107 accounting of all funds, assets and liabilities of the lapsed district and transfer

108 such funds, assets, and liabilities of the lapsed district as determined by the state  
109 board of education. Neither the special administrative board **or any other form**  
110 **of governance appointed under this section** nor its members or employees  
111 shall be deemed to be the state or a state agency for any purpose, including  
112 section 105.711, et seq. The state of Missouri, its agencies and employees shall  
113 be absolutely immune from liability for any and all acts or omissions relating to  
114 or in any way involving the lapsed district, [the] a special administrative board  
115 **or any other form of governance appointed under this section**, its  
116 members or employees. Such immunities, and immunity doctrines as exist or  
117 may hereafter exist benefitting boards of education, their members and their  
118 employees shall be available to the special administrative board **or any other**  
119 **form of governance appointed under this section**, its members and  
120 employees.

121 6. Neither the special administrative board **or any other form of**  
122 **governance appointed under this section** nor any district or other entity  
123 assigned territory, assets or funds from a lapsed district shall be considered a  
124 successor entity for the purpose of employment contracts, unemployment  
125 compensation payment pursuant to section 288.110, or any other purpose.

126 7. If additional teachers are needed by a district as a result of increased  
127 enrollment due to the annexation of territory of a lapsed or dissolved district,  
128 such district shall grant an employment interview to any permanent teacher of  
129 the lapsed or dissolved district upon the request of such permanent teacher.

130 8. In the event that a school district with an enrollment in excess of five  
131 thousand pupils lapses, no school district shall have all or any part of such lapsed  
132 school district attached without the approval of the board of the receiving school  
133 district.

134 **9. If the state board of education reasonably believes that a**  
135 **school district is unlikely to provide for the minimum number of school**  
136 **hours required in a school term required by section 163.021 because of**  
137 **financial difficulty, the state board of education may, prior to the start**  
138 **of the school term:**

139 (1) **Allow continued governance by the existing district school**  
140 **board under terms and conditions established by the state board of**  
141 **education; or**

142 (2) **Lapse the corporate organization of the district and**  
143 **implement one of the options available under subdivision (2) of**

144 **subsection 3 of this section.**

145 **10. The provisions of subsection 9 of this section shall not apply**  
146 **to any district solely on the basis of financial difficulty resulting from**  
147 **paying tuition and providing transportation for transfer students under**  
148 **sections 167.825 to 167.828.**

162.471. 1. The government and control of an urban school district is  
2 vested in a board of seven directors. Each director shall be a voter of the district  
3 who has resided within this state for one year next preceding his election or  
4 appointment and who is at least twenty-four years of age. All directors, except  
5 as otherwise provided in section 162.481 and section 162.492, hold their offices  
6 for six years and until their successors are duly elected and qualified. All  
7 vacancies occurring in the board, except as provided in section 162.492 **and in**  
8 **subsection 2 of this section**, shall be filled by appointment by the board as  
9 soon as practicable, and the person appointed shall hold his office until the next  
10 school board election, when his successor shall be elected for the remainder of the  
11 unexpired term. The power of the board to perform any official duty during the  
12 existence of a vacancy continues unimpaired thereby.

13 **2. All vacancies occurring in the school board of any urban**  
14 **school district located in a home rule city with more than seventy-one**  
15 **thousand but fewer than seventy-nine thousand inhabitants shall be**  
16 **filled by appointment of the county commission of a county of the first**  
17 **classification with more than eighty-three thousand but fewer than**  
18 **ninety-two thousand inhabitants and with a home rule city with more**  
19 **than seventy-six thousand but fewer than ninety-one thousand**  
20 **inhabitants as the county seat. If the vacancy occurred because of a**  
21 **recall under section 160.671, the member who was recalled shall not fill**  
22 **the vacancy. The person appointed by the county commission shall**  
23 **hold office until the next school board election, when his or her**  
24 **successor shall be elected for the remainder of the unexpired term.**

162.481. 1. Except as otherwise provided in this section, all elections of  
2 school directors in urban districts shall be held biennially at the same times and  
3 places as municipal elections.

4 2. In any urban district which includes all or the major part of a city  
5 which first obtained a population of more than seventy-five thousand inhabitants  
6 by reason of the 1960 federal decennial census, elections of directors shall be held  
7 on municipal election days of even-numbered years. The directors of the prior

8 district shall continue as directors of the urban district until their successors are  
9 elected as herein provided. On the first Tuesday in April, 1964, four directors  
10 shall be elected, two for terms of two years to succeed the two directors of the  
11 prior district who were elected in 1960 and two for terms of six years to succeed  
12 the two directors of the prior district who were elected in 1961. The successors  
13 of these directors shall be elected for terms of six years. On the first Tuesday in  
14 April, 1968, two directors shall be elected for terms to commence on November 5,  
15 1968, and to terminate on the first Tuesday in April, 1974, when their successors  
16 shall be elected for terms of six years. No director shall serve more than two  
17 consecutive six-year terms after October 13, 1963.

18 3. Except as otherwise provided in subsections 4 and 5 of this section,  
19 hereafter when a seven-director district becomes an urban district, the directors  
20 of the prior seven-director district shall continue as directors of the urban district  
21 until the expiration of the terms for which they were elected and until their  
22 successors are elected as provided in this subsection. The first biennial school  
23 election for directors shall be held in the urban district at the time provided in  
24 subsection 1 which is on the date of or subsequent to the expiration of the terms  
25 of the directors of the prior district which are first to expire, and directors shall  
26 be elected to succeed the directors of the prior district whose terms have expired.  
27 If the terms of two directors only have expired, the directors elected at the first  
28 biennial school election in the urban district shall be elected for terms of six  
29 years. If the terms of four directors have expired, two directors shall be elected  
30 for terms of six years and two shall be elected for terms of four years. At the next  
31 succeeding biennial election held in the urban district, successors for the  
32 remaining directors of the prior seven-director district shall be elected. If only  
33 two directors are to be elected they shall be elected for terms of six years each. If  
34 four directors are to be elected, two shall be elected for terms of six years and two  
35 shall be elected for terms of two years. After seven directors of the urban district  
36 have been elected under this subsection, their successors shall be elected for  
37 terms of six years.

38 4. In any school district in any city with a population of one hundred  
39 thousand or more inhabitants which is located within a county of the first  
40 classification that adjoins no other county of the first classification, or any school  
41 district which becomes an urban school district by reason of the 2000 federal  
42 decennial census, elections shall be held annually at the same times and places  
43 as general municipal elections for all years where one or more terms expire, and

44 the terms shall be for three years and until their successors are duly elected and  
45 qualified for all directors elected on and after August 28, 1998.

46 5. In any school district in any county with a charter form of government  
47 and with more than three hundred thousand but fewer than four hundred fifty  
48 thousand inhabitants which becomes an urban school district by reason of the  
49 2010 federal decennial census, elections shall be held annually at the same times  
50 and places as general municipal elections for all years where one or more terms  
51 expire, and the terms shall be for three years and until their successors are duly  
52 elected and qualified for all directors elected on and after April 2, 2012.

53 **6. In any urban school district in a county of the first**  
54 **classification with more than eighty-three thousand but fewer than**  
55 **ninety-two thousand inhabitants and with a home rule city with more**  
56 **than seventy-six thousand but fewer than ninety-one thousand**  
57 **inhabitants as the county seat, elections shall be held annually at the**  
58 **same times and places as general municipal elections for all years**  
59 **where one or more terms expire, and upon expiration of any term after**  
60 **August 28, 2015, the term of office shall be for three years and until**  
61 **their successors are duly elected and qualified.**

162.491. 1. Directors for urban school districts, other than those districts  
2 containing the greater part of a city of over one hundred thirty thousand  
3 inhabitants, may be nominated by petition to be filed with the secretary of the  
4 board and signed by a number of voters in the district equal to ten percent of the  
5 total number of votes cast for the director receiving the highest number of votes  
6 cast at the next preceding biennial election, **except as provided in subsection**  
7 **4 of this section.**

8 2. This section shall not be construed as providing the sole method of  
9 nominating candidates for the office of school director in urban districts which do  
10 not contain the greater part of a city of over three hundred thousand inhabitants.

11 3. A director for any urban school district containing a city of greater than  
12 one hundred thirty thousand inhabitants and less than three hundred thousand  
13 inhabitants may be nominated as an independent candidate by filing with the  
14 secretary of the board a petition signed by five hundred registered voters of such  
15 school district.

16 **4. In any urban school district located in a home rule city with**  
17 **more than seventy-one thousand but fewer than seventy-nine thousand**  
18 **inhabitants, a candidate for director shall file a declaration of**

19 **candidacy with the secretary of the board and shall not be required to**  
20 **submit a petition.**

162.1250. 1. School districts shall receive state school funding under  
2 sections 163.031, 163.043, and 163.087 for resident students who are enrolled in  
3 the school district and who are taking a virtual course or full-time virtual  
4 program offered by the school district. The school district may offer instruction  
5 in a virtual setting using technology, intranet, and internet methods of  
6 communications that could take place outside of the regular school district  
7 facility. The school district may develop a virtual program for any grade level,  
8 kindergarten through twelfth grade, with the courses available in accordance with  
9 district policy to any resident student of the district who is enrolled in the school  
10 district. Nothing in this section shall preclude a private, parochial, or home  
11 school student residing within a school district offering virtual courses or virtual  
12 programs from enrolling in the school district in accordance with the combined  
13 enrollment provisions of section 167.031 for the purposes of participating in the  
14 virtual courses or virtual programs.

15 2. Charter schools shall receive state school funding under section 160.415  
16 for students enrolled in the charter school who are completing a virtual course or  
17 full-time virtual program offered by the charter school. Charter schools may offer  
18 instruction in a virtual setting using technology, intranet, and internet methods  
19 of communications. The charter school may develop a virtual program for any  
20 grade level, kindergarten through twelfth grade, with the courses available in  
21 accordance with school policy and the charter school's charter to any student  
22 enrolled in the charter school.

23 3. For purposes of calculation and distribution of state school funding,  
24 attendance of a student enrolled in a district or charter school virtual class shall  
25 equal, upon course completion, ninety-four percent of the hours of attendance  
26 possible for such class delivered in the nonvirtual program in the student's  
27 resident district or charter school. **In the case of a student who is a**  
28 **candidate for A+ tuition reimbursement and taking a virtual course**  
29 **under this section, the school shall not attribute ninety-four percent**  
30 **attendance to such student for such course, but shall attribute no less**  
31 **than ninety-five percent attendance to any such student who has**  
32 **completed such virtual course.** Course completion shall be calculated in two  
33 increments, fifty percent completion and one hundred percent completion, based  
34 on the student's completion of defined assignments and assessments, with

35 distribution of state funding to a school district or charter school at each  
36 increment equal to forty-seven percent of hours of attendance possible for such  
37 course delivered in the nonvirtual program in a student's school district of  
38 residence or charter school.

