

SECOND REGULAR SESSION

# SENATE BILL NO. 1167

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR STOUFFER.

Read 1st time February 20, 2008, and ordered printed.

TERRY L. SPIELER, Secretary.

4877S.03I

## AN ACT

To repeal sections 41.1010, 42.007, 160.053, 160.518, 168.021, 170.011, and 620.515, RSMo, and to enact in lieu thereof eight new sections relating to members of the military and their families.

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

Section A. Sections 41.1010, 42.007, 160.053, 160.518, 168.021, 170.011, 2 and 620.515, RSMo, are repealed and eight new sections enacted in lieu thereof, 3 to be known as sections 41.1010, 42.007, 160.053, 160.518, 168.021, 170.011, 4 173.238, and 620.515, to read as follows:

41.1010. 1. There is hereby established the "Missouri Military 2 Preparedness and Enhancement Commission". The commission shall have as its 3 purpose the design and implementation of measures intended to protect, retain, 4 and enhance the present and future mission capabilities at the military posts or 5 bases within the state. The commission shall consist of nine members:

6 (1) Five members to be appointed by the governor;

7 (2) Two members of the house of representatives, one appointed by the 8 speaker of the house of representatives, and one appointed by the minority floor 9 leader;

10 (3) Two members of the senate, one appointed by the president pro 11 tempore, and one appointed by the minority floor leader;

12 (4) The director of the department of economic development or the 13 director's designee, ex officio;

14 (5) **The chairman of the Missouri veterans' commission or the** 15 **chairman's designee, ex officio.**

16 No more than three of the five members appointed by the governor shall be of the

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

17 same political party. To be eligible for appointment by the governor, a person  
18 shall have demonstrated experience in economic development, the defense  
19 industry, military installation operation, environmental issues, finance, local  
20 government, or the use of air space for future military missions. Appointed  
21 members of the commission shall serve three-year terms, except that of the initial  
22 appointments made by the governor, two shall be for one-year terms, two shall  
23 be for two-year terms, and one shall be for a three-year term. No appointed  
24 member of the commission shall serve more than six years total. A vacancy  
25 occurs if a legislative member leaves office for any reason. Any vacancy on the  
26 commission shall be filled in the same manner as the original appointment.

27 2. Members of the commission shall be reimbursed for the actual and  
28 necessary expenses incurred in the discharge of the member's official duties.

29 3. A chair of the commission shall be selected by the members of the  
30 commission.

31 4. The commission shall meet at least quarterly and at such other times  
32 as the chair deems necessary.

33 5. The commission shall be funded by an appropriation limited to that  
34 purpose. Any expenditure constituting more than ten percent of the commission's  
35 annual appropriation shall be based on a competitive bid process.

36 6. The commission shall:

37 (1) Advise the governor and the general assembly on military issues and  
38 economic and industrial development related to military issues;

39 (2) Make recommendations regarding:

40 (a) Developing policies and plans to support the long-term viability and  
41 prosperity of the military, active and **retiree, and** civilian **military employees,**  
42 in this state, including promoting strategic regional alliances that may extend  
43 over state lines;

44 (b) Developing methods to improve private and public employment  
45 opportunities for former members of the military **and their families** residing in  
46 this state; and

47 (c) Developing methods to assist defense-dependent communities in the  
48 design and execution of programs that enhance a community's relationship with  
49 military installations and defense-related businesses;

50 (3) Provide information to communities, the general assembly, the state's  
51 congressional delegation, and state agencies regarding federal actions affecting  
52 military installations and missions;

- 53 (4) Serve as a clearinghouse for:  
54 (a) Defense economic adjustment and transition information and  
55 activities; and  
56 (b) Information concerning the following:  
57 a. Issues related to the operating costs, missions, and strategic value of  
58 federal military installations located in the state;  
59 b. Employment issues for communities that depend on defense bases and  
60 in defense-related businesses; and  
61 c. Defense strategies and incentive programs that other states are using  
62 to maintain, expand, and attract new defense contractors;  
63 (5) Provide assistance to communities that have experienced a  
64 defense-related closure or realignment;  
65 (6) Assist communities in the design and execution of programs that  
66 enhance a community's relationship with military installations and  
67 defense-related businesses, including regional alliances that may extend over  
68 state lines;  
69 (7) Assist communities in the retention and recruiting of defense-related  
70 businesses, including fostering strategic regional alliances that may extend over  
71 state lines;  
72 (8) Prepare a biennial strategic plan that:  
73 (a) Fosters the enhancement of military value of the contributions of  
74 Missouri military installations to national defense strategies;  
75 (b) Considers all current and anticipated base realignment and closure  
76 criteria; and  
77 (c) Develops strategies to protect the state's existing military missions and  
78 positions the state to be competitive for new and expanded military missions;  
79 (9) Encourage economic development in this state by fostering the  
80 development of industries related to defense affairs.

