AN ACT


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


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

2. Except as further provided in subsection 4 of this section, charter schools may be operated only:

(1) In a metropolitan school district;

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

(3) In a school district that has been declared classified as

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.
unaccredited by the state board of education;

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

(a) The eligibility for charter schools of any school district whose provisional accreditation is based in whole or in part on financial stress as defined in sections 161.520 to 161.529, or on financial hardship as defined by rule of the state board of education, shall be decided by a vote of the state board of education during the third consecutive school year after the designation of provisional accreditation; and

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

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

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

(1) The school board of the district in any district which is sponsoring a charter school as of August 27, 2012, as permitted under subdivision (1) or (2) of subsection 2 of this section, the special administrative board of a metropolitan school district during any time in which powers granted to the district’s board of education are vested in a special administrative board, or if the state board of education appoints a special administrative board to retain the authority granted to the board of education of an urban school district containing most or all of a city with a population greater than three hundred fifty thousand inhabitants, the
special administrative board of such school district;

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

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

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

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

(6) The Missouri charter public school commission created in section 160.425.

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

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

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

(3) In any school district classified as unaccredited or provisionally accredited where a charter school is operating and is sponsored by an entity other than the local school board, when the school district becomes classified as accredited without provisions, a charter school may continue to be sponsored by the entity sponsoring it prior to the classification of accredited without provisions and shall not be limited to the local school board as a sponsor.

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

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

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

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

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

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

10. A charter school may affiliate with a four-year college or university, including a private college or university, or a community college as otherwise specified in subsection 3 of this section when its charter is granted by a sponsor other than such college, university or community college. Affiliation status recognizes a relationship between the charter school and the college or university for purposes of teacher training and staff development, curriculum and assessment development, use of physical facilities owned by or rented on behalf of the college or university, and other similar purposes. A university, college or community college may not charge or accept a fee for affiliation status.

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

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

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

(3) Negotiates contracts with charter schools that clearly articulate the rights and responsibilities of each party regarding school autonomy, expected outcomes, measures for evaluating success or failure, performance consequences based on the annual performance report, and other material terms;

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

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

12. Sponsors receiving funds under subsection 11 of this section shall be required to submit annual reports to the joint committee on education demonstrating they are in compliance with subsection 17 of this section.

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

14. No sponsor shall grant a charter under sections 160.400 to 160.425 and 167.349 without ensuring that a criminal background check and family care safety registry check are conducted for all members of the governing board of the charter schools or the incorporators of the charter school if initial directors are not named in the articles of incorporation, nor shall a sponsor renew a charter without ensuring a criminal background check and family care safety registry check are conducted for each member of the governing board of the charter school.
152 15. No member of the governing board of a charter school shall hold any
153 office or employment from the board or the charter school while serving as a
154 member, nor shall the member have any substantial interest, as defined in
155 section 105.450, in any entity employed by or contracting with the board. No
156 board member shall be an employee of a company that provides substantial
157 services to the charter school. All members of the governing board of the charter
158 school shall be considered decision-making public servants as defined in section
159 105.450 for the purposes of the financial disclosure requirements contained in
160 sections 105.483, 105.485, 105.487, and 105.489.
161 16. A sponsor shall develop the policies and procedures for:
162 (1) The review of a charter school proposal including an application that
163 provides sufficient information for rigorous evaluation of the proposed charter and
164 provides clear documentation that the education program and academic program
165 are aligned with the state standards and grade-level expectations, and provides
166 clear documentation of effective governance and management structures, and a
167 sustainable operational plan;
168 (2) The granting of a charter;
169 (3) The performance [framework] contract that the sponsor will use to
170 evaluate the performance of charter schools. Charter schools shall meet
171 current state academic performance standards as well as other
172 standards agreed upon by the sponsor and the charter school in the
173 performance contract;
174 (4) The sponsor's intervention, renewal, and revocation policies, including
175 the conditions under which the charter sponsor may intervene in the operation
176 of the charter school, along with actions and consequences that may ensue, and
177 the conditions for renewal of the charter at the end of the term, consistent with
178 subsections 8 and 9 of section 160.405;
179 (5) Additional criteria that the sponsor will use for ongoing oversight of
180 the charter; and
181 (6) Procedures to be implemented if a charter school should close, consistent with the provisions of subdivision (15) of subsection 1 of section
182 160.405.
183 The department shall provide guidance to sponsors in developing such policies
184 and procedures.
185 17. (1) A sponsor shall provide timely submission to the state board of
186 education of all data necessary to demonstrate that the sponsor is in material
compliance with all requirements of sections 160.400 to 160.425 and section 167.349. The state board of education shall ensure each sponsor is in compliance with all requirements under sections 160.400 to 160.425 and 167.349 for each charter school sponsored by any sponsor. The state board shall notify each sponsor of the standards for sponsorship of charter schools, delineating both what is mandated by statute and what best practices dictate. The state board shall evaluate sponsors to determine compliance with these standards every three years. The evaluation shall include a sponsor's policies and procedures in the areas of charter application approval; required charter agreement terms and content; sponsor performance evaluation and compliance monitoring; and charter renewal, intervention, and revocation decisions. Nothing shall preclude the department from undertaking an evaluation at any time for cause.

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

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

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

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

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

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

   (1) Written notification of intent to serve as a charter school sponsor in accordance with sections 160.400 to 160.425 and section 167.349;
   (2) Evidence of the applicant sponsor's budget and personnel capacity;
   (3) An outline of the request for proposal that the applicant sponsor would, if approved as a charter sponsor, issue to solicit charter school applicants consistent with sections 160.400 to 160.425 and section 167.349;
   (4) The performance [framework] contract that the applicant sponsor would, if approved as a charter sponsor, use to [guide the establishment of a charter contract and for ongoing oversight and a description of how it would] evaluate the charter schools it sponsors; and
   (5) The applicant sponsor's renewal, revocation, and nonrenewal processes consistent with section 160.405.

3. By April first of each year, the department shall decide whether to grant or deny a sponsoring authority to a sponsor applicant. This decision shall be made based on the applicant [charter's] sponsor's compliance with sections 160.400 to 160.425 and section 167.349 and properly promulgated rules of the department.

4. Within thirty days of the department's decision, the department shall execute a renewable sponsoring contract with each entity it has approved as a sponsor. The term of each authorizing contract shall be six years and renewable. [No eligible sponsor which is not currently sponsoring a charter school as of August 28, 2012, shall commence charter sponsorship without approval from the
35 state board of education and a sponsor contract with the state board of education
36 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
curriculum;

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

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

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

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

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

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

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

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

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

(c) Submission of final financial reports;

(d) Resolution of any remaining financial obligations; [and]

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

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

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

(17) For all new or revised charters, procedures to be used upon closure
of the charter school requiring that unobligated assets of the charter school be
returned to the department of elementary and secondary education for their
disposition, which upon receipt of such assets shall return them to the local
school district in which the school was located, the state, or any other entity to
which they would belong.
Charter schools operating on August 27, 2012, shall have until August 28, 2015,
to meet the requirements of this subsection.
2. Proposed charters shall be subject to the following requirements:
   (1) A charter shall be submitted to the sponsor, and follow the sponsor's
       policies and procedures for review and granting of a charter approval, and be
       approved by the state board of education by [December first of the year] January
       thirty-first prior to the school year of the proposed opening date of the
       charter school;
   (2) A charter may be approved when the sponsor determines that the
       requirements of this section are met, determines that the applicant is sufficiently
       qualified to operate a charter school, and that the proposed charter is consistent
       with the sponsor's charter sponsorship goals and capacity. The sponsor's decision
       of approval or denial shall be made within ninety days of the filing of the
       proposed charter;
   (3) If the charter is denied, the proposed sponsor shall notify the applicant
       in writing as to the reasons for its denial and forward a copy to the state board
       of education within five business days following the denial;
   (4) If a proposed charter is denied by a sponsor, the proposed charter may
       be submitted to the state board of education, along with the sponsor's written
       reasons for its denial. If the state board determines that the applicant meets the
       requirements of this section, that the applicant is sufficiently qualified to operate
       the charter school, and that granting a charter to the applicant would be likely
       to provide educational benefit to the children of the district, the state board may
       grant a charter and act as sponsor of the charter school. The state board shall
       review the proposed charter and make a determination of whether to deny or
       grant the proposed charter within sixty days of receipt of the proposed charter,
       provided that any charter to be considered by the state board of education under
       this subdivision shall be submitted no later than March first prior to the school
       year in which the charter school intends to begin operations. The state board of
       education shall notify the applicant in writing as the reasons for its denial, if
       applicable; and
(5) The sponsor of a charter school shall give priority to charter school applicants that propose a school oriented to high-risk students and to the reentry of dropouts into the school system. If a sponsor grants three or more charters, at least one-third of the charters granted by the sponsor shall be to schools that actively recruit dropouts or high-risk students as their student body and address the needs of dropouts or high-risk students through their proposed mission, curriculum, teaching methods, and services. For purposes of this subsection, a "high-risk" student is one who is at least one year behind in satisfactory completion of course work or obtaining high school credits for graduation, has dropped out of school, is at risk of dropping out of school, needs drug and alcohol treatment, has severe behavioral problems, has been suspended from school three or more times, has a history of severe truancy, is a pregnant or parenting teen, has been referred for enrollment by the judicial system, is exiting incarceration, is a refugee, is homeless or has been homeless sometime within the preceding six months, has been referred by an area school district for enrollment in an alternative program, or qualifies as high risk under department of elementary and secondary education guidelines. "Dropout" shall be defined through the guidelines of the school core data report. The provisions of this subsection do not apply to charters sponsored by the state board of education.