39 **4. (1) For purposes of this subsection, a virtual school of choice**  
40 **means a school authorized to provide a full time kindergarten through**  
41 **grade twelve virtual program pursuant to this section if it meets the**  
42 **following requirements:**

43 **(a) Uses a unified and sequential online curriculum;**

44 **(b) Allows students to learn at a flexible pace including**  
45 **acceleration for advanced learners and more time for students who**  
46 **need it;**

47 **(c) Employs teachers certified by the state board of education to**  
48 **oversee all instruction;**

49 **(d) Develops an individualized learning plan for all students**  
50 **designed by certified teachers and professional staff; and**

51 **(e) Is hosted by an accredited district or a charter school with**  
52 **an annual performance report score of seventy percent or greater or**  
53 **any district or charter school that is granted a waiver by the**  
54 **department of elementary and secondary education to host a virtual**  
55 **school of choice.**

56 **(2) Notwithstanding any provision of law to the contrary, any**  
57 **student who is a resident of this state and has been enrolled in and**  
58 **attending for at least one semester an attendance center that is**  
59 **classified as unaccredited by the state board of education and is unable**  
60 **to transfer to an accredited school in the district of residence or any**  
61 **student enrolled in an unaccredited district or provisionally accredited**  
62 **district or any district that has a three-year average annual**  
63 **performance report score consistent with a state board of education**  
64 **classification of provisionally accredited or unaccredited is eligible to**  
65 **enroll in a virtual school of choice. For purposes of this subsection, a**  
66 **virtual resident student is a student who is enrolled in a virtual school**  
67 **of choice which is hosted by the student's district of residence or a**  
68 **virtual school of choice which is hosted by a charter school in the**  
69 **student's district of residence. There shall be no change in calculation**  
70 **and distribution of state school funding under subsection 3 of this**  
71 **section for a virtual resident student. For purposes of this subsection,**

72 a virtual transfer student is a student who is enrolled in a virtual  
73 school of choice which is neither hosted by the student's district of  
74 residence nor by a charter school in the student's district of  
75 residence. For purposes of calculation and distribution of state school  
76 funding for virtual transfer students, any virtual transfer student shall  
77 be included in the average daily attendance of his or her school district  
78 of residence. The department of elementary and secondary education  
79 shall deduct from the state aid payment made to the district of  
80 residence of a virtual transfer student an amount equal to the amount  
81 calculated under subsection 3 of section 161.670 and credit the same  
82 amount to the virtual school of choice, unless the virtual school of  
83 choice uses a unified and sequential online curriculum, develops an  
84 individualized learning plan for all students, provides special  
85 education services, administers the statewide assessments to its  
86 students, administers end-of-course assessments to its students, is  
87 accredited, is hosted by a school district or charter school with an  
88 annual performance report score of seventy or greater, and grants a  
89 diploma to students, in which case the department of elementary and  
90 secondary education shall deduct from the state aid payment made to  
91 the district of residence of a virtual transfer student an amount equal  
92 to the state adequacy target and credit the same to the virtual school  
93 of choice, except that a virtual school of choice may choose to charge  
94 a rate of tuition less than the state adequacy target. The distribution  
95 of funds to the virtual school of choice shall be calculated in two  
96 increments, fifty percent completion and one hundred percent  
97 completion, based on the student's completion of defined assignments  
98 and assessments. No virtual transfer student shall be admitted to a  
99 virtual school of choice if admission of the student would cause the  
100 amount deducted from the district of residence's state aid to exceed the  
101 aggregate amount due to the school district as provided under  
102 subsections 1 and 2 of section 163.031 and sections 163.043 and  
103 163.087. The department of elementary and secondary education shall  
104 transfer any federal special education or Title I funds associated with  
105 an individual virtual transfer student to the virtual school of choice.  
106 Each education authority, as established in sections 167.830 to 167.845,  
107 shall provide information furnished to it by virtual schools of choice  
108 offering courses or programs to virtual transfer students. For purposes

109 **of this subsection, the state adequacy target amount used shall be the**  
110 **amount as calculated under subsection 8 of section 163.031 for the**  
111 **applicable fiscal year.**

112         **5.** When courses are purchased from an outside vendor, the district or  
113 charter school shall ensure that they are aligned with the show-me curriculum  
114 standards and comply with state requirements for teacher certification. The state  
115 board of education reserves the right to request information and materials  
116 sufficient to evaluate the online course. Online classes should be considered like  
117 any other class offered by the school district or charter school.

118         **[5.] 6.** Any school district or charter school that offers instruction in a  
119 virtual setting, develops a virtual course or courses, or develops a virtual program  
120 of instruction shall ensure that the following standards are satisfied:

121             (1) The virtual course or virtual program utilizes appropriate  
122 content-specific tools and software;

123             (2) Orientation training is available for teachers, instructors, and students  
124 as needed;

125             (3) Privacy policies are stated and made available to teachers, instructors,  
126 and students;

127             (4) Academic integrity and internet etiquette expectations regarding  
128 lesson activities, discussions, electronic communications, and plagiarism are  
129 stated to teachers, instructors, and students prior to the beginning of the virtual  
130 course or virtual program;

131             (5) Computer system requirements, including hardware, web browser, and  
132 software, are specified to participants;

133             (6) The virtual course or virtual program architecture, software, and  
134 hardware permit the online teacher or instructor to add content, activities, and  
135 assessments to extend learning opportunities;

136             (7) The virtual course or virtual program makes resources available by  
137 alternative means, including but not limited to, video and podcasts;

138             (8) Resources and notes are available for teachers and instructors in  
139 addition to assessment and assignment answers and explanations;

140             (9) Technical support and course management are available to the virtual  
141 course or virtual program teacher and school coordinator;

142             (10) The virtual course or virtual program includes assignments, projects,  
143 and assessments that are aligned with students' different visual, auditory, and  
144 hands-on learning styles;

145 (11) The virtual course or virtual program demonstrates the ability to  
146 effectively use and incorporate subject-specific and developmentally appropriate  
147 software in an online learning module; and

148 (12) The virtual course or virtual program arranges media and content to  
149 help transfer knowledge most effectively in the online environment.

150 [6.] 7. Any special school district shall count any student's completion of  
151 a virtual course or program in the same manner as the district counts completion  
152 of any other course or program for credit.

153 [7.] 8. A school district or charter school may contract with multiple  
154 providers of virtual courses or virtual programs, provided they meet the criteria  
155 for virtual courses or virtual programs under this section.

**162.1303. 1. The department of elementary and secondary  
2 education shall annually calculate a transient student ratio for each  
3 attendance center, each school district, each charter school, and each  
4 local education agency. The department shall publish each district's,  
5 each attendance center's, each charter school's, and each local  
6 education agency's transient student ratio on its website.**

**7 2. The department shall include, or cause to be included, in each  
8 district's school accountability report card the transient student ratio  
9 of the district and of each attendance center operated by the district.**

**10 3. The department shall include in each attendance center's,  
11 charter school's, and local education agency's school accountability  
12 report card the transient student ratio for the attendance center,  
13 charter school, or local education agency.**

**14 4. The department shall publish on its website the state's  
15 aggregate transient student ratio.**

**16 5. A transient student ratio shall be calculated as the product of:**

**17 (1) One hundred; and**

**18 (2) The quotient of:**

**19 (a) The sum of the number of resident full-time students and full-  
20 time equivalent number of part-time students who enroll in the district  
21 after the last Wednesday of September and the number of reentry  
22 students and the number of students who withdrew from the district  
23 during the school year; and**

**24 (b) The sum of the number of students who enrolled in the  
25 district on or before the last Wednesday in September and the number  
26 of students who enrolled in the district after the last Wednesday of**

27 **September.**

28           **6. Each school district charter school, and local education agency**  
29 **shall annually report to the department, by a date established by the**  
30 **department, any information and data required to comply with and**  
31 **perform the calculation required by the provisions of this section.**

32           **7. For purposes of this section and section 162.1305, the following**  
33 **terms shall mean:**

34           **(1) "Reentry student" or "reentry students", any student who**  
35 **enrolls in a district, charter school, or local education agency,**  
36 **withdrew from the district, charter school, or local education agency,**  
37 **and reenrolled in the district, charter school, or local education agency;**

38           **(2) "Transient student", any student who enrolls in a district,**  
39 **charter school, or local education agency after the last Wednesday of**  
40 **September or any reentry student.**

**162.1305. The statewide assessment scores and all other**  
2 **performance data for any transient student or any student who has not**  
3 **been enrolled in a district-operated school or a charter school for the**  
4 **previous three full school terms shall be modified in the following**  
5 **manner when calculating the district's or charter school's performance**  
6 **for purposes of the Missouri school improvement program, any**  
7 **successor assessment program, or scores on the annual performance**  
8 **report:**

9           **(1) Any statewide assessment scores and all other performance**  
10 **data for any student who has not been enrolled in a district-operated**  
11 **school or charter school for the preceding full school term shall not be**  
12 **used when calculating the district's or charter school's performance for**  
13 **purposes of the Missouri school improvement program, any successor**  
14 **assessment program, or scores on the annual performance report;**

15           **(2) The statewide assessment scores and all other performance**  
16 **data for any student who has been enrolled in a district-operated**  
17 **school or charter school for the full preceding school term but has not**  
18 **been enrolled in a district-operated school or charter school for the full**  
19 **two preceding school terms shall be weighted at thirty percent of the**  
20 **weight assigned to a student who has been enrolled in a district-**  
21 **operated school or charter school for the full three preceding school**  
22 **terms when calculating the district's or charter school's performance**  
23 **for purposes of the Missouri school improvement program, any**

24 successor assessment program, or scores on the annual performance  
25 report;

26 (3) The statewide assessment scores and all other performance  
27 data for any student who has been enrolled in a district-operated  
28 school or charter school for two full preceding school terms but has not  
29 been enrolled in a district-operated school or charter school for the full  
30 three preceding school terms shall be weighted at seventy percent of  
31 the weight assigned to a student who has been enrolled in a district-  
32 operated school or charter school for the full three preceding school  
33 terms when calculating the district's performance for purposes of the  
34 Missouri school improvement program, any successor assessment  
35 program, or scores on the annual performance report.

162.1310. When the state board of education classifies any  
2 district or attendance center as unaccredited, the district shall notify  
3 the parent or guardian of any student enrolled in the unaccredited  
4 district or unaccredited attendance center of the loss of accreditation  
5 within seven business days. The district shall also notify district  
6 taxpayers of the loss of accreditation within seven business days. The  
7 district's notice shall include an explanation of which students may be  
8 eligible to transfer, the transfer process under sections 167.825 to  
9 167.827, and any services students may be entitled to receive. The  
10 district's notice shall be written in a clear, concise, and easy to  
11 understand manner. The district shall post the notice in a conspicuous  
12 and accessible place in each district attendance center. The district  
13 shall also send the notice to each political subdivision located within  
14 the boundaries of the district.

162.1313. The school board of any district that operates an  
2 underperforming school shall adopt a policy regarding the availability  
3 of home visits by school personnel. Pursuant to such policy, the school  
4 may offer to the parent or guardian of a student enrolled in any such  
5 school the opportunity to have at least one annual home visit and shall  
6 offer an opportunity for a meeting at the attendance center or a  
7 mutually agreeable site.

163.036. 1. In computing the amount of state aid a school district is  
2 entitled to receive for the minimum school term only under section 163.031, a  
3 school district may use an estimate of the weighted average daily attendance for  
4 the current year, or the weighted average daily attendance for the immediately

5 preceding year or the weighted average daily attendance for the second preceding  
6 school year, whichever is greater. Beginning with the 2006-07 school year, the  
7 summer school attendance included in the average daily attendance as defined  
8 in subdivision (2) of section 163.011 shall include only the attendance hours of  
9 pupils that attend summer school in the current year. Beginning with the  
10 2004-05 school year, when a district's official calendar for the current year  
11 contributes to a more than ten percent reduction in the average daily attendance  
12 for kindergarten compared to the immediately preceding year, the payment  
13 attributable to kindergarten shall include only the current year kindergarten  
14 average daily attendance. Any error made in the apportionment of state aid  
15 because of a difference between the actual weighted average daily attendance and  
16 the estimated weighted average daily attendance shall be corrected as provided  
17 in section 163.091, except that if the amount paid to a district estimating  
18 weighted average daily attendance exceeds the amount to which the district was  
19 actually entitled by more than five percent, interest at the rate of six percent  
20 shall be charged on the excess and shall be added to the amount to be deducted  
21 from the district's apportionment the next succeeding year.

22         2. Notwithstanding the provisions of subsection 1 of this section or any  
23 other provision of law, the state board of education shall make an adjustment for  
24 the immediately preceding year for any increase in the actual weighted average  
25 daily attendance above the number on which the state aid in section 163.031 was  
26 calculated. Said adjustment shall be made in the manner providing for correction  
27 of errors under subsection 1 of this section.

28         3. Any error made in the apportionment of state aid because of a  
29 difference between the actual equalized assessed valuation for the current year  
30 and the estimated equalized assessed valuation for the current year shall be  
31 corrected as provided in section 163.091, except that if the amount paid to a  
32 district estimating current equalized assessed valuation exceeds the amount to  
33 which the district was actually entitled, interest at the rate of six percent shall  
34 be charged on the excess and shall be added to the amount to be deducted from  
35 the district's apportionment the next succeeding year.

36         4. For the purposes of distribution of state school aid pursuant to section  
37 163.031, a school district with ten percent or more of its assessed valuation that  
38 is owned by one person or corporation as commercial or personal property who is  
39 delinquent in a property tax payment may elect, after receiving notice from the  
40 county clerk on or before March fifteenth that more than ten percent of its

41 current taxes due the preceding December thirty-first by a single property owner  
42 are delinquent, to use in the local effort calculation of the state aid formula the  
43 district's equalized assessed valuation for the preceding year or the actual  
44 assessed valuation of the year for which the taxes are delinquent less the  
45 assessed valuation of property for which the current year's property tax is  
46 delinquent. To qualify for use of the actual assessed valuation of the year for  
47 which the taxes are delinquent less the assessed valuation of property for which  
48 the current year's property tax is delinquent, a district must notify the  
49 department of elementary and secondary education on or before April first, except  
50 in the year enacted, of the current year amount of delinquent taxes, the assessed  
51 valuation of such property for which delinquent taxes are owed and the total  
52 assessed valuation of the district for the year in which the taxes were due but not  
53 paid. Any district giving such notice to the department of elementary and  
54 secondary education shall present verification of the accuracy of such notice  
55 obtained from the clerk of the county levying delinquent taxes. When any of the  
56 delinquent taxes identified by such notice are paid during a four-year period  
57 following the due date, the county clerk shall give notice to the district and the  
58 department of elementary and secondary education, and state aid paid to the  
59 district shall be reduced by an amount equal to the delinquent taxes received plus  
60 interest. The reduction in state aid shall occur over a period not to exceed five  
61 years and the interest rate on excess state aid not refunded shall be six percent  
62 annually.

