

SECOND REGULAR SESSION

# SENATE BILL NO. 1128

94TH GENERAL ASSEMBLY

---

---

INTRODUCED BY SENATORS BRAY, JUSTUS, DAYS AND WILSON.

Read 1st time February 12, 2008, and ordered printed.

TERRY L. SPIELER, Secretary.

3133S.02I

---

---

## AN ACT

To amend chapter 160, RSMo, by adding thereto one new section relating to the persistence to graduation fund.

---

---

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

Section A. Chapter 160, RSMo, is amended by adding thereto one new  
2 section, to be known as section 160.950, to read as follows:

**160.950. 1. There is hereby created in the state treasury the "The  
2 Persistence to Graduation Fund", which shall consist of money collected  
3 under this section. The state treasurer shall be custodian of the fund  
4 and may approve disbursements from the fund in accordance with  
5 sections 30.170 and 30.180, RSMo. Upon appropriation, money in the  
6 fund shall be used solely for the administration of this section. Any  
7 moneys remaining in the fund at the end of the biennium shall revert  
8 to the credit of the general revenue fund. The state treasurer shall  
9 invest moneys in the fund in the same manner as other funds are  
10 invested. Any interest and moneys earned on such investments shall be  
11 credited to the fund. The fund shall be administered by the department  
12 of elementary and secondary education.**

**13 2. The department of elementary and secondary education shall  
14 establish a procedure whereby seven-director, urban, and metropolitan  
15 school districts may apply for grant awards from the Persistence to  
16 Graduation Fund in order for such districts to implement drop-out  
17 prevention strategies. Successful applicants under this section shall be  
18 awarded grants for one to five consecutive years. Upon expiration of  
19 the initial grant, the district may reapply for an extension of the grant  
20 award for a period of time deemed appropriate by both the district and  
21 the department. The department of elementary and secondary**

22 education shall give preference to school districts that propose a  
23 holistic approach to drop-out prevention, directed at a broad array of  
24 students, from the pre-kindergarten level through early adulthood,  
25 including the following characteristics:

26 (1) A collaborative approach between the school district and  
27 various community organizations, including non-profit organizations,  
28 local governmental organizations, law enforcement agencies, "approved  
29 public institutions" and "approved private institutions" as such terms are  
30 defined in section 173.1102, RSMo, and institutions able to deliver  
31 proven, research-based intervention services;

32 (2) Early intervention strategies, including family engagement,  
33 early childhood education, early literacy development, family literacy,  
34 and mental health detection and treatment;

35 (3) Increased accountability measures that track at-risk students  
36 that leave the district;

37 (4) The implementation or augmentation of the following basic  
38 core strategies for drop-out prevention:

39 (a) Mentoring;

40 (b) Tutoring;

41 (c) Alternative Schooling;

42 (d) Career and Technical Education; and

43 (e) Before or After School Programs;

44 (5) The implementation of early intervention strategies for  
45 students who display strong indicators that they will not persist to  
46 graduation.

47 3. Grants awarded under this section shall be restricted to school  
48 districts that display at least one of the following criteria:

49 (1) The district has not met the graduation rate indicated on its  
50 most current annual performance review;

51 (2) The district is classified as unaccredited, provisionally  
52 accredited, or interim accredited by the state board of education;

53 (3) The district obtained a score on its most recent annual  
54 performance review consistent with the classification of provisionally  
55 accredited or unaccredited.

56 4. The department of elementary and secondary education shall  
57 promulgate rules, no later than January 15, 2009, for the implementation  
58 of this section, including:

59           (1) A procedure by which funds shall be allocated to the applying  
60 school districts; and

61           (2) A means to judge the effectiveness of the drop-out prevention  
62 programs of the districts that receive grants under this program.

63 Any rule or portion of a rule, as that term is defined in section 536.010,  
64 RSMo, that is created under the authority delegated in this section shall  
65 become effective only if it complies with and is subject to all of the  
66 provisions of chapter 536, RSMo, and, if applicable, section 536.028,  
67 RSMo. This section and chapter 536, RSMo, are nonseverable and if any  
68 of the powers vested with the general assembly pursuant to chapter 536,  
69 RSMo, to review, to delay the effective date, or to disapprove and annul  
70 a rule are subsequently held unconstitutional, then the grant of  
71 rulemaking authority and any rule proposed or adopted after August 28,  
72 2008, shall be invalid and void.

73           5. The department of elementary and secondary education may  
74 cease award payments to any district at any time if the department  
75 determines that such funds are being misused or if the district's drop-  
76 out prevention program is deemed to be ineffectual. Any decision to  
77 discontinue payments of such funds shall be presented to the applicable  
78 district in writing at least thirty days prior to the cessation of fund  
79 payments.

80           6. The department of elementary and secondary education shall  
81 report to the general assembly and to the governor, no later than  
82 January fifteenth annually:

83           (1) The recipients and amounts of the grants awarded under this  
84 section; and

85           (2) The persistence to graduation data from the preceding five  
86 years for each district awarded grants under this section.

87           7. The general assembly shall annually appropriate an amount  
88 sufficient to properly fund the provisions of this section, which shall be  
89 a minimum of five million dollars in any fiscal year.

90           8. Pursuant to section 23.253, RSMo, of the Missouri sunset act:

91           (1) The provisions of the new program authorized under this  
92 section shall sunset automatically six years after the effective date of  
93 this section unless reauthorized by an act of the general assembly; and

94           (2) If such program is reauthorized, the program authorized  
95 under this section shall sunset automatically twelve years after the

96 **effective date of the reauthorization of this section; and**

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

✓

Unofficial

Bill

Copy