3. If a charter is approved by a sponsor, the charter application shall be submitted to the state board of education, along with a statement of finding by the sponsor that the application meets the requirements of sections 160.400 to 160.425 and section 167.349 and a monitoring plan under which the charter sponsor shall evaluate the academic performance, including annual performance reports, of students enrolled in the charter school. The state board of education [may, within sixty days, disapprove the granting of the charter] shall approve or deny a charter application within sixty days of receipt of the application. The state board of education may [disapprove] deny a charter on grounds that the application fails to meet the requirements of sections 160.400 to 160.425 and section 167.349 or that a charter sponsor previously failed to meet the statutory responsibilities of a charter sponsor. Any denial of a charter application made by the state board of education shall be in writing and shall identify the specific failures of the application to meet the requirements of sections 160.400 to 160.425 and section 167.349, and the written denial shall be provided within ten business days to the sponsor.
4. A charter school shall, as provided in its charter:

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

   (2) Comply with laws and regulations of the state, county, or city relating to health, safety, and state minimum educational standards, as specified by the state board of education, including the requirements relating to student discipline under sections 160.261, 167.161, 167.164, and 167.171, notification of criminal conduct to law enforcement authorities under sections 167.115 to 167.117, academic assessment under section 160.518, transmittal of school records under section 167.020, the minimum [number of school days and hours] amount of school time required under section [160.041] 171.031, and the employee criminal history background check and the family care safety registry check under section 168.133;

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

   (4) Be financially accountable, use practices consistent with the Missouri financial accounting manual, provide for an annual audit by a certified public accountant, publish audit reports and annual financial reports as provided in chapter 165, provided that the annual financial report may be published on the department of elementary and secondary education's internet website in addition to other publishing requirements, and provide liability insurance to indemnify the school, its board, staff and teachers against tort claims. A charter school that receives local educational agency status under subsection 6 of this section shall meet the requirements imposed by the Elementary and Secondary Education Act for audits of such agencies and comply with all federal audit requirements for charters with local [education] educational agency status. For purposes of an audit by petition under section 29.230, a charter school shall be treated as a political subdivision on the same terms and conditions as the school district in which it is located. For the purposes of securing such insurance, a charter school shall be eligible for the Missouri public entity risk management fund pursuant to section 537.700. A charter school that incurs debt shall include a repayment plan in its financial plan;

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

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

(b) For proposed high-risk or alternative charter schools, sponsors shall approve performance measures based on mission, curriculum, teaching methods, and services. Sponsors shall also approve comprehensive academic and behavioral measures to determine whether students are meeting performance standards on a different time frame as specified in that school's charter. Student performance shall be assessed comprehensively to determine whether a high-risk or alternative charter school has documented adequate student progress. Student performance shall be based on sponsor-approved comprehensive measures as well as standardized public school measures. Annual presentation of charter school report card data to the department of elementary and secondary education, the state board, and the public shall include comprehensive measures of student progress.

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

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

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

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

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

5. (1) Proposed or existing high-risk or alternative charter schools may
include alternative arrangements for students to obtain credit for satisfying
graduation requirements in the school's charter application and
charter. Alternative arrangements may include, but not be limited to, credit for
off-campus instruction, embedded credit, work experience through an internship
arranged through the school, and independent studies. When the state board of
education approves the charter, any such alternative arrangements shall be
approved at such time.

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

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

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

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

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

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

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

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

8. (1) (a) A sponsor's [intervention] policies shall give schools clear, adequate, evidence-based, and timely notice of contract violations or performance deficiencies and mandate intervention based upon findings of the state board of education of the following:

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

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

   c. The charter school is identified as a persistently lowest achieving school by the department of elementary and secondary education.
(b) A sponsor shall have a policy to revoke a charter during the charter term if there is:

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

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

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

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

(3) At least sixty days before acting to revoke a charter, the sponsor shall notify the governing board of the charter school of the proposed action in writing. The notice shall state the grounds for the proposed action. The school’s governing board may request in writing a hearing before the sponsor within two weeks of receiving the notice.

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

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

(6) A charter sponsor shall make available the school accountability report card information as provided under section 160.522 and the results of the
9. (1) A sponsor shall take all reasonable steps necessary to confirm that each charter school sponsored by such sponsor is in material compliance and remains in material compliance with all material provisions of the charter and sections 160.400 to 160.425 and 167.349. Every charter school shall provide all information necessary to confirm ongoing compliance with all provisions of its charter and sections 160.400 to 160.425 and 167.349 in a timely manner to its sponsor.

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

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

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

   a. A negative balance in its operating funds;

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

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

(c) The charter is in compliance with its legally binding performance contract and sections 160.400 to 160.425 and section 167.349; and

(d) The charter school has an annual performance report consistent with a classification of accredited for three of the last four years and is fiscally viable as described in paragraph (b) of this subdivision. If such is the case, the charter school may have an expedited renewal process as defined by rule of the department of elementary and secondary education.

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

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

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

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

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

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

12. Charter school board members shall be subject to the same liability for acts while in office as if they were regularly and duly elected members of school boards in any other public school district in this state. The governing board of a charter school may participate, to the same extent as a school board, in the Missouri public entity risk management fund in the manner provided under sections 537.700 to 537.756.

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

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

(1) A surety bond in an amount determined by the sponsor to be adequate based on the cash flow of the school; or
(2) An insurance policy issued by an insurance company licensed to do business in Missouri on all employees in the amount of five hundred thousand dollars or more that provides coverage in the event of employee theft.

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

16. The joint committee on education shall create a committee to investigate facility access and affordability for charter schools. The committee shall be comprised of equal numbers of the charter school sector and the public school sector and shall report its findings to the general assembly by December 31, 2016.

160.408. 1. For purposes of this section, "high-quality charter school" means a charter school operating in the state of Missouri that meets the following requirements:

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

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

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

(4) Is organizationally and fiscally viable as described in paragraph (b) of subdivision (2) of subsection 9 of section 160.405.

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

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

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

(3) If a charter is approved by a sponsor, the charter application shall be filed with the state board of education with a statement of finding from the sponsor that the application meets the requirements of sections 160.400 to 160.425 and section 167.349 and a monitoring plan under which the sponsor shall evaluate the academic performance of students enrolled in the charter school. Such filing shall be made by January thirty-first prior to the school year in which the charter school intends to begin operations.