63         5. If a district receives state aid based on equalized assessed valuation as  
64 determined by subsection 4 of this section and if prior to such notice the district  
65 was paid state aid pursuant to section 163.031, the amount of state aid paid  
66 during the year of such notice and the first year following shall equal the sum of  
67 state aid paid pursuant to section 163.031 plus the difference between the state  
68 aid amount being paid after such notice minus the amount of state aid the district  
69 would have received pursuant to section 163.031 before such notice. To be  
70 eligible to receive state aid based on this provision the district must levy during  
71 the first year following such notice at least the maximum levy permitted school  
72 districts by Article X, Section 11(b) of the Missouri Constitution and have a  
73 voluntary rollback of its tax rate which is no greater than one cent per one  
74 hundred dollars assessed valuation.

75         **6. Notwithstanding the provisions of subsection 1 of this section,**  
76 **any district in which the local school board sponsors a charter school**

77 **as provided in section 160.400 shall only be permitted to use an**  
78 **estimate of the district's weighted average daily attendance for the**  
79 **current year and shall not be permitted to use a weighted average daily**  
80 **attendance count from any preceding year for purposes of determining**  
81 **the amount of state aid to which the district is entitled.**

167.121. 1. If the residence of a pupil is so located that attendance in the  
2 district of residence constitutes an unusual or unreasonable transportation  
3 hardship because of natural barriers, travel time, or distance, the commissioner  
4 of education or his designee may assign the pupil to another district. Subject to  
5 the provisions of this section, all existing assignments shall be reviewed prior to  
6 July 1, 1984, and from time to time thereafter, and may be continued or  
7 rescinded. The board of education of the district in which the pupil lives shall  
8 pay the tuition of the pupil assigned. The tuition shall not exceed the pro rata  
9 cost of instruction.

10 2. (1) For the school year beginning July 1, 2008, and each succeeding  
11 school year, a parent or guardian residing in a lapsed public school district [or],  
12 a district that has [scored] **received scores consistent with a state board**  
13 **of education classification consistent with** either unaccredited or  
14 provisionally accredited, or a combination thereof, on two consecutive annual  
15 performance reports, **or a parent or guardian whose child is eligible to**  
16 **transfer under subsection 2 of section 167.826** may enroll the parent's or  
17 guardian's child in the Missouri virtual school created in section 161.670 provided  
18 the pupil first enrolls in the school district of residence. The school district of  
19 residence shall include the pupil's enrollment in the virtual school created in  
20 section 161.670 in determining the district's average daily attendance. Full-time  
21 enrollment in the virtual school shall constitute one average daily attendance  
22 equivalent in the school district of residence. Average daily attendance for  
23 part-time enrollment in the virtual school shall be calculated as a percentage of  
24 the total number of virtual courses enrolled in divided by the number of courses  
25 required for full-time attendance in the school district of residence.

26 (2) A pupil's residence, for purposes of this section, means residency  
27 established under section 167.020. Except for students residing in a K-8 district  
28 attending high school in a district under section 167.131, the board of the home  
29 district shall pay to the virtual school the amount required under section 161.670.

30 (3) Nothing in this section shall require any school district or the state to  
31 provide computers, equipment, internet or other access, supplies, materials or

32 funding, except as provided in this section, as may be deemed necessary for a  
33 pupil to participate in the virtual school created in section 161.670.

34 (4) Any rule or portion of a rule, as that term is defined in section  
35 536.010, that is created under the authority delegated in this section shall  
36 become effective only if it complies with and is subject to all of the provisions of  
37 chapter 536 and, if applicable, section 536.028. This section and chapter 536 are  
38 nonseverable and if any of the powers vested with the general assembly pursuant  
39 to chapter 536 to review, to delay the effective date, or to disapprove and annul  
40 a rule are subsequently held unconstitutional, then the grant of rulemaking  
41 authority and any rule proposed or adopted after August 28, 2007, shall be  
42 invalid and void.

**167.127. If a school district contains a facility that serves  
2 neglected children or delinquent children residing in a court-ordered  
3 group home, an institution for neglected children, or an institution for  
4 delinquent children, the department of elementary and secondary  
5 education shall be prohibited from creating any report or publication  
6 related to the Missouri school improvement program, or any successor  
7 program, in which data from the district's regularly enrolled pupils is  
8 aggregated with data from the children residing in such facilities.**

167.131. 1. The board of education of each district in this state that does  
2 not maintain [an accredited] **a high school** [pursuant to the authority of the  
3 state board of education to classify schools as established in section 161.092]  
4 **offering work through the twelfth grade** shall pay [the] tuition [of] **as**  
5 **calculated by the receiving district under subsection 2 of this section**  
6 and provide transportation consistent with the provisions of section 167.241 for  
7 each pupil resident therein **who has completed the work of the highest**  
8 **grade offered in the schools of the district and** who attends an accredited  
9 **public high** school in another district of the same or an adjoining county.

10 2. The rate of tuition to be charged by the district attended and paid by  
11 the sending district is the per pupil cost of maintaining the district's grade level  
12 grouping which includes the school attended. The cost of maintaining a grade  
13 level grouping shall be determined by the board of education of the district but  
14 in no case shall it exceed all amounts spent for teachers' wages, incidental  
15 purposes, debt service, maintenance and replacements. The term "debt service",  
16 as used in this section, means expenditures for the retirement of bonded  
17 indebtedness and expenditures for interest on bonded indebtedness. Per pupil

18 cost of the grade level grouping shall be determined by dividing the cost of  
19 maintaining the grade level grouping by the average daily pupil attendance. If  
20 there is disagreement as to the amount of tuition to be paid, the facts shall be  
21 submitted to the state board of education, and its decision in the matter shall be  
22 final. Subject to the limitations of this section, each pupil shall be free to attend  
23 the public school of his or her choice.

**167.642. 1. No district located in a county with a charter form of  
2 government and with more than nine hundred fifty thousand  
3 inhabitants shall promote a student from the fifth grade to the sixth  
4 grade or from the eighth grade to the ninth grade who has not scored  
5 at the proficient level or above on the statewide assessments in the  
6 areas of English language arts and mathematics.**

**7 2. Notwithstanding subsection 1 of this section, the provisions of  
8 this section shall not apply to any student with an individualized  
9 education program or any student receiving services through a plan  
10 prepared under Section 504 of the Rehabilitation Act of 1973.**

**167.685. 1. Any unaccredited district shall offer free tutoring and  
2 supplemental education services to students who are performing below  
3 grade level or identified by the district as struggling, using funds from  
4 the school district improvement fund to the extent that such funds are  
5 available. A district may implement the free tutoring services  
6 requirement by entering into a contract with a public library for online  
7 tutoring services as provided in section 170.215.**

**8 2. There is hereby created in the state treasury the "School  
9 District Improvement Fund". The fund shall consist of any gifts,  
10 bequests or public or private donations to such fund. Any person or  
11 entity that makes a gift, bequest, or donation to the fund may specify  
12 the district that shall be the recipient of such gift, bequest, or donation.**

**13 3. The state treasurer shall be custodian of the fund. In  
14 accordance with sections 30.170 and 30.180, the state treasurer may  
15 approve disbursements of public money in accordance with distribution  
16 requirements and procedures developed by the department of  
17 elementary and secondary education and shall make disbursement of  
18 private funds according to the directions of the donor. If the donor did  
19 not specify how the private funds were to be disbursed, the state  
20 treasurer shall contact the donor to determine the manner of  
21 disbursement. The fund shall be a dedicated fund and, upon**

22 appropriation, money in the fund shall be used solely for the  
23 administration of this section. A district that receives money from the  
24 fund may use such money to cover the cost of online tutoring services  
25 provided through a contract with a public library under section  
26 170.215.

27 4. Notwithstanding the provisions of section 33.080 to the  
28 contrary, any moneys remaining in the fund at the end of the biennium  
29 shall not revert to the credit of the general revenue fund.

30 5. The state treasurer shall invest moneys in the fund in the  
31 same manner as other funds are invested. Any interest and moneys  
32 earned on such investments shall be credited to the fund.

167.688. 1. Any underperforming district may perform any or all  
2 of the following actions, including but not limited to:

3 (1) Implement a new curriculum, including appropriate  
4 professional development, based on scientifically-based research that  
5 offers substantial promise of improving educational achievement of  
6 low-achieving students;

7 (2) Retain an outside expert to advise the district or school on  
8 its progress toward regaining accreditation;

9 (3) Enter into a contract with an education management  
10 company or education services provider that has a demonstrated  
11 record of effectiveness operating a school or schools;

12 (4) For any unaccredited school, enter into a collaborative  
13 relationship and agreement with an accredited district in which  
14 teachers from the unaccredited school may exchange positions with  
15 teachers from an accredited school in an accredited district for a  
16 period of two school weeks; or

17 (5) Implement any other change that is suggested by the state  
18 board of education, an expert or contractor approved under this  
19 section or an assistance team under section 161.087, in accordance with  
20 state law, that the school board has reason to believe will result in  
21 improved performance for accreditation purposes.

22 2. Any underperforming district that offers an attendance  
23 recovery program designed exclusively to allow students to recapture  
24 attendance hours lost due to absences shall be allowed to include said  
25 attendance recovery hours in the district's weighted average daily  
26 attendance and also in the calculation of a district's attendance rate for

27 purposes of the Missouri school improvement program accreditation  
28 scoring. Districts may offer attendance recovery programs on  
29 Saturdays or at any time before or after the school's regularly  
30 scheduled school hours. Extended hour and day programs designed for  
31 remediation or enrichment purposes shall not fulfill the criteria of  
32 attendance recovery programs as provided in this subsection.

167.730. 1. Beginning July 1, 2016, every public school in the  
2 metropolitan school district or in any urban school district containing  
3 most or all of a home rule city with more than four hundred thousand  
4 inhabitants and located in more than one county, including charter  
5 schools, shall incorporate a response-to-intervention tiered approach  
6 to reading instruction to focus resources on students who are  
7 determined by their school to need additional or changed instruction  
8 to make progress as readers. At a minimum, the reading levels of  
9 students in kindergarten through tenth grade shall be assessed at the  
10 beginning and middle of the school year, and students who score below  
11 district benchmarks shall be provided with intensive, systematic  
12 reading instruction.

13 2. Beginning January 1, 2016, and every January first thereafter,  
14 every public school in the metropolitan school district or in any urban  
15 school district containing most or all of a home rule city with more  
16 than four hundred thousand inhabitants and located in more than one  
17 county, including charter schools, shall prepare a personalized learning  
18 plan for any kindergarten or first grade student whose most recent  
19 school-wide reading assessment result shows the student is working  
20 below grade level unless the student has been determined by other  
21 means in the current school year to be working at grade level or  
22 above. The provisions of this section shall not apply to students  
23 otherwise served under an individualized education program, to  
24 students receiving services through a plan prepared under Section 504  
25 of the Rehabilitation Act of 1973 that includes an element addressing  
26 reading below grade level, or to students determined to have limited  
27 English proficiency.

28 3. For any student in a metropolitan school district or in any  
29 urban school district containing most or all of a home rule city with  
30 more than four hundred thousand inhabitants and located in more than  
31 one county that is required by this section to have a personalized

32 learning plan, the student's main teacher shall consult with the  
33 student's parent or guardian during the preparation of the plan and  
34 shall consult, as appropriate, any district personnel or department of  
35 elementary and secondary education personnel with necessary  
36 expertise to develop such a plan. The school shall require the written  
37 consent of the parent or guardian to implement the plan; however, if  
38 the school is unsuccessful in contacting the parent or guardian by  
39 January fifteenth, the school may send a letter by certified mail to the  
40 student's last known address stating its intention to implement the plan  
41 by February first.