81 7. The commission shall prepare and present an annual report to the  
82 governor and the general assembly by December thirty-first of each year.

83 8. The department of economic development shall furnish administrative  
84 support and staff for the effective operation of the commission.

42.007. 1. There is hereby established within the department of public  
2 safety the "Missouri Veterans' Commission", such commission to be a type III  
3 agency within the department of public safety under the Omnibus State  
4 Reorganization Act of 1974. All duties and activities carried on by the division

5 of veterans' affairs on August 28, 1989, shall be vested in such commission as  
6 provided by the Omnibus Reorganization Act of 1974.

7           2. The commission shall be composed of five members, who shall be  
8 veterans appointed by the governor, with the advice and consent of the senate,  
9 for a four-year term; except that initial appointments to the commission shall  
10 consist of two veterans to serve four-year terms, two veterans to serve three-year  
11 terms, and one veteran to serve a two-year term. **In addition, the chair of the**  
12 **Missouri military preparedness and enhancement commission or the**  
13 **chair's designee shall be an ex officio member of the commission.**

14           3. The governor shall make all appointments to the commission from lists  
15 of nominees recommended by each of the statewide veterans' organizations  
16 incorporated in this state, chartered by Congress, or authorized under Title 38,  
17 United States Code. Vacancies shall be filled by appointment made in the same  
18 manner as the original appointments. A member of the commission shall be a  
19 resident of the state of Missouri but shall not be an employee of the  
20 state. Members of the commission shall not be compensated for their services,  
21 but shall be reimbursed from funds appropriated therefor for actual and  
22 necessary expenses incurred in the performance of their duties.

23           4. The commission shall organize by electing one member as chairman  
24 and another as vice chairman. Such officers shall serve for a term of two  
25 years. The commission shall meet no fewer than four times per calendar year, at  
26 the call of the chairman, and at times and places established by the chairman by  
27 written notice. The commission's executive director shall serve as secretary to the  
28 commission.

29           5. The commission shall aid and assist all veterans and their dependents  
30 and legal representatives, **who are legal Missouri residents or** who live in  
31 the state of Missouri, in all matters relating to the rights of veterans under the  
32 laws of the United States and under the rules and regulations of federal agencies,  
33 boards, commissions and other authorities which are in any manner concerned  
34 with the interest and welfare of veterans and their dependents. In addition to  
35 any other duties imposed by sections 42.002 to 42.135 and section 143.1001,  
36 RSMo, the commission shall:

37           (1) Disseminate by all means available information concerning the rights  
38 of veterans and their dependents;

39           (2) Provide aid and assistance to all veterans, their dependents and legal  
40 representatives, in preparing, presenting and prosecuting claims for

41 compensation, education, pensions, insurance benefits, hospitalization,  
42 rehabilitation and all other matters in which a veteran may have a claim against  
43 the United States or any state arising out of or connected with service in the  
44 military forces of the United States;

45 (3) Prosecute all claims listed in subdivision (2) of this subsection to  
46 conclusion, when so authorized and empowered by a veteran, his survivors or  
47 legal representatives;

48 (4) Cooperate with the United States Employment Service, the United  
49 States Department of Veterans' Affairs and all federal and state offices legally  
50 concerned with and interested in the welfare of veterans and their dependents;

51 (5) Arrange for and accept through such mutual arrangements as may be  
52 made, the volunteer services, equipment, facilities, properties, supplies, funds and  
53 personnel of all federal, welfare, civic and service organizations, and other  
54 organized groups and individuals which are in furtherance of the purposes of  
55 sections 42.002 to 42.135 and section 143.1001, RSMo;