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

160.410. 1. A charter school shall enroll:

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

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

(3) Nonresident pupils who transfer from an unaccredited district under section 167.131, provided that the charter school is an approved charter school, as defined in section 167.131, and subject to all other provisions of section 167.131;

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

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

2. If capacity is insufficient to enroll all pupils who submit a timely application, the charter school shall have an admissions process that assures all applicants of an equal chance of gaining admission and does not discriminate based on parents' ability to pay fees or tuition except that:

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

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

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

3. A charter school shall not limit admission based on race, ethnicity, national origin, disability, income level, proficiency in the English language or athletic ability, but may limit admission to pupils within a given age group or grade level. Charter schools may limit admission based on gender only when the school is a single-gender school. Students of a charter school [that are present for the January membership count as defined in section 163.011] who have been enrolled for a full academic year shall be counted in the performance of the charter school on the statewide assessments in that calendar year, unless otherwise exempted as English language learners. For purposes of this subsection, "full academic year" means the last Wednesday in September through the administration of the Missouri assessment program test without transferring out of the school and re-enrolling.

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

1. Missouri assessment program test performance and aggregate growth over several years;
2. Student reenrollment rates;
3. Educator, parent, and student satisfaction data;
4. Graduation rates in secondary programs; and
5. Performance of students enrolled in the same public school for three or more consecutive years. The impact study shall be undertaken every two years to determine the impact of charter schools on the constituents they serve in the districts where charter schools are operated. The impact study shall include, but is not limited to, determining if changes have been made in district policy or procedures attributable to the charter school and to perceived changes in attitudes and expectations on the part of district personnel, school board members, parents, students, the business community and other education stakeholders. The department of elementary and secondary education shall make the results of the studies public and shall deliver copies to the governing boards of the charter schools, the sponsors of the charter schools, the school board and superintendent of the districts in which the charter schools are operated.

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

1. The school's charter;
2. The school's most recent annual report card published according to section 160.522;
(3) The results of background checks on the charter school's board members; and

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

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

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

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

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

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

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

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

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

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

(5) A school district shall pay the amounts due pursuant to this subsection as the disbursal agent and no later than twenty days following the receipt of any such funds. The department of elementary and secondary education shall pay the amounts due when it acts as the disbursal agent within five days of the required due date.

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

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

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

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

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

(1) Provide evidence of the education service provider's success in serving
student populations similar to the targeted population, including demonstrated
academic achievement as well as successful management of nonacademic school
functions, if applicable;
(2) Provide a term sheet setting forth the proposed duration of the service contract; roles and responsibilities of the governing board, the school staff, and the service provider; scope of services and resources to be provided by the service provider; performance evaluation measures and time lines; compensation structure, including clear identification of all fees to be paid to the service provider; methods of contract oversight and enforcement; investment disclosure; and conditions for renewal and termination of the contract;
(3) Disclose any known conflicts of interest between the school governing board and proposed service provider or any affiliated business entities;
(4) Disclose and explain any termination or nonrenewal of contracts for equivalent services for any other charter school in the United States within the past five years;
(5) Ensure that the legal counsel for the charter school shall report directly to the charter school's governing board; and
(6) Provide a process to ensure that the expenditures that the [educational] education service provider intends to bill to the charter school shall receive prior approval of the governing board or its designee.
8. A charter school may enter into contracts with community partnerships and state agencies acting in collaboration with such partnerships that provide services to children and their families linked to the school.
9. A charter school shall be eligible for transportation state aid pursuant to section 163.161 and shall be free to contract with the local district, or any other entity, for the provision of transportation to the students of the charter school.
10. (1) The proportionate share of state and federal resources generated by students with disabilities or staff serving them shall be paid in full to charter schools enrolling those students by their school district where such enrollment is through a contract for services described in this section. The proportionate share of money generated under other federal or state categorical aid programs shall be directed to charter schools serving such students eligible for that aid.
(2) A charter school shall provide the special services provided pursuant to section 162.705 and may provide the special services pursuant to a contract with a school district or any provider of such services.
11. A charter school may not charge tuition[,] nor may it] or impose fees that a school district is prohibited from charging or imposing, except that a
charter school may receive tuition payments from districts in the same
or an adjoining county for nonresident students who transfer to an
approved charter school, as defined in section 167.131, from an
unaccredited district.

12. A charter school is authorized to incur debt in anticipation of receipt
of funds. A charter school may also borrow to finance facilities and other capital
items. A school district may incur bonded indebtedness or take other measures
to provide for physical facilities and other capital items for charter schools that
it sponsors or contracts with. Except as otherwise specifically provided in
sections 160.400 to 160.425, upon the dissolution of a charter school, any
liabilities of the corporation will be satisfied through the procedures of chapter
355. A charter school shall satisfy all its financial obligations within
twelve months of notice from the sponsor of the charter school's closure
under subsection 8 of section 160.405. After satisfaction of all its
financial obligations, a charter school shall return any remaining state
and federal funds to the department of elementary and secondary
education for disposition as stated in subdivision (17) of subsection 1
of section 160.405. The department of elementary and secondary education
may withhold funding at a level the department determines to be adequate
during a school's last year of operation until the department determines that
school records, liabilities, and reporting requirements, including a full audit, are
satisfied.

13. Charter schools shall not have the power to acquire property by
eminent domain.

14. The governing body of a charter school is authorized to accept grants,
gifts or donations of any kind and to expend or use such grants, gifts or
donations. A grant, gift or donation may not be accepted by the governing body
if it is subject to any condition contrary to law applicable to the charter school or
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
sponsor of each charter school shall review the information submitted on the
report required by section 162.821 to identify charter schools experiencing
financial stress. The department of elementary and secondary education shall be
authorized to obtain such additional information from a charter school as may be
necessary to determine the financial condition of the charter school. Annually,
a listing of charter schools identified as experiencing financial stress according
to the provisions of this section shall be provided to the governor, speaker of the
house of representatives, and president pro tempore of the senate by the
department of elementary and secondary education.

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

(1) At the end of its most recently completed fiscal year:
   (a) Has a negative balance in its operating funds; or
   (b) Has a combined balance of less than three percent of the amount
       expended from such funds during the previous fiscal year; [or]

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

(3) Due to insufficient fund balances or reserves, incurred debt
    after January thirty-first and before July first during the most recently
    completed fiscal year in order to meet expenditures of the charter
    school.

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

(1) Give assurances that adequate educational services to students of the
    charter school shall continue uninterrupt ed for the remainder of the current
    school year and that the charter school can provide the minimum [number of
    school days and hours] amount of school time required by section [160.041]

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

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

160.545. 1. There is hereby established within the department of elementary and secondary education the "A+ Schools Program" to be administered by the commissioner of education. The program shall consist of grant awards made to public secondary schools that demonstrate a commitment to ensure that:

(1) All students be graduated from school;
(2) All students complete a selection of high school studies that is challenging and for which there are identified learning expectations; and
(3) All students proceed from high school graduation to a college or postsecondary vocational or technical school or high-wage job with work place skill development opportunities.

2. The state board of education shall promulgate rules and regulations for the approval of grants made under the program to schools that:

(1) Establish measurable districtwide performance standards for the goals of the program outlined in subsection 1 of this section; and
(2) Specify the knowledge, skills and competencies, in measurable terms, that students must demonstrate to successfully complete any individual course offered by the school, and any course of studies which will qualify a student for graduation from the school; and
(3) Do not offer a general track of courses that, upon completion, can lead to a high school diploma; and
(4) Require rigorous coursework with standards of competency in basic academic subjects for students pursuing vocational and technical education as prescribed by rule and regulation of the state board of education; and
(5) Have a partnership plan developed in cooperation and with the advice of local business persons, labor leaders, parents, and representatives of college and postsecondary vocational and technical school representatives, with the plan then approved by the local board of education. The plan shall specify a mechanism to receive information on an annual basis from those who developed
the plan in addition to senior citizens, community leaders, and teachers to update
the plan in order to best meet the goals of the program as provided in subsection
1 of this section. Further, the plan shall detail the procedures used in the school
to identify students that may drop out of school and the intervention services to
be used to meet the needs of such students. The plan shall outline counseling
and mentoring services provided to students who will enter the work force upon
graduation from high school, address apprenticeship and intern programs, and
shall contain procedures for the recruitment of volunteers from the community
of the school to serve in schools receiving program grants.