42 4. After implementing the personalized learning plan through the  
43 end of the student's first grade year, the school shall refer any student  
44 who still performs below grade level for assessment to determine if an  
45 individualized education program is necessary for the student. A  
46 student who is assessed as not needing an individualized education  
47 program but who is reading below grade level at the end of the first  
48 grade shall continue to be required to have a personalized learning  
49 plan until the student is reading at grade level.

50 5. Notwithstanding any provision of law to the contrary, any  
51 student in a metropolitan or in any urban school district containing  
52 most or all of a home rule city with more than four hundred thousand  
53 inhabitants and located in more than one county who is not reading at  
54 second-grade level by the end of second grade may be promoted to the  
55 third grade only under one of the following circumstances:

56 (1) The school provides additional reading instruction during the  
57 summer and demonstrates the student is ready for third grade at the  
58 end of the summer school;

59 (2) The school provides a combined classroom in which the  
60 student continues with the same teacher, sometimes referred to as  
61 "looping". If the student in such a classroom is not reading at third-  
62 grade level by the end of third grade, the student shall be retained in  
63 third grade; or

64 (3) The student's parents or guardians have signed a notice that  
65 they prefer to have their student promoted although the student is  
66 reading below grade level. The school shall have the final  
67 determination on the issue of retention.

68 6. The metropolitan school district, any urban school district

69 containing most or all of a home rule city with more than four hundred  
70 thousand inhabitants and located in more than one county, and each  
71 charter school located in them shall provide in its annual report card  
72 under section 160.522 the numbers and percentages by grade from first  
73 grade to tenth grade in each school of any students at any grade level  
74 who have been promoted who have been determined as reading below  
75 grade level, except that no reporting shall permit the identification of  
76 an individual student.

77 7. School districts and charter schools under this section may  
78 provide for a student promotion and retention program and a reading  
79 instruction program that are equivalent to those which are described  
80 in this section with the oversight and approval of the department of  
81 elementary and secondary education.

167.825. 1. For school year 2015-2016, students who transferred  
2 from an unaccredited district to an accredited district in the same or  
3 an adjoining county under section 167.131 as it existed on July 1, 2013,  
4 shall be allowed to participate under the same terms that governed  
5 such transfers in school year 2013-14, except that the reimbursement of  
6 their tuition shall be governed by section 167.826.

7 2. For school year 2015-2016, if an unaccredited district becomes  
8 classified as provisionally accredited or accredited without provisions  
9 by the state board of education, any resident student of the  
10 unaccredited district who has transferred under section 167.131 as it  
11 existed on July 1, 2013, shall be permitted to continue their educational  
12 program through the completion of middle school, junior high school,  
13 or high school, whichever occurs first, except that a student who  
14 attends any school serving students through high school graduation but  
15 starting at grades lower than ninth grade shall be permitted to  
16 complete high school in the school to which he or she has  
17 transferred. However, any such student shall have previously attended  
18 a school in the sending district for at least one semester before initially  
19 transferring, unless the student was entering kindergarten or was a  
20 first grade student and shall continue to reside within the boundaries  
21 of the unaccredited district as those boundaries existed when the  
22 student entered the transfer program to maintain eligibility. A student  
23 who returns to his or her district of residence shall be ineligible to  
24 transfer again.

25           **3. For school year 2015-2016, any student who transferred from**  
26 **an unaccredited district to an accredited district in the same or an**  
27 **adjoining county in school year 2013-2014 or school year 2014-2015 but**  
28 **did not attend a public school for at least one semester in the**  
29 **unaccredited district prior to the transfer shall no longer be eligible to**  
30 **transfer under this section in school year 2015-2016.**

**167.826. 1. Beginning in school year 2016-2017, any student who**  
2 **is enrolled in and has attended an unaccredited school for at least one**  
3 **semester, or an attendance center that becomes classified as**  
4 **unaccredited by the state board of education during the student's**  
5 **attendance at that attendance center, may transfer to another public**  
6 **school in the student's district of residence that offers the student's**  
7 **grade level of enrollment and that is accredited without provisions by**  
8 **the state board of education. However, no such transfer shall result in**  
9 **a class size and assigned enrollment in a receiving school that exceeds**  
10 **the standards for class size and assigned enrollment as promulgated in**  
11 **the Missouri school improvement program's resource standards. If the**  
12 **student chooses to attend a magnet school, an academically selective**  
13 **school, or a school with a competitive entrance process within his or**  
14 **her district of residence that has admissions requirements, the student**  
15 **shall meet such admissions requirements in order to attend. The school**  
16 **board of each district that operates an unaccredited school shall**  
17 **determine the capacity at each of the district's attendance centers that**  
18 **the state board of education has assigned a classification designation**  
19 **of accredited or accredited with distinction. The district's school board**  
20 **shall be responsible for coordinating student transfers from**  
21 **unaccredited schools to accredited schools within the district. No**  
22 **student enrolled in and attending an attendance center that only offers**  
23 **kindergarten through grade two shall be eligible to transfer under this**  
24 **section.**

25           **2. Any student who is enrolled in and has attended an**  
26 **unaccredited school for at least one semester who has first attempted**  
27 **and is unable to transfer to an accredited school within his or her**  
28 **district of residence under subsection 1 of this section due to a lack of**  
29 **capacity in accredited schools in the district of residence may apply to**  
30 **the appropriate education authority by March first to transfer to:**

31           **(1) An accredited school in another district located in the same**

32 or an adjoining county;

33 (2) A charter school in another district in the same or an  
34 adjoining county that has received a score of seventy percent or  
35 greater on its annual performance report;

36 (3) A virtual school of choice as established in section 162.1250;  
37 or

38 (4) The virtual public school established in section 161.670 under  
39 the provisions of subsection 2 of section 167.121.

40 3. A student who is eligible to begin kindergarten or first grade  
41 at an unaccredited school may apply to the appropriate education  
42 authority for a transfer if he or she resides in the attendance area of  
43 an unaccredited school on March first preceding the school year of first  
44 attendance. A student who does not apply by March first shall be  
45 required to enroll and attend for one semester to become eligible to  
46 transfer. If the student chooses to apply to attend a magnet school, an  
47 academically selective school, or a school with a competitive entrance  
48 process that has admissions requirements, the student shall furnish  
49 proof that he or she meets such admissions requirements. Any student  
50 who does not maintain residency in the attendance area of his or her  
51 attendance center in the district of residence shall lose eligibility to  
52 transfer. Any student who transfers but later withdraws shall lose  
53 eligibility to transfer. The transfer provisions of this subsection shall  
54 not apply to a district created under sections 162.815 to 162.840 or to  
55 any early childhood programs or early childhood special education  
56 programs.

57 4. No unaccredited school or provisionally accredited school  
58 shall be eligible to receive transfer students; however, a transfer  
59 student who chooses to attend a provisionally accredited school in the  
60 district of residence shall be allowed to transfer to such school if there  
61 is an available slot. No charter school with a score of less than seventy  
62 percent on its annual performance report shall be eligible to receive  
63 nonresident transfer students except that a charter school for which  
64 the department of elementary and secondary education has not  
65 generated an annual performance report because the charter school has  
66 not been in operation for three school years may receive transfer  
67 students. When the department generates an annual performance  
68 report for such a charter school, if the score is less than seventy, any

69 students who previously transferred to the charter school may remain  
70 enrolled in the charter school but no additional students may transfer  
71 to the charter school. No attendance center with a three-year average  
72 score of seventy percent or lower on its annual performance report  
73 shall be eligible to receive any transfer students, irrespective of its  
74 state board of education classification designation, except that any  
75 student who was granted a transfer to such an attendance center prior  
76 to the effective date of this section may remain enrolled in that  
77 attendance center.

78           5. For a receiving district or a charter school, no acceptance of  
79 a transfer student shall require any of the following actions, unless the  
80 school board of the receiving district or the receiving charter school's  
81 governing board has approved the action:

82           (1) A class size and assigned enrollment in a receiving school  
83 that exceeds the number of students provided by its approved policy on  
84 class size under subsection 6 of this section;

85           (2) The hiring of additional classroom teachers; or

86           (3) The construction of additional classrooms.

87           6. Each receiving district and charter school shall have the right  
88 to establish and adopt, by objective means, a policy for desirable class  
89 size and student-teacher ratios. A district's policy may allow for  
90 estimated growth in the resident student population. A charter school  
91 may use the class size, student-teacher ratios, and growth projections  
92 for student enrollment contained in the charter school's charter  
93 application and charter when adopting a policy. Any district or charter  
94 school that adopts such a policy shall do so by January 1 annually. A  
95 receiving district or charter school shall publish its policy and shall not  
96 be required to accept any transfer students under this section that  
97 would violate its class size or student-teacher ratio. If a student  
98 seeking to transfer is denied admission to a district or charter school  
99 based on a lack of space under the policy, the student or the student's  
100 parent or guardian may appeal the ruling to the state board of  
101 education if he or she believes the district's policy or charter school's  
102 policy is unduly restrictive to student transfers. If more than one  
103 student or parent appeals a denial of admission from the same district  
104 or charter school to the state board of education, the state board shall  
105 make an effort to hear such actions at the same time. If the state board

106 of education finds that the policy is unduly restrictive to student  
107 transfers, the state board may limit the policy. The state board's  
108 decision shall be final.

109       7. (1) Each receiving district shall adopt a policy establishing a  
110 tuition rate by February first annually. The rate of tuition to be  
111 charged by the district attended and paid by the sending district is the  
112 per pupil cost of maintaining the receiving district's grade level  
113 grouping which includes the school attended. The cost of maintaining  
114 a grade level grouping shall be determined by the school board of the  
115 receiving district but in no case shall it exceed all amounts spent for  
116 teachers' wages, incidental purposes, debt service, maintenance, and  
117 replacements. The term "debt service", as used in this section, means  
118 expenditures for the retirement of bonded indebtedness and  
119 expenditures for interest on bonded indebtedness. Per pupil cost of the  
120 grade level grouping shall be determined by dividing the cost of  
121 maintaining the grade level grouping by the average daily pupil  
122 attendance. However, at no time shall a receiving district receive  
123 tuition from a sending district that exceeds the receiving district's per  
124 pupil expenditure for its resident students. If there is disagreement as  
125 to the amount of tuition to be paid, the facts shall be submitted to the  
126 state board of education, and its decision in the matter shall be final.

127       (2) Each charter school that receives transfer students shall  
128 adopt a policy establishing a tuition rate by February first  
129 annually. The rate of tuition to be charged by the charter school  
130 attended and paid by the sending district is the per pupil cost of  
131 maintaining the receiving charter school's grade level grouping which  
132 includes the school attended. The cost of maintaining a grade level  
133 grouping shall be determined by the governing board of the charter  
134 school but in no case shall it exceed all amounts for teachers' wages,  
135 incidental purposes, maintenance, and replacements. Per pupil cost of  
136 the grade level grouping shall be determined by dividing the cost of  
137 maintaining the grade level grouping by the average daily pupil  
138 attendance. However, at no time shall a charter school receive tuition  
139 from a sending district that exceeds the charter school's per pupil  
140 expenditure for its enrolled students. If there is disagreement as to the  
141 amount of tuition to be paid, the facts shall be submitted to the state  
142 board of education, and its decision in the matter shall be final.

143           **(3) If any receiving district chooses to charge a rate of tuition**  
144 **that is seventy percent or less of the per-pupil cost of maintaining the**  
145 **sending district's grade level grouping as calculated under subdivision**  
146 **(1) of this subsection, then no statewide assessment scores and no other**  
147 **performance data for those students whom the district received shall**  
148 **be used for five school years when calculating the performance of the**  
149 **receiving district for purposes of the Missouri school improvement**  
150 **program. For any district that chooses to charge such a rate under this**  
151 **subdivision, the department of elementary and secondary education**  
152 **shall consider such action as an additional criterion when determining**  
153 **whether to assign the receiving district a classification of accredited**  
154 **with distinction. If any receiving charter school chooses to charge a**  
155 **rate of tuition that is seventy percent or less of the per-pupil cost of**  
156 **maintaining the sending district's grade level grouping as calculated**  
157 **under subdivision (1) of this subsection, then no statewide assessment**  
158 **scores and no other performance data for those students whom the**  
159 **charter school received shall be used for five school years when**  
160 **calculating the charter school's annual performance report.**

161           **(4) The school board of a receiving district or the governing**  
162 **board of a charter school, upon a majority vote of the board, may**  
163 **choose to charge a rate of tuition less than the amount that would**  
164 **otherwise be calculated under this subsection. If the school board of**  
165 **a receiving district or the governing board of a charter school, upon a**  
166 **majority vote of the board, chooses to charge a rate of tuition that is**  
167 **less than ninety percent of the rate that would otherwise be calculated**  
168 **under this subsection, ten percent of the receiving district's or charter**  
169 **school's tuition rate shall be paid from the supplemental tuition**  
170 **fund. There is hereby created in the state treasury the "Supplemental**  
171 **Tuition Fund". The fund shall consist of any moneys appropriated**  
172 **annually by the general assembly from general revenue to such fund,**  
173 **any moneys paid into the state treasury and required by law to be**  
174 **credited to such fund and any gifts, bequests or public or private**  
175 **donations to such fund. The state treasurer shall be custodian of the**  
176 **fund. The department of elementary and secondary education shall**  
177 **administer the fund. In accordance with sections 30.170 and 30.180, the**  
178 **state treasurer may approve disbursements. The fund shall be a**  
179 **dedicated fund and, upon appropriation, money in the fund shall be**

180 used solely for the administration of this section. Notwithstanding the  
181 provisions of section 33.080 to the contrary, any moneys remaining in  
182 the fund at the end of the biennium shall not revert to the credit of the  
183 general revenue fund. The state treasurer shall invest moneys in the  
184 fund in the same manner as other funds are invested. Any interest and  
185 moneys earned on such investments shall be credited to the fund.