56 (6) Volunteers shall be deemed unpaid employees and shall be accorded  
57 the protection of the legal expense fund and liability provisions. Reimbursement  
58 for transportation and other necessary expenses may be furnished to those  
59 volunteers whose presence on special assignment is determined to be necessary  
60 by the commission. Such expenses shall be reimbursed from the regular  
61 appropriations of the commission. Volunteers may utilize state vehicles in the  
62 performance of commission-related duties, subject to those rules and regulations  
63 governing use of state vehicles by paid staff;

64 (7) Establish, maintain and operate offices throughout this state as  
65 necessary to carry out the purposes of sections 42.002 to 42.135 and section  
66 143.1001, RSMo;

67 (8) Provide to the executive director of the commission all appropriate  
68 authority for the execution of the duties of the commission under this chapter;

69 (9) Employ such staff as necessary for performance of the duties and  
70 purposes of this chapter.

160.053. 1. If a school district maintains a kindergarten program, a child  
2 is eligible for admission to kindergarten and to the summer school session  
3 immediately preceding kindergarten, if offered, if the child reaches the age of five  
4 before the first day of August of the school year beginning in that calendar year  
5 **or if the child is a military dependent who has successfully completed**  
6 **an accredited prekindergarten program or has attended an accredited**

7 **kindergarten program in another state.** A child is eligible for admission to  
8 first grade if the child reaches the age of six before the first day of August of the  
9 school year beginning in that calendar year **or if the child is a military**  
10 **dependent who has successfully completed an accredited kindergarten**  
11 **program in another state.**

12 2. Any kindergarten or grade one pupil beginning the school term and any  
13 pupil beginning summer school prior to a kindergarten school term in a  
14 metropolitan school district or an urban school district containing the greater  
15 part of the population of a city which has more than three hundred thousand  
16 inhabitants pursuant to section 160.054 or 160.055 and subsequently transferring  
17 to another school district in this state in which the child's birth date would  
18 preclude such child's eligibility for entrance shall be deemed eligible for  
19 attendance and shall not be required to meet the minimum age  
20 requirements. The receiving school district shall receive state aid for the child,  
21 notwithstanding the provisions of section 160.051.

22 3. Any child who completes the kindergarten year shall not be required  
23 to meet the age requirements of a district for entrance into grade one.

24 4. The provisions of this section relating to kindergarten instruction and  
25 state aid therefor, shall not apply during any particular school year to those  
26 districts which do not provide kindergarten classes that year.

160.518. 1. Consistent with the provisions contained in section 160.526,  
2 the state board of education shall develop a statewide assessment system that  
3 provides maximum flexibility for local school districts to determine the degree to  
4 which students in the public schools of the state are proficient in the knowledge,  
5 skills, and competencies adopted by such board pursuant to subsection 1 of  
6 section 160.514. The statewide assessment system shall assess problem solving,  
7 analytical ability, evaluation, creativity, and application ability in the different  
8 content areas and shall be performance-based to identify what students know, as  
9 well as what they are able to do, and shall enable teachers to evaluate actual  
10 academic performance.

11 The assessment system shall neither promote nor prohibit rote memorization and  
12 shall not include existing versions of tests approved for use pursuant to the  
13 provisions of section 160.257, nor enhanced versions of such tests. The statewide  
14 assessment shall measure, where appropriate by grade level, a student's  
15 knowledge of academic subjects including, but not limited to, reading skills,  
16 writing skills, mathematics skills, world and American history, forms of

17 government, geography and science.

18           2. The assessment system shall only permit the academic performance of  
19 students in each school in the state to be tracked against prior academic  
20 performance in the same school.

21           3. The state board of education shall suggest criteria for a school to  
22 demonstrate that its students learn the knowledge, skills and competencies at  
23 exemplary levels worthy of imitation by students in other schools in the state and  
24 nation. "Exemplary levels" shall be measured by the assessment system  
25 developed pursuant to subsection 1 of this section, or until said assessment is  
26 available, by indicators approved for such use by the state board of  
27 education. The provisions of other law to the contrary notwithstanding, the  
28 commissioner of education may, upon request of the school district, present a plan  
29 for the waiver of rules and regulations to any such school, to be known as  
30 "Outstanding Schools Waivers", consistent with the provisions of subsection 4 of  
31 this section.