3. Any nonpublic school in this state may apply to the state board
of education for certification that it meets the requirements of this
section subject to the same criteria as public high schools. Every
nonpublic school that applies and has met the requirements of this
section shall have its students eligible for reimbursement of
postsecondary education under subsection 8 of this section on an equal
basis to students who graduate from public schools that meet the
requirements of this section. Any nonpublic school that applies shall
not be eligible for any grants under this section. Students of certified
nonpublic schools shall be eligible for reimbursement of postsecondary
education under subsection 8 of this section so long as they meet the
other requirements of such subsection. For purposes of subdivision (5)
of subsection 2 of this section, the nonpublic school shall be included
in the partnership plan developed by the public school district in which
the nonpublic school is located. For purposes of subdivision (1) of
subsection 2 of this section, the nonpublic school shall establish
measurable performance standards for the goals of the program for
every school and grade level over which the nonpublic school maintains
control.

4. A school district may participate in the program irrespective of its
accreditation classification by the state board of education, provided it meets all
other requirements.

[4.] 5. By rule and regulation, the state board of education may
determine a local school district variable fund match requirement in order for a
school or schools in the district to receive a grant under the program. However,
no school in any district shall receive a grant under the program unless the
district designates a salaried employee to serve as the program coordinator, with
the district assuming a minimum of one-half the cost of the salary and other
benefits provided to the coordinator. Further, no school in any district shall
receive a grant under the program unless the district makes available facilities
and services for adult literacy training as specified by rule of the state board of
education.

[5.] 6. For any school that meets the requirements for the approval of the
grants authorized by this section and specified in subsection 2 of this section for
three successive school years, by August first following the third such school year,
the commissioner of education shall present a plan to the superintendent of the
school district in which such school is located for the waiver of rules and
regulations to promote flexibility in the operations of the school and to enhance
and encourage efficiency in the delivery of instructional services in the
school. The provisions of other law to the contrary notwithstanding, the plan
presented to the superintendent shall provide a summary waiver, with no
conditions, for the pupil testing requirements pursuant to section 160.257 in the
school. Further, the provisions of other law to the contrary notwithstanding, the
plan shall detail a means for the waiver of requirements otherwise imposed on
the school related to the authority of the state board of education to classify
school districts pursuant to subdivision (9) of section 161.092 and such other rules
and regulations as determined by the commissioner of education, except such
waivers shall be confined to the school and not other schools in the school district
unless such other schools meet the requirements of this subsection. However, any
waiver provided to any school as outlined in this subsection shall be void on June
thirtieth of any school year in which the school fails to meet the requirements for
the approval of the grants authorized by this section as specified in subsection 2
of this section.

[6.] 7. For any school year, grants authorized by subsections 1, 2, and [4]
5 of this section shall be funded with the amount appropriated for this program,
less those funds necessary to reimburse eligible students pursuant to subsection
[7] 8 of this section.

[7.] 8. The department of higher education shall, by rule, establish a
procedure for the reimbursement of the cost of tuition, books and fees to any
public community college or vocational or technical school or within the limits
established in subsection [9] 10 of this section for any two-year private vocational
or technical school for any student:

(1) Who has attended a [public] high school in the state for at least three
... years immediately prior to graduation that meets the requirements of subsection 2 of this section; except that, students who are active duty military dependents, and students who are dependants of retired military who relocate to Missouri within one year of the date of the parent's retirement from active duty, who, in the school year immediately preceding graduation, meet all other requirements of this subsection and are attending a school that meets the requirements of subsection 2 of this section shall be exempt from the three-year attendance requirement of this subdivision; and

(2) Who has made a good faith effort to first secure all available federal sources of funding that could be applied to the reimbursement described in this subsection; and

(3) Who has earned a minimal grade average while in high school as determined by rule of the department of higher education, and other requirements for the reimbursement authorized by this subsection as determined by rule and regulation of the department; and

(4) Who is a citizen or permanent resident of the United States.

[8.] 9. The commissioner of education shall develop a procedure for evaluating the effectiveness of the program described in this section. Such evaluation shall be conducted annually with the results of the evaluation provided to the governor, speaker of the house, and president pro tempore of the senate.

[9.] 10. For a two-year private vocational or technical school to obtain reimbursements under subsection [7] 8 of this section, the following requirements shall be satisfied:

(1) Such two-year private vocational or technical school shall be a member of the North Central Association and be accredited by the Higher Learning Commission as of July 1, 2008, and maintain such accreditation;

(2) Such two-year private vocational or technical school shall be designated as a 501(c)(3) nonprofit organization under the Internal Revenue Code of 1986, as amended;

(3) No two-year private vocational or technical school shall receive tuition reimbursements in excess of the tuition rate charged by a public community college for course work offered by the private vocational or technical school within the service area of such college; and

(4) The reimbursements provided to any two-year private vocational or technical school shall not violate the provisions of Article IX, Section 8, or Article
I, Section 7, of the Missouri Constitution or the first amendment of the United States Constitution.

161.217. 1. The department of elementary and secondary education, in collaboration with the Missouri Head Start State Collaboration Office and the departments of health and senior services, mental health, and social services, shall develop, as a three-year pilot program, a voluntary early learning quality assurance report. The early learning quality assurance report shall be developed based on evidence-based practices.

2. Participation in the early learning quality assurance report pilot program shall be voluntary for any licensed or license-exempt early learning providers that are center-based or home-based and are providing services for children from any ages from birth up to kindergarten.

3. The early learning quality assurance report may include, but is not limited to, information regarding staff qualifications, instructional quality, professional development, health and safety standards, parent engagement, and community engagement.

4. The early learning quality assurance report shall not be used for enforcement of compliance with any law or for any punitive purposes.

5. The department of elementary and secondary education shall promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.

6. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset three years after the effective date of this section unless reauthorized by an act of the general assembly;
(2) If such program is reauthorized, the program authorized under this section shall automatically sunset three years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.

161.1050. 1. There is hereby established within the department of elementary and secondary education the "Trauma-Informed Schools Initiative".

2. The department of elementary and secondary education shall consult the department of mental health and the department of social services for assistance in fulfilling the requirements of this section.

3. The department of elementary and secondary education shall:

   (1) Provide information regarding the trauma-informed approach to all school districts;

   (2) Offer training on the trauma-informed approach to all school districts, which shall include information on how schools can become trauma-informed schools; and

   (3) Develop a website about the trauma-informed schools initiative that includes information for schools and parents regarding the trauma-informed approach and a guide for schools on how to become trauma-informed schools.

4. Each school district shall provide the address of the website described under subdivision (3) of subsection 3 of this section to all parents of the students in its district before October first of each school year.

5. For purposes of this section, the following terms mean:

   (1) "Trauma-informed approach", an approach that involves understanding and responding to the symptoms of chronic interpersonal trauma and traumatic stress across the lifespan;

   (2) "Trauma-informed school", a school that:

      (a) Realizes the widespread impact of trauma and understands potential paths for recovery;

      (b) Recognizes the signs and symptoms of trauma in students, teachers, and staff;

      (c) Responds by fully integrating knowledge about trauma into
its policies, procedures, and practices; and

(d) Seeks to actively resist re-traumatization.

161.1055. 1. Subject to appropriations, the department of elementary and secondary education shall establish the "Trauma-Informed Schools Pilot Program".

2. Under the trauma-informed schools pilot program, the department of elementary and secondary education shall choose five schools to receive intensive training on the trauma-informed approach.

3. The five schools chosen for the pilot program shall be located in the following areas:

(1) One public school located in a metropolitan school district;

(2) One public school located in a home rule city with more than four hundred thousand inhabitants and located in more than one county;

(3) One public school located in a school district that has most or all of its land area located in a county with a charter form of government and with more than nine hundred fifty thousand inhabitants;

(4) One public school located in a school district that has most or all of its land area located in a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants; and

(5) One public school located in any one of the following counties:

(a) A county of the third classification without a township form of government and with more than forty-one thousand but fewer than forty-five thousand inhabitants;

(b) A county of the third classification without a township form of government and with more than six thousand but fewer than seven thousand inhabitants and with a city of the fourth classification with more than eight hundred but fewer than nine hundred inhabitants as the county seat;

(c) A county of the third classification with a township form of government and with more than thirty-one thousand but fewer than thirty-five thousand inhabitants;

(d) A county of the third classification without a township form of government and with more than fourteen thousand but fewer than......
sixteen thousand inhabitants and with a city of the third classification with more than five thousand but fewer than six thousand inhabitants as the county seat;

(e) A county of the third classification without a township form of government and with more than eighteen thousand but fewer than twenty thousand inhabitants and with a city of the fourth classification with more than three thousand but fewer than three thousand seven hundred inhabitants as the county seat;

(f) A county of the third classification without a township form of government and with more than eighteen thousand but fewer than twenty thousand inhabitants and with a city of the third classification with more than six thousand but fewer than seven thousand inhabitants as the county seat;

(g) A county of the third classification without a township form of government and with more than fourteen thousand but fewer than sixteen thousand inhabitants and with a city of the fourth classification with more than one thousand nine hundred but fewer than two thousand one hundred inhabitants as the county seat;

(h) A county of the third classification without a township form of government and with more than thirty-seven thousand but fewer than forty-one thousand inhabitants and with a city of the fourth classification with more than eight hundred but fewer than nine hundred inhabitants as the county seat;

(i) A county of the third classification with a township form of government and with more than twenty-eight thousand but fewer than thirty-one thousand inhabitants; or

(j) A county of the third classification without a township form of government and with more than twelve thousand but fewer than fourteen thousand inhabitants and with a city of the fourth classification with more than five hundred but fewer than five hundred fifty inhabitants as the county seat.