186 (5) Any school district that received transfer students in the  
187 2013-2014 or 2014-2015 school years may adjust the tuition paid by the  
188 sending district to seventy percent of the per-pupil cost of maintaining  
189 the sending district's grade level grouping as calculated under  
190 subdivision (1) of this subsection. In such a situation, no statewide  
191 assessment scores and no other performance data for those students  
192 shall be used for five school years when calculating the receiving  
193 district's performance for purposes of the Missouri school improvement  
194 program.

195 (6) For each student who transfers to another district or charter  
196 school, the student's district of residence shall pay the tuition amount  
197 for each transfer student to the receiving district or receiving charter  
198 school in two increments annually, once at the start of the school year  
199 and once at the start of the second semester of the school year.

200 8. If an unaccredited school becomes classified as provisionally  
201 accredited or accredited without provisions by the state board of  
202 education, any student who was assigned to such attendance center and  
203 who has transferred under one of the options in subsection 2 of this  
204 section shall be permitted to continue his or her educational program  
205 in that education option through the completion of middle school,  
206 junior high school, or high school, whichever occurs first, except that  
207 a student who attends any school serving students through high school  
208 graduation but starting at grades lower than ninth grade shall be  
209 permitted to complete high school in the school to which he or she has  
210 transferred.

211 9. When a district operates an unaccredited school, the education  
212 authority for the county in which the district is located shall designate  
213 at least one accredited district in the same or an adjoining county to  
214 which the district operating the unaccredited school shall provide  
215 transportation for transfer students. If the designated district reaches  
216 full student capacity and is unable to receive additional students, the

217 education authority shall designate at least one additional accredited  
218 district to which the district operating an unaccredited school shall  
219 provide transportation for transfer students.

220       10. Notwithstanding the provisions of subsection 7 of this section  
221 to the contrary, where costs associated with the provision of special  
222 education and related services to a student with a disability exceed the  
223 tuition amount established under this section, the transfer student's  
224 district of residence shall remain responsible to pay the excess cost to  
225 the receiving district or receiving charter school. When the receiving  
226 district is a component district of a special school district, the transfer  
227 student's district of residence, including any metropolitan school  
228 district, shall contract with the special school district for the entirety  
229 of the costs to provide special education and related services, excluding  
230 transportation pursuant to this section. The special school district may  
231 contract with a district operating an unaccredited school, including  
232 any metropolitan district, for the provision of transportation of a  
233 student with a disability or a district operating an unaccredited school  
234 may provide transportation on its own.

235       11. A special school district shall continue to provide special  
236 education and related services, with the exception of transportation  
237 under this section, to a student with a disability transferring from an  
238 unaccredited school within a component district to an accredited  
239 school within the same or a different component district within the  
240 special school district.

241       12. When any metropolitan district operates an unaccredited  
242 school, it shall remain responsible for the provision of special  
243 education and related services, including transportation, to students  
244 with disabilities. A special school district in an adjoining county to a  
245 metropolitan school district may contract with the metropolitan school  
246 district for the reimbursement of special education services pursuant  
247 to sections 162.705 and 162.710 provided by the special school district  
248 for transfer students who are residents of the district operating an  
249 unaccredited school.

250       13. Regardless of whether transportation is identified as a  
251 related service within a student's individualized education program, a  
252 receiving district that is not part of a special school district shall not  
253 be responsible for providing transportation to a student transferring

254 under this section. A district operating an unaccredited school may  
255 contract with a receiving district that is not part of a special school  
256 district pursuant to sections 162.705 and 162.710 for transportation of  
257 students with disabilities.

258 14. When a seven-director district or urban school district  
259 operates an unaccredited school, it may contract with a receiving  
260 district that is not part of a special school district in the same or an  
261 adjoining county for the reimbursement of special education and  
262 related services pursuant to sections 162.705 and 162.710 provided by  
263 the receiving district for transfer students who are residents of the  
264 district operating an unaccredited school.

167.827. 1. By August 1, 2015, and by January first annually,  
2 each district any portion of which is located in the same county as or  
3 in an adjoining county to a district operating an unaccredited school  
4 shall report to the education authority for the county in which the  
5 district is located its number of available enrollment slots in accredited  
6 schools by grade level. Each district operating an unaccredited school  
7 shall report to the education authority the number of available  
8 enrollment slots in the accredited schools of the district by August 1,  
9 2015 and by January first annually. Each charter school with an  
10 annual performance report score of seventy percent or greater in  
11 another district in the same or an adjoining county as a district  
12 operating an unaccredited school shall report the number of available  
13 enrollment slots by August 1, 2015 and by January first annually.

14 2. Any education authority whose geographic area includes a  
15 district operating an unaccredited school shall make information and  
16 assistance available to parents or guardians who intend to transfer  
17 their child from an unaccredited school to an accredited school in  
18 another district in the same or an adjoining county, a charter school in  
19 another district in the same or an adjoining county, a virtual school of  
20 choice under section 162.1250, or the virtual public school established  
21 in section 161.670.

22 3. The parent or guardian of a student who intends to transfer  
23 his or her child from an unaccredited school to an accredited school in  
24 another district in the same or an adjoining county, a charter school in  
25 another district in the same or an adjoining county, a virtual school of  
26 choice under section 162.1250, or the virtual public school established

27 in section 161.670 shall send initial notification to the education  
28 authority for the county in which he or she resides by March first for  
29 enrollment in the subsequent school year.

30 4. The education authority whose geographic area includes a  
31 district that operates an unaccredited school shall assign those  
32 students who are unable to transfer to an accredited school in their  
33 district of residence and seek to transfer to an accredited school in  
34 another district in the same or an adjoining county, a charter school in  
35 another district in the same or an adjoining county, a virtual school of  
36 choice under section 162.1250, or the virtual public school established  
37 in section 161.670. When assigning transfer students to charter schools,  
38 an education authority shall coordinate with each charter school and  
39 its admissions process if capacity is insufficient to enroll all students  
40 who submit a timely application. The authority shall give first priority  
41 to students who live in the same household with any family member  
42 within the first or second degree of consanguinity or affinity who have  
43 already transferred and who apply to attend the same school. If  
44 insufficient grade-appropriate enrollment slots are available for a  
45 student to be able to transfer, that student shall receive first priority  
46 the following school year. The authority shall only disrupt student and  
47 parent choice for transfer if a receiving district's, receiving charter  
48 schools', virtual school of choice's, or the virtual public school's  
49 available slots are requested by more students than there are slots  
50 available. The authority shall consider the following factors in  
51 assigning schools, with the student's or parent's choice as the most  
52 important factor:

- 53 (1) The student's or parent's choice of the receiving school;
- 54 (2) The best interests of the student; and
- 55 (3) Distance and travel time to a receiving school.

56 The education authority shall not consider student academic  
57 performance, free and reduced price lunch status, or athletic ability in  
58 assigning a student to a school.

59 5. An education authority may deny a transfer to a student who  
60 in the most recent school year has been suspended from school two or  
61 more times or who has been suspended for an act of school violence  
62 under subsection 2 of section 160.261. A student whose transfer is  
63 initially precluded under this subsection may be permitted to transfer

64 on a provisional basis as a probationary transfer student, subject to no  
65 further disruptive behavior, upon a statement from the student's  
66 current school that the student is not disruptive. A student who is  
67 denied a transfer under this subsection has the right to an in-person  
68 meeting with a representative of the authority. Each education  
69 authority shall develop administrative guidelines to provide common  
70 standards for determining disruptive behavior which shall include, but  
71 not be limited to, criteria under the safe schools act.

167.830. 1. There is hereby established the "St. Louis Area  
2 Education Authority". The authority is hereby constituted a public  
3 instrumentality and body politic and corporate, and the exercise by the  
4 authority of the powers conferred by this section shall be deemed and  
5 held to be the performance of an essential public function. Unless  
6 otherwise provided, the authority shall be subject to all general laws  
7 pertaining to the operation of seven-director districts as defined in  
8 section 160.011.

9 2. Whenever any metropolitan school district, any district  
10 located in any county with a charter form of government and with more  
11 than nine hundred fifty thousand inhabitants, or any district located  
12 in an adjoining county to them operates an unaccredited school, the  
13 authority shall coordinate student transfers from unaccredited schools  
14 to accredited schools in other districts in the same or an adjoining  
15 county, to virtual schools of choice under section 162.1250, to the  
16 virtual public school established in section 161.670, and if applicable,  
17 to charter schools with an annual performance report score of seventy  
18 percent or greater in another district in the same or an adjoining  
19 county.

20 3. The authority shall consist of five members to be appointed by  
21 the governor, by and with the advice and consent of the senate, each of  
22 whom shall be a resident of the state. The members shall reflect the  
23 population characteristics of the districts they represent. Not more  
24 than three of the five members of the authority shall be of the same  
25 political party. Two members shall be residents of the metropolitan  
26 school district, two members shall be residents of school districts  
27 located in a county with a charter form of government and with more  
28 than nine hundred fifty thousand inhabitants, and one member shall be  
29 a resident of a district located in an adjoining county to a county with

30 a charter form of government and with more than nine hundred fifty  
31 thousand inhabitants. The length of term for members shall be six  
32 years except for the initial members, who shall be appointed in the  
33 following manner:

- 34 (1) One member shall be appointed for a term of two years;
- 35 (2) One member shall be appointed for a term of three years;
- 36 (3) One member shall be appointed for a term of four years;
- 37 (4) One member shall be appointed for a term of five years; and
- 38 (5) One member shall be appointed for a term of six years.

39 4. The term length of each initial appointee shall be designated  
40 by the governor at the time of making the appointment. Upon the  
41 expiration of the initial terms of office, successor members shall be  
42 appointed for terms of six years and shall serve until their successors  
43 have been appointed and have qualified. Any member shall be eligible  
44 for reappointment. The governor shall fill any vacancy for the  
45 remainder of any unexpired term within thirty days of notification of  
46 the vacancy. Any member of the authority may be removed by the  
47 governor for misfeasance, malfeasance, willful neglect of duty, or other  
48 cause after notice and a public hearing unless the notice or hearing  
49 shall be expressly waived in writing.

50 5. Members of the authority shall receive no compensation for  
51 services, but shall be entitled to reimbursement for necessary expenses,  
52 including traveling and lodging expenses, incurred in the discharge of  
53 their duties. Any payment for expenses shall be paid from funds of the  
54 authority.

55 6. One member of the authority, designated by the governor for  
56 the purpose, shall call and convene the initial organizational meeting  
57 of the authority and shall serve as its president pro tempore. At the  
58 initial meeting and annually thereafter, the authority shall elect one of  
59 its members as president. The authority may appoint an executive  
60 director who shall not be a member of the authority and who shall  
61 serve at its pleasure. If an executive director is appointed, he or she  
62 shall receive such compensation as shall be fixed from time to time by  
63 action of the authority. The authority shall appoint a member as  
64 secretary who shall keep a record of the proceedings of the authority  
65 and shall be the custodian of all books, documents, and papers filed  
66 with the authority, the minute books or journal thereof, and its official

67 seal. The secretary may cause copies to be made of all minutes and  
68 other records and documents of the authority and may give certificates  
69 under the official seal of the authority to the effect that the copies are  
70 true and correct copies, and all persons dealing with the authority may  
71 rely on such certificates. The authority, by resolution duly adopted,  
72 shall fix the powers and duties of its executive director as it may, from  
73 time to time, deem proper and necessary.