32           4. For any school that meets the criteria established by the state board  
33 of education for three successive school years pursuant to the provisions of  
34 subsection 3 of this section, by August first following the third such school year,  
35 the commissioner of education shall present a plan to the superintendent of the  
36 school district in which such school is located for the waiver of rules and  
37 regulations to promote flexibility in the operations of the school and to enhance  
38 and encourage efficiency in the delivery of instructional services. The provisions  
39 of other law to the contrary notwithstanding, the plan presented to the  
40 superintendent shall provide a summary waiver, with no conditions, for the pupil  
41 testing requirements pursuant to section 160.257, in the school. Further, the  
42 provisions of other law to the contrary notwithstanding, the plan shall detail a  
43 means for the waiver of requirements otherwise imposed on the school related to  
44 the authority of the state board of education to classify school districts pursuant  
45 to subdivision (9) of section 161.092, RSMo, and such other rules and regulations  
46 as determined by the commissioner of education, excepting such waivers shall be  
47 confined to the school and not other schools in the district unless such other  
48 schools meet the criteria established by the state board of education consistent  
49 with subsection 3 of this section and the waivers shall not include the  
50 requirements contained in this section and section 160.514. Any waiver provided  
51 to any school as outlined in this subsection shall be void on June thirtieth of any  
52 school year in which the school fails to meet the criteria established by the state

53 board of education consistent with subsection 3 of this section.

54           5. The score on any assessment test developed pursuant to this section or  
55 this chapter of any student for whom English is a second language shall not be  
56 counted until such time as such student has been educated for three full school  
57 years in a school in this state, or in any other state, in which English is the  
58 primary language.

59           6. The state board of education shall identify or, if necessary, establish  
60 one or more developmentally appropriate alternate assessments for students who  
61 receive special educational services, as that term is defined pursuant to section  
62 162.675, RSMo. In the development of such alternate assessments, the state  
63 board shall establish an advisory panel consisting of a majority of active special  
64 education teachers and other education professionals as appropriate to research  
65 available assessment options. The advisory panel shall attempt to identify  
66 preexisting developmentally appropriate alternate assessments but shall, if  
67 necessary, develop alternate assessments and recommend one or more alternate  
68 assessments for adoption by the state board. The state board shall consider the  
69 recommendations of the advisory council in establishing such alternate  
70 assessment or assessments. Any student who receives special educational  
71 services, as that term is defined pursuant to section 162.675, RSMo, shall be  
72 assessed by an alternate assessment established pursuant to this subsection upon  
73 a determination by the student's individualized education program team that  
74 such alternate assessment is more appropriate to assess the student's knowledge,  
75 skills and competencies than the assessment developed pursuant to subsection  
76 1 of this section. The alternate assessment shall evaluate the student's  
77 independent living skills, which include how effectively the student addresses  
78 common life demands and how well the student meets standards for personal  
79 independence expected for someone in the student's age group, sociocultural  
80 background, and community setting.

81           **7. The state board of education shall also develop**  
82 **recommendations regarding alternate assessments for any military**  
83 **dependent who relocates to Missouri after the commencement of a**  
84 **school term, in order to accommodate such student while ensuring that**  
85 **he or she is proficient in the knowledge, skills, and competencies**  
86 **adopted under section 160.514.**

87           8. Notwithstanding the provisions of subsections 1 to [6] 7 of this section,  
88 no later than June 30, 2006, the state board of education shall administer the



89 following adjustments to the statewide assessment system:

90 (1) Align the performance standards of the statewide assessment system  
91 so that such indicators meet, but do not exceed, the performance standards of the  
92 National Assessment of Education Progress (NAEP) exam;

93 (2) Institute yearly examination of students in the required subject areas  
94 where compelled by existing federal standards, as of August 28, 2004; and

95 (3) Administer any other adjustments that the state board of education  
96 deems necessary in order to aid the state in satisfying existing federal  
97 requirements, as of August 28, 2004, including, but not limited to, the  
98 requirements contained in the federal No Child Left Behind Act. Grade-level  
99 expectations shall be considered when the state board of education establishes  
100 performance standards.