4. The department of elementary and secondary education shall:

(1) Train the teachers and administrators of the five schools chosen for the pilot program regarding the trauma-informed approach and how to become trauma-informed schools;

(2) Provide the five schools with funds to implement the trauma-informed approach; and
(3) Closely monitor the progress of the five schools in becoming trauma-informed schools and provide further assistance if necessary.

5. The department of elementary and secondary education shall terminate the trauma-informed schools pilot program on August 28, 2019. Before December 31, 2019, the department of elementary and secondary education shall submit a report to the general assembly that contains the results of the pilot program, including any benefits experienced by the five schools chosen for the program.

6. (1) There is hereby created in the state treasury the "Trauma-Informed Schools Pilot Program Fund". The fund shall consist of any appropriations to such fund. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements of public moneys in accordance with distribution requirements and procedures developed by the department of elementary and secondary education. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely for the administration of this section.

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

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

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

   (1) "Trauma-informed approach", an approach that involves understanding and responding to the symptoms of chronic interpersonal trauma and traumatic stress across the lifespan;

   (2) "Trauma-informed school", a school that:

      (a) Realizes the widespread impact of trauma and understands potential paths for recovery;

      (b) Recognizes the signs and symptoms of trauma in students, teachers, and staff;

      (c) Responds by fully integrating knowledge about trauma into its policies, procedures, and practices; and

      (d) Seeks to actively resist re-traumatization.

8. The provisions of this section shall expire December 31, 2019.
2 162.181, 162.191, 162.201, 162.241, [162.261.] 162.301, 162.311, 162.821 and
3 167.121, in those counties without a county commission, the following words shall
4 have the following meaning:
5 (1) "County clerk" shall mean the vice-chairman of the county legislature
6 or county council;
7 (2) "County commission" shall mean the county legislature or county
8 council;
9 (3) "Presiding commissioner of the county commission" shall mean the
10 chairman of the county legislature or county council.

162.261. 1. The government and control of a seven-director school district,
2 other than an urban district, is vested in a board of education of seven members,
3 who hold their office for three years, except as provided in section 162.241, and
4 until their successors are duly elected and qualified. Any vacancy occurring in
5 the board shall be filled by the remaining members of the board; except that if
6 there are more than two vacancies at any one time, the county commission upon
7 receiving written notice of the vacancies shall fill the vacancies by appointment.
8 If there are more than two vacancies at any one time in a county
9 without a county commission, the county executive upon receiving
10 written notice of the vacancies shall fill the vacancies, with the advice
11 and consent of the county council, by appointment. The person appointed
12 shall hold office until the next municipal election, when a director shall be elected
13 for the unexpired term.
14 2. No seven-director, urban, or metropolitan school district board of
15 education shall hire a spouse of any member of such board for a vacant or newly
16 created position unless the position has been advertised pursuant to board policy
17 and the superintendent of schools submits a written recommendation for the
18 employment of the spouse to the board of education. The names of all applicants
19 as well as the name of the applicant hired for the position are to be included in
20 the board minutes.
21 3. The provisions of article VII, section 6 of the Missouri Constitution
22 apply to school districts.

162.531. The secretary of the board of each urban district shall keep a
2 record of the proceedings of the board; he shall also keep a record of all warrants
3 drawn upon the treasurer, showing the date and amount of each, in whose favor
4 and upon what account it was drawn, and shall also keep a register of the bonded
5 indebtedness of the school district; he shall also perform other duties required of
him by the board, and shall safely keep all bonds or other papers entrusted to his
care. He shall, before entering upon his duties, execute a bond to the school
district in the penal sum of not less than five thousand dollars, the amount
thereof to be fixed by the board, with at least [two sureties] one surety, to be
approved by the board.

162.541. The treasurer of each urban district, before entering upon the
discharge of his duties as such, shall enter into a bond to the state of Missouri
with [two] one or more sureties, approved by the board, conditioned that he will
render a faithful and just account of all moneys that come into his hands as
treasurer, and otherwise perform the duties of his office according to law and
shall file the bond with the secretary of the board. On breach of any of the
conditions of the bond, the board, or the president or the secretary thereof, or any
resident of the school district, may cause suit to be brought thereon, in the name
of the state of Missouri, at the relation and to the use of the school district.

162.720. 1. Where a sufficient number of children are determined to be
gifted and their development requires programs or services beyond the level of
those ordinarily provided in regular public school programs, districts may
establish special programs for such gifted children.

2. The state board of education shall determine standards for such
programs. Approval of such programs shall be made by the state department of
elementary and secondary education based upon project applications submitted
by July fifteenth of each year.

3. No district shall make a determination as to whether a child
is gifted based on the child's participation in an advanced placement
course or international baccalaureate course. Districts shall determine
a child is gifted only if the child meets the definition of "gifted
children" as provided in section 162.675.

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

2. Other provisions of law to the contrary notwithstanding:
(1) For districts with an average daily attendance of more than three
hundred fifty in the school year preceding the payment year:

(a) For the 2008-09 school year, the state revenue per weighted average daily attendance received by a district from the state aid calculation under subsections 1 and 4 of this section, as applicable, and the classroom trust fund under section 163.043 shall not be less than the state revenue received by a district in the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts multiplied by the dollar value modifier, and dividing this product by the weighted average daily attendance computed for the 2005-06 school year;

(b) For each year subsequent to the 2008-09 school year, the amount shall be no less than that computed in paragraph (a) of this subdivision, multiplied by the weighted average daily attendance pursuant to section 163.036, less any increase in revenue received from the classroom trust fund under section 163.043;

(2) For districts with an average daily attendance of three hundred fifty or less in the school year preceding the payment year:

(a) For the 2008-09 school year, the state revenue received by a district from the state aid calculation under subsections 1 and 4 of this section, as applicable, and the classroom trust fund under section 163.043 shall not be less than the greater of state revenue received by a district in the 2004-05 or 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts multiplied by the dollar value modifier;

(b) For each year subsequent to the 2008-09 school year, the amount shall be no less than that computed in paragraph (a) of this subdivision;

(3) The department of elementary and secondary education shall make an addition in the payment amount specified in subsection 1 of this section to assure compliance with the provisions contained in this subsection.

3. School districts that meet the requirements of section 163.021 shall receive categorical add-on revenue as provided in this subsection. The categorical add-on for the district shall be the sum of: seventy-five percent of the district allowable transportation costs under section 163.161; the career ladder entitlement for the district, as provided for in sections 168.500 to 168.515; the vocational education entitlement for the district, as provided for in section 167.332; and the district educational and screening program entitlements as provided for in sections 178.691 to 178.699. The categorical add-on revenue amounts may be adjusted to accommodate available appropriations.
4. For any school district meeting the eligibility criteria for state aid as established in section 163.021, but which is considered an option district under section 163.042 and therefore receives no state aid, the commissioner of education shall present a plan to the superintendent of the school district for the waiver of rules and the duration of said waivers, in order to promote flexibility in the operations of the district and to enhance and encourage efficiency in the delivery of instructional services as provided in section 163.042.