74 7. Meetings, records, and operations of the authority shall be  
75 subject to the provisions of chapter 610.

76 8. The authority shall have the following powers, together with  
77 all powers incidental thereto or necessary for the performance thereof  
78 to:

79 (1) Have perpetual succession as a body politic and corporate;

80 (2) Adopt bylaws for the regulation of its affairs and the conduct  
81 of its business;

82 (3) Sue and be sued and to prosecute and defend, at law or in  
83 equity, in any court having jurisdiction of the subject matter and of the  
84 parties;

85 (4) Establish and use a corporate seal and to alter the same at  
86 pleasure;

87 (5) Maintain an office at such place or places in the state of  
88 Missouri as it may designate;

89 (6) Employ an executive director and other staff as needed, with  
90 compensation fixed by the authority;

91 (7) Coordinate student transfers from unaccredited schools  
92 located in its jurisdiction, as provided by law; and

93 (8) Coordinate and collaborate with local districts, charter  
94 schools, and local governments for the transfer of students, as provided  
95 by law.

167.833. 1. There is hereby created in the state treasury the "St.  
2 Louis Area Education Authority Fund". The fund shall consist of any  
3 gifts, bequests, or public or private donations to such fund. Any  
4 moneys in the fund shall be used to fund the operations of the  
5 education authority. The state treasurer shall be custodian of the fund.  
6 In accordance with sections 30.170 and 30.180, the state treasurer may  
7 approve disbursements of public money in accordance with distribution  
8 requirements and procedures developed by the department of

9 elementary and secondary education and shall make disbursement of  
10 private funds according to the directions of the donor. If the donor did  
11 not specify how the private funds were to be disbursed, the state  
12 treasurer shall contact the donor to determine the manner of  
13 disbursement. The fund shall be a dedicated fund and, upon  
14 appropriation, money in the fund shall be used solely for the  
15 administration of sections 167.830 and 167.833.

16 2. Notwithstanding the provisions of section 33.080 to the  
17 contrary, any moneys remaining in the fund at the end of the biennium  
18 shall not revert to the credit of the general revenue fund.

19 3. The state treasurer shall invest moneys in the fund in the  
20 same manner as other funds are invested. Any interest and moneys  
21 earned on such investments shall be credited to the fund.

167.836. 1. There is hereby established the "Kansas City Area  
2 Education Authority". The authority is hereby constituted a public  
3 instrumentality and body politic and corporate, and the exercise by the  
4 authority of the powers conferred by this section shall be deemed and  
5 held to be the performance of an essential public function. Unless  
6 otherwise provided, the authority shall be subject to all general laws  
7 pertaining to the operation of seven-director districts as defined in  
8 section 160.011.

9 2. Whenever any district located in any county with a charter  
10 form of government and with more than six hundred thousand but  
11 fewer than seven hundred thousand inhabitants or in an adjoining  
12 county operates an unaccredited school, the authority shall coordinate  
13 student transfers from unaccredited schools to accredited schools in  
14 other districts in the same or an adjoining county, to virtual schools of  
15 choice under section 162.1250, to the virtual public school established  
16 in section 161.670, and if applicable, to charter schools with an annual  
17 performance report score of seventy percent or greater in another  
18 district in the same or an adjoining county.

19 3. The authority shall consist of five members appointed by the  
20 governor, by and with the advice and consent of the senate, each of  
21 whom shall be a resident of the state. Three members shall be  
22 residents of an urban school district containing most or all of a home  
23 rule city with more than four hundred thousand inhabitants and  
24 located in more than one county. One member shall be a resident of a

25 school district located in a county with a charter form of government  
26 and with more than six hundred thousand but fewer than seven  
27 hundred thousand inhabitants but such member shall be a resident of  
28 a school district other than an urban school district containing most or  
29 all of a home rule city with more than four hundred thousand  
30 inhabitants and located in more than one county. One member shall be  
31 a resident of a school district located in a county adjoining to a county  
32 with a charter form of government and with more than six hundred  
33 thousand but fewer than seven hundred thousand inhabitants. The  
34 members shall reflect the population characteristics of the districts  
35 they represent. Not more than three of the five members of the  
36 authority shall be of the same political party. The length of term for  
37 members shall be six years except for the initial members, who shall be  
38 appointed in the following manner:

- 39 (1) One member shall be appointed for a term of two years;
- 40 (2) One member shall be appointed for a term of three years;
- 41 (3) One member shall be appointed for a term of four years;
- 42 (4) One member shall be appointed for a term of five years; and
- 43 (5) One member shall be appointed for a term of six years.

44 4. The term length of each initial appointee shall be designated  
45 by the governor at the time of making the appointment. Upon the  
46 expiration of the initial terms of office, successor members shall be  
47 appointed for terms of six years and shall serve until their successors  
48 have been appointed and have qualified. Any member shall be eligible  
49 for reappointment. The governor shall fill any vacancy for the  
50 remainder of any unexpired term within thirty days of notification of  
51 the vacancy. Any member of the authority may be removed by the  
52 governor for misfeasance, malfeasance, willful neglect of duty, or other  
53 cause after notice and a public hearing unless the notice or hearing  
54 shall be expressly waived in writing.

55 5. Members of the authority shall receive no compensation for  
56 services, but shall be entitled to reimbursement for necessary expenses,  
57 including traveling and lodging expenses, incurred in the discharge of  
58 their duties. Any payment for expenses shall be paid from funds of the  
59 authority.

60 6. One member of the authority, designated by the governor for  
61 the purpose, shall call and convene the initial organizational meeting

62 of the authority and shall serve as its president pro tempore. At the  
63 initial meeting and annually thereafter, the authority shall elect one of  
64 its members as president. The authority may appoint an executive  
65 director who shall not be a member of the authority and who shall  
66 serve at its pleasure. If an executive director is appointed, he or she  
67 shall receive such compensation as shall be fixed from time to time by  
68 action of the authority. The authority shall appoint a member as  
69 secretary who shall keep a record of the proceedings of the authority  
70 and shall be the custodian of all books, documents, and papers filed  
71 with the authority, the minute books or journal thereof, and its official  
72 seal. The secretary may cause copies to be made of all minutes and  
73 other records and documents of the authority and may give certificates  
74 under the official seal of the authority to the effect that the copies are  
75 true and correct copies, and all persons dealing with the authority may  
76 rely on such certificates. The authority, by resolution duly adopted,  
77 shall fix the powers and duties of its executive director as it may, from  
78 time to time, deem proper and necessary.

79 7. Meetings, records, and operations of the authority shall be  
80 subject to the provisions of chapter 610.

81 8. The authority shall have the following powers, together with  
82 all powers incidental thereto or necessary for the performance thereof  
83 to:

84 (1) Have perpetual succession as a body politic and corporate;

85 (2) Adopt bylaws for the regulation of its affairs and the conduct  
86 of its business;

87 (3) Sue and be sued and to prosecute and defend, at law or in  
88 equity, in any court having jurisdiction of the subject matter and of the  
89 parties;

90 (4) Establish and use a corporate seal and to alter the same at  
91 pleasure;

92 (5) Maintain an office at such place or places in the state of  
93 Missouri as it may designate;

94 (6) Employ an executive director and other staff as needed, with  
95 compensation fixed by the authority;

96 (7) Coordinate student transfers from unaccredited schools  
97 located in its jurisdiction, as provided by law; and

98 (8) Coordinate and collaborate with local districts, charter

99 schools, and local governments for the transfer of students, as provided  
100 by law.

167.839. 1. There is hereby created in the state treasury the  
2 "Kansas City Area Education Authority Fund". The fund shall consist  
3 of any gifts, bequests, or public or private donations to such fund. Any  
4 moneys in the fund shall be used to fund the operations of the  
5 education authority. The state treasurer shall be custodian of the fund.  
6 In accordance with sections 30.170 and 30.180, the state treasurer may  
7 approve disbursements of public money in accordance with distribution  
8 requirements and procedures developed by the department of  
9 elementary and secondary education and shall make disbursements of  
10 private money according to the direction of the donor. If the donor did  
11 not specify how the private funds were to be disbursed, the state  
12 treasurer shall contact the donor to determine the manner of  
13 disbursement. The fund shall be a dedicated fund and, upon  
14 appropriation, money in the fund shall be used solely for the  
15 administration of sections 167.836 and 167.839.

16 2. Notwithstanding the provisions of section 33.080 to the  
17 contrary, any moneys remaining in the fund at the end of the biennium  
18 shall not revert to the credit of the general revenue fund.

19 3. The state treasurer shall invest moneys in the fund in the  
20 same manner as other funds are invested. Any interest and moneys  
21 earned on such investments shall be credited to the fund.

167.842. 1. There is hereby established the "Statewide Education  
2 Authority". The authority is hereby constituted a public  
3 instrumentality and body politic and corporate, and the exercise by the  
4 authority of the powers conferred by this section shall be deemed and  
5 held to be the performance of an essential public function. Unless  
6 otherwise provided, the authority shall be subject to all general laws  
7 pertaining to the operation of seven-director districts as defined in  
8 section 160.011. The jurisdiction of the statewide education authority  
9 shall be all counties except for:

10 (1) Any city not within a county;

11 (2) Any county with a charter form of government and with more  
12 than six hundred thousand but fewer than seven hundred thousand  
13 inhabitants and adjoining counties;

14 (3) Any county with a charter form of government and with more

15 than nine hundred fifty thousand inhabitants and adjoining counties;

16           2. Whenever any district located in the statewide education  
17 authority's jurisdiction operates an unaccredited school, the authority  
18 shall coordinate student transfers from unaccredited schools to  
19 accredited schools in other districts in the same or an adjoining county,  
20 to virtual schools of choice under section 162.1250, the virtual public  
21 school established in section 161.670, and if applicable, to charter  
22 schools with an annual performance report score of seventy percent or  
23 greater in another district in the same or an adjoining county.

24           3. The authority shall consist of five members to be appointed by  
25 the governor, by and with the advice and consent of the senate, each of  
26 whom shall be a resident of the state. The members shall reflect the  
27 population characteristics of the districts they represent. Not more  
28 than three of the five members of the authority shall be of the same  
29 political party. The governor shall not appoint members to the  
30 authority until the state board of education gives notice that a district  
31 in the authority's jurisdiction has been declared unaccredited. The  
32 length of term for members shall be six years except for the initial  
33 members, who shall be appointed in the following manner:

34           (1) One member shall be appointed for a term of two years;

35           (2) One member shall be appointed for a term of three years;

36           (3) One member shall be appointed for a term of four years;

37           (4) One member shall be appointed for a term of five years; and

38           (5) One member shall be appointed for a term of six years.

39           4. The term length of each initial appointee shall be designated  
40 by the governor at the time of making the appointment. Upon the  
41 expiration of the initial terms of office, successor members shall be  
42 appointed for terms of six years and shall serve until their successors  
43 have been appointed and have qualified. Any member shall be eligible  
44 for reappointment. The governor shall fill any vacancy for the  
45 remainder of any unexpired term within thirty days of notification of  
46 the vacancy. Any member of the authority may be removed by the  
47 governor for misfeasance, malfeasance, willful neglect of duty, or other  
48 cause after notice and a public hearing unless the notice or hearing  
49 shall be expressly waived in writing.

50           5. Members of the authority shall receive no compensation for  
51 services, but shall be entitled to reimbursement for necessary expenses,

52 including traveling and lodging expenses, incurred in the discharge of  
53 their duties. Any payment for expenses shall be paid from funds of the  
54 authority.

