

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend SS/SCS/HCS/House Bill No. 604, Page 18, Section 167.125, Line 1,

2 of said page, by inserting immediately after said line the
 3 following:

4 "171.031. 1. Each school board shall prepare annually a
 5 calendar for the school term, specifying the opening date, days
 6 of planned attendance, and providing a minimum term of at least
 7 one hundred seventy-four days for schools with a five-day school
 8 week or one hundred forty-two days for schools with a four-day
 9 school week, and one thousand forty-four hours of actual pupil
 10 attendance. In school year 2019-20 and subsequent years, one
 11 thousand forty-four hours of actual pupil attendance shall be
 12 required for the school term with no minimum number of school
 13 days. In addition, such calendar shall include six make-up days
 14 for possible loss of attendance due to inclement weather as
 15 defined in subsection 1 of section 171.033. In school year
 16 2019-20 and subsequent years, such calendar shall include
 17 thirty-six make-up hours for possible loss of attendance due to
 18 inclement weather, as defined in subsection 1 of section 171.033,
 19 with no minimum number of make-up days.

20 2. Each local school district may set its opening date each
 21 year, which date shall be no earlier than ~~[ten]~~ fourteen calendar
 22 days prior to the first Monday in September. No public school
 23 district shall select an earlier start date unless, for calendars

1 for school years before school year 2020-21, the district follows
2 the procedure set forth in subsection 3 of this section. The
3 procedure set forth in subsection 3 of this section shall be
4 unavailable to school districts in preparing their calendars for
5 school year 2020-21 and for subsequent years.

6 3. For calendars for school years before school year 2020-
7 21, a district may set an opening date that is more than [ten]
8 fourteen calendar days prior to the first Monday in September
9 only if the local school board first gives public notice of a
10 public meeting to discuss the proposal of opening school on a
11 date more than [ten] fourteen days prior to the first Monday in
12 September, and the local school board holds said meeting and, at
13 the same public meeting, a majority of the board votes to allow
14 an earlier opening date. If all of the previous conditions are
15 met, the district may set its opening date more than [ten]
16 fourteen calendar days prior to the first Monday in September.
17 The condition provided in this subsection must be satisfied by
18 the local school board each year that the board proposes an
19 opening date more than [ten] fourteen days before the first
20 Monday in September.

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

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

29 6. The state board of education may grant an exemption from

1 this section to a school district that demonstrates highly
2 unusual and extenuating circumstances justifying exemption from
3 the provisions of subsections 2 to 4 of this section. Any
4 exemption granted by the state board of education shall be valid
5 for one academic year only.

6 171.033. 1. "Inclement weather", for purposes of this
7 section, shall be defined as ice, snow, extreme cold, flooding,
8 or a tornado, but such term shall not include excessive heat.

9 2. (1) A district shall be required to make up the first
10 six days of school lost or cancelled due to inclement weather and
11 half the number of days lost or cancelled in excess of six days
12 if the makeup of the days is necessary to ensure that the
13 district's students will attend a minimum of one hundred
14 forty-two days and a minimum of one thousand forty-four hours for
15 the school year except as otherwise provided in this section.
16 Schools with a four-day school week may schedule such make-up
17 days on Fridays.

18 (2) Notwithstanding subdivision (1) of this subsection, in
19 school year 2019-20 and subsequent years, a district shall be
20 required to make up the first thirty-six hours of school lost or
21 cancelled due to inclement weather and half the number of hours
22 lost or cancelled in excess of thirty-six if the makeup of the
23 hours is necessary to ensure that the district's students attend
24 a minimum of one thousand forty-four hours for the school year,
25 except as otherwise provided under subsections 3 and 4 of this
26 section.

27 3. (1) In the 2009-10 school year and subsequent years, a
28 school district may be exempt from the requirement to make up
29 days of school lost or cancelled due to inclement weather in the

1 school district when the school district has made up the six days
2 required under subsection 2 of this section and half the number
3 of additional lost or cancelled days up to eight days, resulting
4 in no more than ten total make-up days required by this section.

5 (2) In school year 2019-20 and subsequent years, a school
6 district may be exempt from the requirement to make up school
7 lost or cancelled due to inclement weather in the school district
8 when the school district has made up the thirty-six hours
9 required under subsection 2 of this section and half the number
10 of additional lost or cancelled hours up to forty-eight,
11 resulting in no more than sixty total make-up hours required by
12 this section.

13 4. The commissioner of education may provide, for any
14 school district that cannot meet the minimum school calendar
15 requirement of at least one hundred seventy-four days for schools
16 with a five-day school week or one hundred forty-two days for
17 schools with a four-day school week and one thousand forty-four
18 hours of actual pupil attendance or, in school year 2019-20 and
19 subsequent years, one thousand forty-four hours of actual pupil
20 attendance, upon request, a waiver to be excused from such
21 requirement. This waiver shall be requested from the
22 commissioner of education and may be granted if the school was
23 closed due to circumstances beyond school district control,
24 including inclement weather or fire.

25 5. For the 2018-2019 school year, a district shall be
26 exempt from the requirements of subsections 2 and 3 of this
27 section, and only be required to make up the first six days of
28 school lost or cancelled due to inclement weather.

29 Section B. Because of the high number of school days lost

1 due to inclement weather this year, the repeal and reenactment of
2 section 171.033 of this act is deemed necessary for the immediate
3 preservation of the public health, welfare, peace and safety, and
4 is hereby declared to be an emergency act within the meaning of
5 the constitution, and the repeal and reenactment of section
6 171.033 of this act shall be in full force and effect upon its
7 passage and approval."; and

8 Further amend the title and enacting clause accordingly.
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