5. (1) No less than seventy-five percent of the state revenue received under the provisions of subsections 1 and 2 of this section shall be placed in the teachers' fund, and the remaining percent of such moneys shall be placed in the incidental fund. No less than seventy-five percent of one-half of the funds received from the school district trust fund distributed under section 163.087 shall be placed in the teachers' fund. One hundred percent of revenue received under the provisions of section 163.161 shall be placed in the incidental fund. One hundred percent of revenue received under the provisions of sections 168.500 to 168.515 shall be placed in the teachers' fund.

(2) A school district shall spend for certificated compensation and tuition expenditures each year:

(a) An amount equal to at least seventy-five percent of the state revenue received under the provisions of subsections 1 and 2 of this section;

(b) An amount equal to at least seventy-five percent of one-half of the funds received from the school district trust fund distributed under section 163.087 during the preceding school year; and

(c) Beginning in fiscal year 2008, as much as was spent per the second preceding year's weighted average daily attendance for certificated compensation and tuition expenditures the previous year from revenue produced by local and county tax sources in the teachers' fund, plus the amount of the incidental fund to teachers' fund transfer calculated to be local and county tax sources by dividing local and county tax sources in the incidental fund by total revenue in the incidental fund.

In the event a district fails to comply with this provision, the amount by which the district fails to spend funds as provided herein shall be deducted from the district's state revenue received under the provisions of subsections 1 and 2 of this section for the following year, provided that the state board of education may exempt a school district from this provision if the state board of education determines that circumstances warrant such exemption.
6. (1) If a school district's annual audit discloses that students were inappropriately identified as eligible for free and reduced price lunch, special education, or limited English proficiency and the district does not resolve the audit finding, the department of elementary and secondary education shall require that the amount of aid paid pursuant to the weighting for free and reduced price lunch, special education, or limited English proficiency in the weighted average daily attendance on the inappropriately identified pupils be repaid by the district in the next school year and shall additionally impose a penalty of one hundred percent of such aid paid on such pupils, which penalty shall also be paid within the next school year. Such amounts may be repaid by the district through the withholding of the amount of state aid.

(2) In the 2017-18 school year and in each subsequent school year, if a district experiences a decrease in its gifted program enrollment of twenty percent or more from the previous school year, an amount equal to the product of the difference between the number of students enrolled in the gifted program in the current school year and the number of students enrolled in the gifted program in the previous school year multiplied by six hundred eighty dollars shall be subtracted from the district's current year payment amount. The provisions of this subdivision shall apply to districts entitled to receive state aid payments under both subsections 1 and 2 of this section but shall not apply to any school district with an average daily attendance of three hundred fifty or less.

7. Notwithstanding any provision of law to the contrary, in any fiscal year during which the total formula appropriation is insufficient to fully fund the entitlement calculation of this section, the department of elementary and secondary education shall adjust the state adequacy target in order to accommodate the appropriation level for the given fiscal year. In no manner shall any payment modification be rendered for any district qualified to receive payments under subsection 2 of this section based on insufficient appropriations.

167.131. 1. The board of education of each district in this state that does not maintain an accredited school pursuant to the authority of the state board of education to classify schools as established in section 161.092 shall pay the tuition of and provide transportation consistent with the provisions of section 167.241 for each pupil resident therein who attends an accredited school in another district of the same or an adjoining county or who attends an
approved charter school in the same or an adjoining county.

2. The rate of tuition to be charged by the district attended and paid by the sending district is the per pupil cost of maintaining the district's grade level grouping which includes the school attended. The rate of tuition to be charged by the approved charter school attended and paid by the sending district is the per pupil cost of maintaining the approved charter school's grade level grouping. For a district, the cost of maintaining a grade level grouping shall be determined by the board of education of the district but in no case shall it exceed all amounts spent for teachers' wages, incidental purposes, debt service, maintenance and replacements. For an approved charter school, the cost of maintaining a grade level grouping shall be determined by the approved charter school but in no case shall it exceed all amounts spent by the district in which the approved charter school is located for teachers' wages, incidental purposes, debt service, maintenance, and replacements. The term "debt service", as used in this section, means expenditures for the retirement of bonded indebtedness and expenditures for interest on bonded indebtedness. Per pupil cost of the grade level grouping shall be determined by dividing the cost of maintaining the grade level grouping by the average daily pupil attendance. If there is disagreement as to the amount of tuition to be paid, the facts shall be submitted to the state board of education, and its decision in the matter shall be final. Subject to the limitations of this section, each pupil shall be free to attend the public school of his or her choice.

3. For purposes of this section, "approved charter school" means a charter school that has existed for less than three years or a charter school with a three-year average score of seventy percent or higher on its annual performance report.

167.241. Transportation for pupils whose tuition the district of residence is required to pay by section 167.131 or who are assigned as provided in section 167.121 shall be provided by the district of residence; however, in the case of pupils covered by section 167.131, the district of residence shall be required to provide transportation only to approved charter schools as defined in section 167.131, school districts accredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in section 161.092, and those school districts designated by the board of education of the district of residence.
167.903. 1. Each student prior to his or her ninth grade year at a public school, including a charter school, may develop with help from the school's guidance counselors a personal plan of study, which shall be reviewed regularly, as needed by school personnel and the student's parent or guardian and updated based upon the needs of the student. Each plan shall present a sequence of courses and experiences that conclude with the student reaching his or her postsecondary goals, with implementation of the plan of study transferring to the program of postsecondary education or training upon the student's high school graduation. The plan shall include, but not be limited to:

(1) Requirements for graduation from the school district or charter school;

(2) Career or postsecondary goals;

(3) Coursework or program of study related to career and postsecondary goals, which shall include, if relevant, opportunities that the district or school may not directly offer;

(4) Grade-appropriate and career-related experiences, as outlined in the grade-level expectations of the Missouri comprehensive guidance program; and

(5) Student assessments, interest inventories, or academic results needed to develop, review, and revise the personal plan of study, which shall include, if relevant, assessments, inventories, or academic results that the school district or charter school may not offer.

2. Each school district shall adopt a policy to permit the waiver of the requirements of this section for any student with a disability if recommended by the student's IEP committee. For purposes of this subsection, "IEP" means individualized education program.

167.905. 1. By July 1, 2018, each school district shall develop a policy and implement a measurable system for identifying students in their ninth grade year, or students who transfer into the school subsequent to their ninth grade year, who are at risk of not being ready for college-level work or for entry-level career positions. Districts shall include, but are not limited to, the following sources of information:

(1) A student's performance on the Missouri assessment program test in eighth grade in English language arts and mathematics;

(2) A student's comparable statewide assessment performance if such student transferred from another state;
(3) The district's overall reported remediation rate under section 173.750; and

(4) A student's attendance rate.

2. The district policy shall require academic and career counseling to take place prior to graduation so that the school may attempt to provide sufficient opportunities to the student to graduate college-ready or career-ready and on time.

3. Each school district shall adopt a policy to permit the waiver of the requirements of this section for any student with a disability if recommended by the student's IEP committee. For purposes of this subsection, "IEP" means individualized education program.

167.950. 1. (1) By December 31, 2017, the department of elementary and secondary education shall develop guidelines for the appropriate screening of students for dyslexia and related disorders and the necessary classroom support for students with dyslexia and related disorders. Such guidelines shall be consistent with the findings and recommendations of the task force created under section 633.420.

(2) In the 2018-19 school year and subsequent years, each public school, including each charter school, shall conduct dyslexia screenings for students in the appropriate year consistent with the guidelines developed by the Department of Elementary and Secondary Education.

(3) In the 2018-19 school year and subsequent years, the school board of each district and the governing board of each charter school shall provide reasonable classroom support consistent with the guidelines developed by the Department of Elementary and Secondary Education.