55       **6. One member of the authority, designated by the governor for**  
56 **the purpose, shall call and convene the initial organizational meeting**  
57 **of the authority and shall serve as its president pro tempore. At the**  
58 **initial meeting and annually thereafter, the authority shall elect one of**  
59 **its members as president. The authority may appoint an executive**  
60 **director who shall not be a member of the authority and who shall**  
61 **serve at its pleasure. If an executive director is appointed, he or she**  
62 **shall receive such compensation as shall be fixed from time to time by**  
63 **action of the authority. The authority shall appoint a member as**  
64 **secretary who shall keep a record of the proceedings of the authority**  
65 **and shall be the custodian of all books, documents, and papers filed**  
66 **with the authority, the minute books or journal thereof, and its official**  
67 **seal. The secretary may cause copies to be made of all minutes and**  
68 **other records and documents of the authority and may give certificates**  
69 **under the official seal of the authority to the effect that the copies are**  
70 **true and correct copies, and all persons dealing with the authority may**  
71 **rely on such certificates. The authority, by resolution duly adopted,**  
72 **shall fix the powers and duties of its executive director as it may, from**  
73 **time to time, deem proper and necessary.**

74       **7. Meetings, records, and operations of the authority shall be**  
75 **subject to the provisions of chapter 610.**

76       **8. The authority shall have the following powers, together with**  
77 **all powers incidental thereto or necessary for the performance thereof**  
78 **to:**

- 79       **(1) Have perpetual succession as a body politic and corporate;**  
80       **(2) Adopt bylaws for the regulation of its affairs and the conduct**  
81 **of its business;**  
82       **(3) Sue and be sued and to prosecute and defend, at law or in**  
83 **equity, in any court having jurisdiction of the subject matter and of the**  
84 **parties;**  
85       **(4) Establish and use a corporate seal and to alter the same at**  
86 **pleasure;**  
87       **(5) Maintain an office at such place or places in the state of**  
88 **Missouri as it may designate;**

89           **(6) Employ an executive director and other staff as needed, with**  
90 **compensation fixed by the authority;**

91           **(7) Coordinate student transfers from unaccredited schools**  
92 **located in its jurisdiction, as provided by law; and**

93           **(8) Coordinate and collaborate with local districts, charter**  
94 **schools, and local governments for the transfer of students, as provided**  
95 **by law.**

          167.845. 1. There is hereby created in the state treasury the  
2 "Statewide Education Authority Fund". The fund shall consist of any  
3 gifts, bequests, or public or private donations to such fund. Any  
4 moneys in the fund shall be used to fund the operations of the  
5 education authority. The state treasurer shall be custodian of the fund.  
6 In accordance with sections 30.170 and 30.180, the state treasurer may  
7 approve disbursements of public money in accordance with distribution  
8 requirements and procedures developed by the department of  
9 elementary and secondary education and shall make disbursement of  
10 private funds according to the directions of the donor. If the donor did  
11 not specify how the private funds were to be disbursed, the state  
12 treasurer shall contact the donor to determine the manner of  
13 disbursement. The fund shall be a dedicated fund and, upon  
14 appropriation, money in the fund shall be used solely for the  
15 administration of sections 167.842 and 167.845.

16           2. Notwithstanding the provisions of section 33.080 to the  
17 contrary, any moneys remaining in the fund at the end of the biennium  
18 shall not revert to the credit of the general revenue fund.

19           3. The state treasurer shall invest moneys in the fund in the  
20 same manner as other funds are invested. Any interest and moneys  
21 earned on such investments shall be credited to the fund.

          167.848. For purposes of sections 161.084, 161.087, 161.238,  
2 162.1250, 162.1310, 162.1313, 167.642, 167.685, 167.688, and 167.825 to  
3 167.848, the following terms shall mean:

4           (1) "Accredited district", a school district that is classified as  
5 accredited or accredited with distinction by the state board of  
6 education pursuant to the authority of the state board of education to  
7 classify schools as established in sections 161.087 and 161.092;

8           (2) "Accredited school", an attendance center that is classified as  
9 accredited or accredited with distinction by the state board of

10 education pursuant to the authority of the state board of education to  
11 classify schools as established in sections 161.087, 161.092, and 161.238;

12 (3) "Attendance center", a public school building or buildings or  
13 part of a school building that constitutes one unit for accountability  
14 purposes under the Missouri school improvement program;

15 (4) "Borderline district", a school district that has a current  
16 annual performance report score between seventy-five and seventy with  
17 the last two consecutive years showing a decline in the score, with a  
18 district third-grade or eighth-grade statewide reading assessment that  
19 shows that fifty percent or more of the students are at a level less than  
20 proficient, and a transient student ratio in the top quartile of districts;

21 (5) "Education authority" or "authority", an education authority  
22 established under sections 167.830 to 167.845;

23 (6) "Provisionally accredited district", a school district that is  
24 classified as provisionally accredited by the state board of education  
25 pursuant to the authority of the state board of education to classify  
26 schools as established in sections 161.087 and 161.092;

27 (7) "Provisionally accredited school", an attendance center that  
28 is classified as provisionally accredited by the state board of education  
29 pursuant to the authority of the state board of education to classify  
30 schools as established in sections 161.087, 161.092, and 161.238;

31 (8) "Unaccredited district", a school district classified as  
32 unaccredited by the state board of education pursuant to the authority  
33 of the state board of education to classify schools as established in  
34 sections 161.087 and 161.092;

35 (9) "Unaccredited school", an attendance center that is classified  
36 as unaccredited by the state board of education pursuant to the  
37 authority of the state board of education to classify schools as  
38 established in sections 161.087, 161.092, and 161.238;

39 (10) "Underperforming", a school district or an attendance center  
40 that has been classified as unaccredited or provisionally accredited  
41 pursuant to the authority of the state board of education to classify  
42 schools or has a three-year average annual performance report score  
43 consistent with a classification of provisionally accredited or  
44 unaccredited.

167.950. 1. Each public school shall screen each enrolling  
2 student for dyslexia and related disorders at appropriate times in

3 accordance with rules promulgated by the state board of education.

4           2. The school board of each district and the governing board of  
5 each charter school shall provide for the treatment of any student  
6 determined to have dyslexia or a related disorder.

7           3. For purposes of this section, the following terms shall mean:

8           (1) "Dyslexia", a disorder of constitutional origin manifested by  
9 a difficulty in learning to read, write, or spell, despite conventional  
10 instruction, adequate intelligence, and sociocultural opportunity;

11           (2) "Related disorders", includes disorders similar to or related  
12 to dyslexia, such as developmental auditory imperception, dysphasia,  
13 specific developmental dyslexia, developmental dysgraphia, and  
14 developmental spelling disability.

15           4. The state board of education shall promulgate rules and  
16 regulations for each public school to screen each enrolling student for  
17 dyslexia and related disorders. Any rule or portion of a rule, as that  
18 term is defined in section 536.010 that is created under the authority  
19 delegated in this section shall become effective only if it complies with  
20 and is subject to all of the provisions of chapter 536, and, if applicable,  
21 section 536.028. This section and chapter 536 are nonseverable, and if  
22 any of the powers vested with the general assembly pursuant to chapter  
23 536, to review, to delay the effective date, or to disapprove and annul  
24 a rule are subsequently held unconstitutional, then the grant of  
25 rulemaking authority and any rule proposed or adopted after August  
26 28, 2015, shall be invalid and void.

170.215. 1. Any school district may enter into a contract with a  
2 public library to provide online tutoring services through a third party  
3 vendor or a nonprofit organization for the district's students. Any  
4 tutoring services shall be conducted through any compatible computer  
5 to participating students who have a library card, both within and  
6 without the public library facility.

7           2. Online tutoring services may include, but shall not be limited  
8 to, providing participating students with a library card the following:

9           (1) Assistance with homework;

10           (2) Collaboration and study tools in math, science, social  
11 sciences, English, language arts, and computer literacy;

12           (3) Access to comprehensive writing assistance productivity  
13 software; and

14           **(4) Test preparation tools.**

15           **3. Any contract may allow participating students with a library**  
16 **card dedicated access to assistance during specified hours of the day**  
17 **and specified days of the week. A contract may also allow students to**  
18 **submit questions to tutors or join online study groups.**

19           **4. Online tutoring services shall be designed and implemented**  
20 **in such a manner as to:**

21           **(1) Protect individual student privacy;**

22           **(2) Prohibit voice communication between the parties; and**

23           **(3) Prohibit face-to-face visual communication.**

24           **5. No employee of any third party vendor or a nonprofit**  
25 **organization with which a public library has contracted for online**  
26 **tutoring services shall solicit personally identifiable information from**  
27 **any participating student, including but not limited to home address,**  
28 **telephone number, and email address.**

29           **6. Any entity that offers online tutoring services under this**  
30 **section shall maintain an archive of all communications between**  
31 **students and tutors for two years.**

32           **7. School districts may use available funds or seek grants from**  
33 **private foundations to cover the costs of online tutoring services.**

**170.320. 1. There is hereby created in the state treasury the**  
2 **"Parent Portal Fund". The fund shall consist of any gifts, bequests, or**  
3 **public or private donations to such fund. Any moneys in the fund shall**  
4 **be used to assist districts in establishing and maintaining a parent**  
5 **portal. School districts may establish a parent portal that shall be**  
6 **accessible by mobile technology for parents to have access to**  
7 **educational information and access to student data. Any person or**  
8 **entity that makes a gift, bequest, or donation to the fund may specify**  
9 **the district that shall be the recipient of such gift, bequest, or donation.**

10           **2. The state treasurer shall be custodian of the fund. In**  
11 **accordance with sections 30.170 and 30.180, the state treasurer may**  
12 **approve disbursements of public money in accordance with distribution**  
13 **requirements and procedures developed by the department of**  
14 **elementary and secondary education and shall make disbursements of**  
15 **private funds according to the directions of the donor. If the donor did**  
16 **not specify how the private funds were to be disbursed, the state**  
17 **treasurer shall contact the donor to determine the manner of**

18 **disbursement. The fund shall be a dedicated fund and, upon**  
19 **appropriation, money in the fund shall be used solely for the**  
20 **administration of this section.**

21 **3. Notwithstanding the provisions of section 33.080 to the**  
22 **contrary, any moneys remaining in the fund at the end of the biennium**  
23 **shall not revert to the credit of the general revenue fund.**

24 **4. The state treasurer shall invest moneys in the fund in the**  
25 **same manner as other funds are invested. Any interest and moneys**  
26 **earned on such investments shall be credited to the fund.**

171.031. 1. Each school board shall prepare annually a calendar for the  
2 school term, specifying the opening date and providing a minimum term of at  
3 least one hundred seventy-four days for schools with a five-day school week or one  
4 hundred forty-two days for schools with a four-day school week, and one thousand  
5 forty-four hours of actual pupil attendance. In addition, such calendar shall  
6 include six make-up days for possible loss of attendance due to inclement weather  
7 as defined in subsection 1 of section 171.033.

8 2. Each local school district may set its opening date each year, which  
9 date shall be no earlier than ten calendar days prior to the first Monday in  
10 September. No public school district shall select an earlier start date unless the  
11 district follows the procedure set forth in subsection 3 of this section.

12 3. A district may set an opening date that is more than ten calendar days  
13 prior to the first Monday in September only if the local school board first gives  
14 public notice of a public meeting to discuss the proposal of opening school on a  
15 date more than ten days prior to the first Monday in September, and the local  
16 school board holds said meeting and, at the same public meeting, a majority of  
17 the board votes to allow an earlier opening date. If all of the previous conditions  
18 are met, the district may set its opening date more than ten calendar days prior  
19 to the first Monday in September. The condition provided in this subsection must  
20 be satisfied by the local school board each year that the board proposes an  
21 opening date more than ten days before the first Monday in September.

22 4. If any local district violates the provisions of this section, the  
23 department of elementary and secondary education shall withhold an amount  
24 equal to one quarter of the state funding the district generated under section  
25 163.031 for each date the district was in violation of this section.

26 5. The provisions of subsections 2 to 4 of this section shall not apply to  
27 school districts in which school is in session for twelve months of each calendar

28 year.

29           6. The state board of education may grant an exemption from this section  
30 to a school district that demonstrates highly unusual and extenuating  
31 circumstances justifying exemption from the provisions of subsections 2 to 4 of  
32 this section. Any exemption granted by the state board of education shall be  
33 valid for one academic year only.