101 [8.] 9. By July 1, 2006, the state board of education shall examine its  
102 rules and regulations and revise them to permit waivers of resource and process  
103 standards based upon achievement of performance profiles consistent with  
104 accreditation status.

168.021. 1. Certificates of license to teach in the public schools of the  
2 state shall be granted as follows:

3 (1) By the state board, under rules and regulations prescribed by it,

4 (a) Upon the basis of college credit;

5 (b) Upon the basis of examination;

6 (2) By the state board, under rules and regulations prescribed by the state  
7 board with advice from the advisory council established by section 168.015 to any  
8 individual who presents to the state board a valid doctoral degree from an  
9 accredited institution of higher education accredited by a regional accrediting  
10 association such as North Central Association. Such certificate shall be limited  
11 to the major area of postgraduate study of the holder, shall be issued only after  
12 successful completion of the examination required for graduation pursuant to  
13 rules adopted by the state board of education, and shall be restricted to those  
14 certificates established pursuant to subdivision (1) of subsection 3 of this section;  
15 or

16 (3) By the state board, which shall issue the professional certificate  
17 classification in both the general and specialized areas most closely aligned with  
18 the current areas of certification approved by the state board, commensurate with  
19 the years of teaching experience of the applicant, and based upon the following  
20 criteria:

21 (a) Recommendation of a state-approved baccalaureate-level teacher  
22 preparation program;

23 (b) Successful attainment of the Missouri qualifying score on the exit  
24 assessment for teachers or administrators designated by the state board of  
25 education. Applicants who have not successfully achieved a qualifying score on  
26 the designated examinations will be issued a two-year nonrenewable provisional  
27 certificate; and

28 (c) Upon completion of a background check and possession of a valid  
29 teaching certificate in the state from which the applicant's teacher preparation  
30 program was completed.

31 2. All valid teaching certificates issued pursuant to law or state board  
32 policies and regulations prior to September 1, 1988, shall be exempt from the  
33 professional development requirements of this section and shall continue in effect  
34 until they expire, are revoked or suspended, as provided by law. When such  
35 certificates are required to be renewed, the state board or its designee shall grant  
36 to each holder of such a certificate the certificate most nearly equivalent to the  
37 one so held. Anyone who holds, as of August 28, 2003, a valid PC-I, PC-II, or  
38 continuous professional certificate shall, upon expiration of his or her current  
39 certificate, be issued the appropriate level of certificate based upon the  
40 classification system established pursuant to subsection 3 of this section.

41 3. Certificates of license to teach in the public schools of the state shall  
42 be based upon minimum requirements prescribed by the state board of  
43 education. The state board shall provide for the following levels of professional  
44 certification: an initial professional certificate and a career continuous  
45 professional certificate.

46 (1) The initial professional certificate shall be issued upon completion of  
47 requirements established by the state board of education and shall be valid based  
48 upon verification of actual teaching within a specified time period established by  
49 the state board of education. The state board shall require holders of the  
50 four-year initial professional certificate to:

51 (a) Participate in a mentoring program approved and provided by the  
52 district for a minimum of two years;

53 (b) Complete thirty contact hours of professional development, which may  
54 include hours spent in class in an appropriate college curriculum; and

55 (c) Participate in a beginning teacher assistance program;

56 (2) (a) The career continuous professional certificate shall be issued upon

57 verification of completion of four years of teaching under the initial professional  
58 certificate and upon verification of the completion of the requirements articulated  
59 in paragraphs (a), (b), and (c) of subdivision (1) of this subsection.

60 (b) The career continuous professional certificate shall be continuous  
61 based upon verification of actual employment in an educational position as  
62 provided for in state board guidelines and completion of fifteen contact hours of  
63 professional development per year which may include hours spent in class in an  
64 appropriate college curriculum. Should the possessor of a valid career continuous  
65 professional certificate fail, in any given year, to meet the fifteen-hour  
66 professional development requirement, the possessor may, within two years, make  
67 up the missing hours. In order to make up for missing hours, the possessor shall  
68 first complete the fifteen-hour requirement for the current year and then may  
69 count hours in excess of the current year requirement as make-up hours. Should  
70 the possessor fail to make up the missing hours within two years, the certificate  
71 shall become inactive. In order to reactivate the certificate, the possessor shall  
72 complete twenty-four contact hours of professional development which may  
73 include hours spent in the classroom in an appropriate college curriculum within  
74 the six months prior to or after reactivating his or her certificate. The  
75 requirements of this paragraph shall be monitored and verified by the local school  
76 district which employs the holder of the career continuous professional certificate.