2. In the 2018-19 school year and subsequent years, the practicing teacher assistance programs established under section 168.400 shall include two hours of in-service training provided by each local school district for all practicing teachers in such district regarding dyslexia and related disorders. Each charter school shall also offer all of its teachers two hours of training on dyslexia and related disorders. Districts and charter schools may seek assistance from the department of elementary and secondary education in developing and providing such training. Completion of such training shall count as two contact hours of professional development under section 168.021.
3. For purposes of this section, the following terms mean:

   (1) "Dyslexia", a disorder that is neurological in origin, characterized by difficulties with accurate and fluent word recognition and poor spelling and decoding abilities that typically result from a deficit in the phonological component of language, often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction, and of which secondary consequences may include problems in reading comprehension and reduced reading experience that can impede growth of vocabulary and background knowledge. Nothing in this definition shall require a student with dyslexia to obtain an individualized education program (IEP) unless the student has otherwise met the federal conditions necessary;

   (2) "Dyslexia screening", a short test conducted by a teacher or school counselor to determine whether a student likely has dyslexia or a related disorder in which a positive result does not represent a medical diagnosis but indicates that the student could benefit from approved support;

   (3) "Related disorders", disorders similar to or related to dyslexia, such as developmental auditory imperception, dysphasia, specific developmental dyslexia, developmental dysgraphia, and developmental spelling disability;

   (4) "Support", low-cost and effective best practices, such as oral examinations and extended test-taking periods, used to support students who have dyslexia or any related disorder.

4. The state board of education shall promulgate rules and regulations for each public school to screen students for dyslexia and related disorders and to provide the necessary classroom support for students with dyslexia and related disorders. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.
5. Nothing in this section shall require the MO HealthNet program to expand the services that it provides.

170.011. 1. Regular courses of instruction in the Constitution of the United States and of the state of Missouri and in American history and institutions shall be given in all public and private schools in the state of Missouri, except [privately operated trade] proprietary schools, and shall begin not later than the seventh grade and continue in high school to an extent determined by the state commissioner of education, and shall continue in college and university courses to an extent determined by the state commissioner of higher education. In the 1990-91 school year and each year thereafter, local school districts maintaining high schools shall comply with the provisions of this section by offering in grade nine, ten, eleven, or twelve a course of instruction in the institutions, branches and functions of the government of the state of Missouri, including local governments, and of the government of the United States, and in the electoral process. A local school district maintaining such a high school shall require that prior to the completion of the twelfth grade each pupil who receives a high school diploma or certificate of graduation on or after January 1, 1994, shall satisfactorily complete such a course of study. Such course shall be of at least one semester in length and may be two semesters in length. The department of elementary and secondary education may provide assistance in developing such a course if the district requests assistance. A school district may elect to waive the requirements of this subsection for any student who transfers from outside the state to a Missouri high school if the student can furnish documentation deemed acceptable by the school district of the student’s successful completion in any year from the ninth through the twelfth grade of a course of instruction in the institutions, branches, and functions of state government, including local governments, and of the government of the United States, and in the electoral process.

2. American history courses at the elementary and secondary levels shall include in their proper time-line sequence specific referrals to the details and events of the racial equality movement that have caused major changes in United States and Missouri laws and attitudes.

3. No pupil shall receive a certificate of graduation from any public or private school other than private trade schools unless he has satisfactorily passed an examination on the provisions and principles of the Constitution of the United States and of the state of Missouri, and in American history [and], American
institutions, and American civics. A school district may elect to waive the
requirements of this subsection for any student who transfers from outside the
state to a Missouri high school if the student can furnish documentation deemed
acceptable by the school district of the student’s successful completion in any year
from the ninth through the twelfth grade of a course of instruction in the
institutions, branches, and functions of state government, including local
governments, and of the government of the United States, and in the electoral
process. A student of a college or university, who, after having completed a
course of instruction prescribed in this section and successfully passed an
examination on the United States Constitution, and in American history and
American institutions required hereby, transfers to another college or university,
is not required to complete another such course or pass another such examination
as a condition precedent to his graduation from the college or university.

4. In the 1990-91 school year and each year thereafter, each school district
maintaining a high school may annually nominate to the state board of education
a student who has demonstrated knowledge of the principles of government and
citizenship through academic achievement, participation in extracurricular
activities, and service to the community. Annually, the state board of education
shall select fifteen students from those nominated by the local school districts and
shall recognize and award them for their academic achievement, participation and
service.

5. The provisions of this section shall not apply to students from foreign
countries who are enrolled in public or private high schools in Missouri, if such
students are foreign exchange students sponsored by a national organization
recognized by the department of elementary and secondary education.

170.310. 1. For school year 2017-18 and each school year
thereafter, upon graduation from high school, pupils in public schools
and charter schools shall have received thirty minutes of
cardiopulmonary resuscitation instruction and training in the proper
performance of the Heimlich maneuver or other first aid for choking
given any time during a pupil's four years of high school.

2. Beginning in school year 2017-18, any public school or charter
school serving grades nine through twelve [may] shall provide enrolled students
instruction in cardiopulmonary resuscitation. Students with disabilities may
participate to the extent appropriate as determined by the provisions of the
Individuals with Disabilities Education Act or Section 504 of the Rehabilitation
Instruction shall be included in the district's existing health or physical education curriculum. Instruction shall be based on a program established by the American Heart Association or the American Red Cross, or through a nationally recognized program based on the most current national evidence-based emergency cardiovascular care guidelines, and psychomotor skills development shall be incorporated into the instruction. For purposes of this section, "psychomotor skills" means the use of hands-on practicing and skills testing to support cognitive learning.

The teacher of the cardiopulmonary resuscitation course or unit shall not be required to be a certified trainer of cardiopulmonary resuscitation if the instruction is not designed to result in certification of students. Instruction that is designed to result in certification being earned shall be required to be taught by an authorized cardiopulmonary instructor. Schools may develop agreements with any local chapter of a voluntary organization of first responders to provide the required hands-on practice and skills testing.

The department of elementary and secondary education may promulgate rules to implement this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

This section shall be known as the "Missouri Civics Education Initiative".

Any student entering ninth grade after July 1, 2017, who is attending any public, charter, or private school, except private trade schools, as a condition of high school graduation shall pass an examination on the provisions and principles of American civics.

The examination shall consist of one hundred questions similar to the one hundred questions used by the United States Citizenship and Immigration Services that are administered to applicants for United States citizenship.
4. The examination required under this section may be included in any other examination that is administered on the provisions and principles of the Constitution of the United States and of the state of Missouri, and in American history and American institutions, as required in subsection 3 of section 170.011.

5. School districts may use any online test to comply with the provisions of this section.

6. Each school district shall adopt a policy to permit the waiver of the requirements of this section for any student with a disability if recommended by the student's IEP committee. For purposes of this subsection, "IEP" means individualized education program.

170.350. A school district may develop a policy that allows student participation in the Constitution Project of the Missouri Supreme Court to be recognized by:

(1) The granting of credit for some portion of, or in collaboration with:

(a) Inclusion in the student's record of good citizenship as required by the A+ tuition reimbursement program under section 160.545; or

(b) The Missouri and United States Constitution course required under section 170.011; or

(c) Any relevant course or instructional unit in American government or a similar subject; or

(2) District or school-level awards including, but not limited to, certificates or assemblies.

171.021. 1. Every school in this state which is supported in whole or in part by public moneys, during the hours while school is in session, shall display in some prominent place either upon the outside of the school building or upon a pole erected in the school yard the flag of the United States of America.

2. Every school in this state which is supported in whole or in part by public moneys shall ensure that the Pledge of Allegiance to the flag of the United States of America is recited in at least one scheduled class of every pupil enrolled in that school no less often than once per [week] school day. Flags for display in individual classrooms may be provided by voluntary donation by any person. No student shall be required to recite the Pledge of Allegiance.

173.750. 1. By July 1, 1995, the coordinating board for higher education, within existing resources provided to the department of higher education and by
rule and regulation, shall have established and implemented a procedure for annually reporting the performance of graduates of public high schools in the state during the student’s initial year in the public colleges and universities of the state. The purpose of such reports shall be to assist in determining how high schools are preparing students for successful college and university performance. The report produced pursuant to this subsection shall annually be furnished to the state board of education for reporting pursuant to subsection 4 of section 161.610 and shall not be used for any other purpose until such time that a standard process and consistent, specific criteria for determining a student’s need for remedial coursework is agreed upon by the coordinating board for higher education, higher education institutions, and the state board of education.

2. The procedures shall be designed so that the reporting is made by the name of each high school in the state, with individual student data to be grouped according to the high school from which the students graduated. The data in the reports shall be disaggregated by race and sex. The procedures shall not be designed so that the reporting contains the name of any student. No grade point average shall be disclosed under subsection 3 of this section in any case where three or fewer students from a particular high school attend a particular college or university.