34           7. No school day for schools with a five-day school week shall be longer  
35 than seven hours except for:

36           **(1) Vocational schools which may adopt an eight-hour day in a**  
37 **metropolitan school district and a school district in a first class county adjacent**  
38 **to a city not within a county, and any school that adopts a four-day school week**  
39 **in accordance with section 171.029; and**

40           **(2) A school district that increases the length of the school day**  
41 **or the number of required hours by following the procedure established**  
42 **in subsection 8 of this section.**

43           **8. The school board of any district in this state that has been**  
44 **declared unaccredited or provisionally accredited by the state board**  
45 **of education or that is accredited but has a three-year average annual**  
46 **performance report score consistent with a classification of**  
47 **unaccredited or provisionally accredited may increase the length of the**  
48 **school day upon adoption of a resolution by a majority vote to**  
49 **authorize such action. Such a school district may also increase the**  
50 **annual hours of instruction above the required number of hours in**  
51 **subsection 1 of this section by the adoption of a resolution by a**  
52 **majority vote to authorize such action.**

53           **9. (1) There is hereby created in the state treasury the "Extended**  
54 **Learning Time Fund". The fund shall consist of any moneys that may**  
55 **be appropriated by the general assembly from general revenue to such**  
56 **fund, any moneys paid into the state treasury and required by law to**  
57 **be credited to such fund, and any gifts, bequests, or public or private**  
58 **donations to such fund.**

59           **(2) The state treasurer shall be custodian of the fund. In**  
60 **accordance with sections 30.170 and 30.180, the state treasurer may**  
61 **approve disbursements in accordance with distribution requirements**  
62 **and procedures developed by the department of elementary and**  
63 **secondary education. The fund shall be a dedicated fund and, upon**

64 **appropriation, money in the fund shall be used solely for the**  
65 **administration of subsection 8 of this section.**

66 **(3) Notwithstanding the provisions of section 33.080 to the**  
67 **contrary, any moneys remaining in the fund at the end of the biennium**  
68 **shall not revert to the credit of the general revenue fund.**

69 **(4) The state treasurer shall invest moneys in the fund in the**  
70 **same manner as other funds are invested. Any interest and moneys**  
71 **earned on such investments shall be credited to the fund.**

**177.015. 1. Each district that owns a building that is not**  
2 **occupied shall, by March fifteenth annually, prepare a public document**  
3 **listing the status of each district-owned building that is not**  
4 **occupied. The document shall include the address of each building and**  
5 **the amount of money the district spends annually on the building,**  
6 **including but not limited to a separate accounting for repairs,**  
7 **maintenance, utilities, and insurance. The document shall include an**  
8 **estimate of the fair market value of each building. The district shall**  
9 **post this information on its internet website and make the document**  
10 **available to each district taxpayer.**

11 **2. For purposes of this section, the term "occupied" shall mean a**  
12 **district-owned building used for the education of children between the**  
13 **ages of four and twenty-one for at least three hours a day for a school**  
14 **term.**

**210.861. 1. When the tax prescribed by section 210.860 or section 67.1775**  
2 **is established, the governing body of the city or county or city not within a county**  
3 **shall appoint a board of directors consisting of nine members, who shall be**  
4 **residents of the city or county or city not within a county. All board members**  
5 **shall be appointed to serve for a term of three years, except that of the first board**  
6 **appointed, three members shall be appointed for one-year terms, three members**  
7 **for two-year terms and three members for three-year terms. Board members may**  
8 **be reappointed. In a city not within a county, or any county of the first**  
9 **classification with a charter form of government with a population not less than**  
10 **nine hundred thousand inhabitants, or any county of the first classification with**  
11 **a charter form of government with a population not less than two hundred**  
12 **thousand inhabitants and not more than six hundred thousand inhabitants, or**  
13 **any noncharter county of the first classification with a population not less than**  
14 **one hundred seventy thousand and not more than two hundred thousand**

15 inhabitants, or any noncharter county of the first classification with a population  
16 not less than eighty thousand and not more than eighty-three thousand  
17 inhabitants, or any third classification county with a population not less than  
18 twenty-eight thousand and not more than thirty thousand inhabitants, or any  
19 county of the third classification with a population not less than nineteen  
20 thousand five hundred and not more than twenty thousand inhabitants the  
21 members of the community mental health board of trustees appointed pursuant  
22 to the provisions of sections 205.975 to 205.990 shall be the board members for  
23 the community children's services fund. The directors shall not receive  
24 compensation for their services, but may be reimbursed for their actual and  
25 necessary expenses.

26         2. The board shall elect a chairman, vice chairman, treasurer, and such  
27 other officers as it deems necessary for its membership. Before taking office, the  
28 treasurer shall furnish a surety bond, in an amount to be determined and in a  
29 form to be approved by the board, for the faithful performance of his or her duties  
30 and faithful accounting of all moneys that may come into his or her hands. The  
31 treasurer shall enter into the surety bond with a surety company authorized to  
32 do business in Missouri, and the cost of such bond shall be paid by the board of  
33 directors. The board shall administer and expend all funds generated pursuant  
34 to section 210.860 or section 67.1775 in a manner consistent with this section.

35         3. The board may contract with public or not-for-profit agencies licensed  
36 or certified where appropriate to provide qualified services and may place  
37 conditions on the use of such funds. The board shall reserve the right to audit  
38 the expenditure of any and all funds. The board and any agency with which the  
39 board contracts may establish eligibility standards for the use of such funds and  
40 the receipt of services. No member of the board shall serve on the governing  
41 body, have any financial interest in, or be employed by any agency which is a  
42 recipient of funds generated pursuant to section 210.860 or section 67.1775.

43         4. Revenues collected and deposited in the community children's services  
44 fund may be expended for the purchase of the following services:

45             (1) Up to thirty days of temporary shelter for abused, neglected, runaway,  
46 homeless or emotionally disturbed youth; respite care services; and services to  
47 unwed mothers;

48             (2) Outpatient chemical dependency and psychiatric treatment programs;  
49 counseling and related services as a part of transitional living programs;  
50 home-based and community-based family intervention programs; unmarried

51 parent services; crisis intervention services, inclusive of telephone hotlines; and  
52 prevention programs which promote healthy lifestyles among children and youth  
53 and strengthen families;

54 (3) Individual, group, or family professional counseling and therapy  
55 services; psychological evaluations; and mental health screenings.

56 5. Revenues collected and deposited in the community children's services  
57 fund may not be expended for inpatient medical, psychiatric, and chemical  
58 dependency services, or for transportation services.

59 **6. (1) In fiscal years 2016 and 2017, in any county with a charter**  
60 **form of government and with more than nine hundred fifty thousand**  
61 **inhabitants that contains all or any portion of a school district that has**  
62 **been designated as unaccredited or provisionally accredited by the**  
63 **state board of education, up to five percent of the service fund's yearly**  
64 **revenues, based on the total dollar amount needed to provide services**  
65 **as determined by a needs assessment, shall be devoted to a grant**  
66 **program that delivers services directly to schools in such districts**  
67 **according to the procedure in this subsection. The president of the**  
68 **school board shall notify the board of directors within five business**  
69 **days after such designation. The board shall, in its budget process for**  
70 **the following fiscal year, ensure that the total amount of funds needed**  
71 **to provide services based on the needs assessment is allocated**  
72 **according to this subsection, not to exceed five percent of the service**  
73 **fund's yearly revenues. If the total amount of funds needed to provide**  
74 **such services exceeds five percent of the service fund's yearly revenues,**  
75 **the funds shall be distributed in an order based on the greatest need**  
76 **for each district. Any moneys distributed from the fund to a district**  
77 **shall be subject to an annual audit.**

78 (2) The board shall undertake a needs assessment for any such  
79 school district within ninety days after receipt of the notice under this  
80 subsection. The needs assessment shall be used as a basis for  
81 comprehensive mental health wraparound services delivery for which  
82 the board shall contract as provided under subsection 3 of this section.

83 (3) The board shall appoint one of its members to a direct school  
84 service coordinating committee, which is hereby created. The board  
85 may appoint an additional one of its members to serve as an ex-officio  
86 member. The board shall appoint a social worker to the  
87 committee. The school board of each affected district shall appoint two

88 parents with a child enrolled in a public school in the district based on  
89 school district identification numbers from the department of  
90 elementary and secondary education, rotating year to year from highest  
91 number to lowest number. The school board of each affected district  
92 shall appoint a school services staff member. The superintendent of  
93 each affected district shall serve on the committee. An additional  
94 member from each affected district may be appointed to serve as an ex-  
95 officio member.

96 (4) The direct school service coordinating committee shall  
97 provide recommendations and oversight to the program of contracted  
98 services under this subsection.

99 (5) If an additional district becomes unaccredited or  
100 provisionally accredited in the service area of the children's services  
101 fund, the general assembly shall review the percentage of revenue  
102 dedicated to the grant program for a possible increase.

103 (6) The provisions of this subsection shall terminate on June 30,  
104 2017.

Section 1. 1. By September 1, 2015, each metropolitan school  
2 district at any time it is underperforming, urban school district  
3 containing most or all of a home rule city with more than four hundred  
4 thousand inhabitants and located in more than one county at any time  
5 it is underperforming, and each district located in any county with a  
6 charter form of government and with more than nine hundred fifty  
7 thousand inhabitants at any time it is underperforming shall identify  
8 any district-owned buildings that are vacant and unused for classroom  
9 instruction. Each district shall obtain an outside appraisal of each  
10 such building.

11 2. Between September 1, 2015, and October 1, 2015, each district  
12 shall publicly list any such building for sale with no restrictions in the  
13 deed prohibiting such building from being used for education purposes.

14 3. Between October 1, 2015, and March 1, 2016, each district shall  
15 provide multiple opportunities for potential purchasers to tour the  
16 buildings. At such time, each potential purchaser may develop its own  
17 cost estimates, at the expense of the potential purchaser, for a building  
18 to be refurbished and brought into compliance with any required  
19 health, safety, or occupancy code. Each district shall provide public  
20 notice of the opportunities for potential purchasers to tour the

21 **buildings.**

22 **4. By March 1, 2016, the district shall place any such buildings**  
23 **that have not been sold into the level one pool. However, the district**  
24 **may designate up to thirty percent of such buildings as franchise**  
25 **buildings. For any franchise building, the district shall develop a plan**  
26 **to return the building to use within three school years.**

27 **5. By May 1, 2016, the district shall place any buildings not sold**  
28 **through the level one pool into the level two pool.**

29 **6. By July 1, 2016, the district shall place any buildings not sold**  
30 **through the level two pool into the level three pool. For any building**  
31 **sold through the level three pool, the district shall retain a**  
32 **reversionary interest in the building. If the purchaser is a charter**  
33 **school, the building shall revert to the district if the charter school**  
34 **ceases operation. If the purchaser is an entity other than a charter**  
35 **school, the building shall revert to the district after two years if the**  
36 **purchaser does not begin renovating or refurbishment or a repurposing**  
37 **of the building during that time.**

38 **7. For purposes of this section, the following terms shall mean:**

39 **(1) "Certified public bidder", any public library, local community**  
40 **center, charter school, or political subdivision that has created and**  
41 **submitted to the school board a land use plan for such a building;**

42 **(2) "Level one pool", the time at which a district makes buildings**  
43 **available for sale at auction with a minimum starting price at fifty**  
44 **percent of the appraised value. Bidding is limited to certified public**  
45 **bidders only;**

46 **(3) "Level two pool", the time at which a district makes buildings**  
47 **available for sale at auction with a minimum starting price at twenty-**  
48 **five percent of the appraised value. Bidding is available to any public**  
49 **or private entity;**

50 **(4) "Level three pool", the time at which a district makes**  
51 **buildings available for sale for a nominal fee.**

52 **(5) "Underperforming", a school district that has been classified**  
53 **as unaccredited or provisionally accredited by the state board of**  
54 **education or has a three-year average annual performance report score**  
55 **consistent with a state board of education classification of**  
56 **provisionally accredited or unaccredited.**

57 **8. Any building that has remained in the level three pool for**

58 longer than six months may be demolished using funds from the  
59 reclamation and demolition fund. Subject to appropriations, a school  
60 district may receive an amount equal to twenty-five percent of the  
61 appraised value of the building to be demolished from the reclamation  
62 and demolition fund. There is hereby created in the state treasury the  
63 "The Reclamation and Demolition Fund", which shall consist of any  
64 moneys that the general assembly may appropriate to the fund. The  
65 state treasurer shall be custodian of the fund. In accordance with  
66 sections 30.170 and 30.180, the state treasurer may approve  
67 disbursements. The fund shall be a dedicated fund and money in the fund  
68 shall be used solely by the office of administration for the purposes of  
69 carrying out the provisions of this section. Notwithstanding the  
70 provisions of section 33.080 to the contrary, any moneys remaining in the  
71 fund at the end of the biennium shall not revert to the credit of the  
72 general revenue fund. The state treasurer shall invest moneys in the  
73 fund in the same manner as other funds are invested. Any interest and  
74 moneys earned on such investments shall be credited to the fund.

75 **9. If any provision of this section, or the application thereof to**  
76 **anyone or to any circumstances is held invalid, the remainder of this**  
77 **section or this act and application of such provisions to others or other**  
78 **circumstances shall not be affected thereby.**

**Section 2. If any provision of this act, or the application thereof**  
2 **to anyone or to any circumstances is held invalid, the remainder of the**  
3 **provisions of this act and the application of such provisions to others**  
4 **or other circumstances shall not be affected thereby.**

Section B. Because of the importance of improving and sustaining  
2 Missouri's elementary and secondary education system and establishing  
3 standards for student transfers to school districts, section A of this act is deemed  
4 necessary for the immediate preservation of the public health, welfare, peace and  
5 safety, and is hereby declared to be an emergency act within the meaning of the  
6 constitution, and section A of this act shall be in full force and effect upon its  
7 passage and approval.

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