3. The data reported shall include grade point averages after the initial college year, calculated on, or adjusted to, a four point grade scale; the percentage of students returning to college after the first and second half of the initial college year, or after each trimester of the initial college year; the percentage of students taking noncollege level classes in basic academic courses during the first college year, or remedial courses in basic academic subjects of English, mathematics, or reading; and other such data as determined by rule and regulation of the coordinating board for higher education.

4. The department of elementary and secondary education shall conduct a review of its policies and procedures relating to remedial education in light of the best practices in remediation identified as required by subdivision (6) of subsection 2 of section 173.005 to ensure that school districts are informed about best practices to reduce the need for remediation. The department shall present its results to the joint committee on education by October 31, 2017.

633.420. 1. For the purposes of this section, the term "dyslexia"
means a disorder that is neurological in origin, characterized by difficulties with accurate and fluent word recognition, and poor spelling and decoding abilities that typically result from a deficit in the phonological component of language, often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction, and of which secondary consequences may include problems in reading comprehension and reduced reading experience that can impede growth of vocabulary and background knowledge. Nothing in this section shall prohibit a district from assessing students for dyslexia and offering students specialized reading instruction if a determination is made that a student suffers from dyslexia. Unless required by federal law, nothing in this definition shall require a student with dyslexia to be automatically determined eligible as a student with a disability.

2. There is hereby created the "Legislative Task Force on Dyslexia". The joint committee on education shall provide technical and administrative support as required by the task force to fulfill its duties; any such support involving monetary expenses shall first be approved by the chairman of the joint committee on education. The task force shall meet at least quarterly and may hold meetings by telephone or video conference. The task force shall advise and make recommendations to the governor, joint committee on education, and relevant state agencies regarding matters concerning individuals with dyslexia, including education and other adult and adolescent services.

3. The task force shall be comprised of twenty members consisting of the following:

(1) Two members of the senate appointed by the president pro tempore of the senate, with one member appointed from the minority party and one member appointed from the majority party;

(2) Two members of the house of representatives appointed by the speaker of the house of representatives, with one member appointed from the minority party and one member appointed from the majority party;

(3) The commissioner of education, or his or her designee;

(4) One representative from an institution of higher education located in this state with specialized expertise in dyslexia and reading instruction;
(5) A representative from a state teachers association or the Missouri National Education Association;
(6) A representative from the International Dyslexia Association of Missouri;
(7) A representative from Decoding Dyslexia of Missouri;
(8) A representative from the Missouri Association of Elementary School Principals;
(9) A representative from the Missouri Council of Administrators of Special Education;
(10) A professional licensed in the state of Missouri with experience diagnosing dyslexia including, but not limited to, a licensed psychologist, school psychologist, or neuropsychologist;
(11) A speech-language pathologist with training and experience in early literacy development and effective research-based intervention techniques for dyslexia, including an Orton-Gillingham remediation program recommended by the Missouri Speech-Language Hearing Association;
(12) A certified academic language therapist recommended by the Academic Language Therapists Association who is a resident of this state;
(13) A representative from an independent private provider or nonprofit organization serving individuals with dyslexia;
(14) An assistive technology specialist with expertise in accessible print materials and assistive technology used by individuals with dyslexia recommended by the Missouri assistive technology council;
(15) One private citizen who has a child who has been diagnosed with dyslexia;
(16) One private citizen who has been diagnosed with dyslexia;
(17) A representative of the Missouri State Council of the International Reading Association; and
(18) A pediatrician with knowledge of dyslexia.

4. The members of the task force, other than the members from the general assembly and ex officio members, shall be appointed by the president pro tempore of the senate or the speaker of the house of representatives by September 1, 2016, by alternating appointments beginning with the president pro tempore of the senate. A chairperson
shall be selected by the members of the task force. Any vacancy on the

task force shall be filled in the same manner as the original

appointment. Members shall serve on the task force without

compensation.

5. The task force shall make recommendations for a statewide

system for identification, intervention, and delivery of supports for

students with dyslexia, including the development of resource materials

and professional development activities. These recommendations shall

be included in a report to the governor and joint committee on

education and shall include findings and proposed legislation and shall

be made available no longer than twelve months from the task force's

first meeting.

6. The recommendations and resource materials developed by

the task force shall:

(1) Identify valid and reliable screening and evaluation

assessments and protocols that can be used and the appropriate

personnel to administer such assessments in order to identify children

with dyslexia or the characteristics of dyslexia as part of an ongoing

reading progress monitoring system, multi-tiered system of supports,

and special education eligibility determinations in schools;

(2) Recommend an evidence-based reading instruction, with

consideration of the National Reading Panel Report and Orton-

Gillingham methodology principles for use in all Missouri schools, and

intervention system, including a list of effective dyslexia intervention

programs, to address dyslexia or characteristics of dyslexia for use by

schools in multi-tiered systems of support and for services as

appropriate for special education eligible students;

(3) Develop and implement preservice and inservice professional

development activities to address dyslexia identification and

intervention, including utilization of accessible print materials and

assistive technology, within degree programs such as education,

reading, special education, speech-language pathology, and psychology;

(4) Review teacher certification and professional development

requirements as they relate to the needs of students with dyslexia;

(5) Examine the barriers to accurate information on the

prevalence of students with dyslexia across the state and recommend

a process for accurate reporting of demographic data; and
(6) Study and evaluate current practices for diagnosing, treating, and educating children in this state and examine how current laws and regulations affect students with dyslexia in order to present recommendations to the governor and joint committee on education.

7. The task force shall hire or contract for hire specialist services to support the work of the task force as necessary with appropriations made by the general assembly for that purpose or from other available funding.

8. The task force authorized under this section shall expire on August 31, 2018.

[161.216. 1. No public institution of higher education, political subdivision, governmental entity, or quasi-governmental entity receiving state funds shall operate, establish, or maintain, offer incentives to participate in, or mandate participation in a quality rating system for early childhood education, a training quality assurance system, any successor system, or any substantially similar system for early childhood education, unless the authority to operate, establish, or maintain such a system is enacted into law through:

(1) A bill as prescribed by Article III of the Missouri Constitution;

(2) An initiative petition as prescribed by Section 50 of Article III of the Missouri Constitution; or

(3) A referendum as prescribed by Section 52(a) of Article III of the Missouri Constitution.

2. No public institution of higher education, political subdivision, governmental entity or quasi-governmental entity receiving state funds shall promulgate any rule or establish any program, policy, guideline, or plan or change any rule, program, policy, guideline, or plan to operate, establish, or maintain a quality rating system for early childhood education, a training quality assurance system, any successor system, or any substantially similar system for early childhood education unless such public institution of higher education, political subdivision, governmental entity or quasi-governmental entity receiving state funds
has received statutory authority to do so in a manner consistent with subsection 1 of this section.

3. Any taxpayer of this state or any member of the general assembly shall have standing to bring suit against any public institution of higher education, political subdivision, governmental entity or quasi-governmental entity which is in violation of this section in any court with jurisdiction to enforce the provisions of this section.

4. This section shall not be construed to limit the content of early childhood education courses, research, or training carried out by any public institution of higher education. A course on quality rating systems or training quality assurance systems shall not be a requirement for certification by the state as an individual child care provider or any licensing requirement that may be established for an individual child care provider.

5. For purposes of this section:

   (1) "Early childhood education" shall mean education programs that are both centered and home-based and providing services for children from birth to kindergarten;

   (2) "Quality rating system" or "training quality assurance system" shall include the model from the Missouri quality rating system pilots developed by the University of Missouri center for family policy and research, any successor model, or substantially similar model. "Quality rating system" or "training quality assurance system" shall also include but not be limited to a tiered rating system that provides a number of tiers or levels to set benchmarks for quality that build upon each other, leading to a top tier that includes program accreditation. "Quality rating system" or "training quality assurance system" may also include a tiered reimbursement system that may be tied to a tiered rating system;

   (3) "Tiered reimbursement system" or "training quality assurance system" shall include but not be limited to a system that links funding to a quality rating system, a
system to award higher child care subsidy payments to programs that attain higher quality levels, or a system that offers other incentives through tax policy or professional development opportunities for child care providers.

Section B. Section 161.1050 of this act shall become effective July 1, 2017.