77 (c) A holder of a career continuous professional certificate shall be exempt  
78 from the professional development contact hour requirements of paragraph (b) of  
79 this subdivision if such teacher has a local professional development plan in place  
80 within such teacher's school district and meets two of the three following criteria:

81 a. Has ten years of teaching experience as defined by the state board of  
82 education;

83 b. Possesses a master's degree; or

84 c. Obtains a rigorous national certification as approved by the state board  
85 of education.

86 4. Policies and procedures shall be established by which a teacher who  
87 was not retained due to a reduction in force may retain the current level of  
88 certification. There shall also be established policies and procedures allowing a  
89 teacher who has not been employed in an educational position for three years or  
90 more to reactivate his or her last level of certification by completing twenty-four  
91 contact hours of professional development which may include hours spent in the  
92 classroom in an appropriate college curriculum within the six months prior to or

93 after reactivating his or her certificate.

94           5. The state board shall, upon an appropriate background check, issue a  
95 professional certificate classification in the areas most closely aligned with an  
96 applicant's current areas of certification, commensurate with the years of  
97 teaching experience of the applicant, to any person who is hired to teach in a  
98 public school in this state and who possesses a valid teaching certificate from  
99 another state, provided that the certificate holder shall annually complete the  
100 state board's requirements for such level of certification, and shall establish  
101 policies by which residents of states other than the state of Missouri may be  
102 assessed a fee for a certificate license to teach in the public schools of  
103 Missouri. Such fee shall be in an amount sufficient to recover any or all costs  
104 associated with the issuing of a certificate of license to teach. **The board shall**  
105 **promulgate rules to authorize the issuance of a provisional certificate**  
106 **of license, which shall allow the holder to assume classroom duties**  
107 **pending the completion of a criminal background check under section**  
108 **168.133, for any applicant who:**

109           **(1) Is the spouse of a member of the armed forces stationed in**  
110 **Missouri;**

111           **(2) Relocated from another state within one year of the date of**  
112 **application;**

113           **(3) Underwent a criminal background check in order to be issued**  
114 **a teaching certificate of license from another state; and**

115           **(4) Otherwise qualifies under this section.**

116           6. The state board may assess to holders of an initial professional  
117 certificate a fee, to be deposited into the excellence in education revolving fund  
118 established pursuant to section 160.268, RSMo, for the issuance of the career  
119 continuous professional certificate. However, such fee shall not exceed the  
120 combined costs of issuance and any criminal background check required as a  
121 condition of issuance.

122           7. Any member of the public school retirement system of Missouri who  
123 entered covered employment with ten or more years of educational experience in  
124 another state or states and held a certificate issued by another state and  
125 subsequently worked in a school district covered by the public school retirement  
126 system of Missouri for ten or more years who later became certificated in  
127 Missouri shall have that certificate dated back to his or her original date of  
128 employment in a Missouri public school.

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

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

32 3. No pupil shall receive a certificate of graduation from any public or  
33 private school other than private trade schools unless he has satisfactorily passed  
34 an examination on the provisions and principles of the Constitution of the United  
35 States and of the state of Missouri, and in American history and American  
36 institutions. **A school district may elect to waive the requirements of**

37 **this subsection for any student who transfers from outside the state to**  
38 **a Missouri high school if the student can furnish documentation**  
39 **deemed acceptable by the school district of the student's successful**  
40 **completion in any year from the ninth through the twelfth grade of a**  
41 **course of instruction in the institutions, branches, and functions of**  
42 **state government, including local governments, and of the government**  
43 **of the United States, and in the electoral process.** A student of a college  
44 or university, who, after having completed a course of instruction prescribed in  
45 this section and successfully passed an examination on the United States  
46 Constitution, and in American history and American institutions required hereby,  
47 transfers to another college or university, is not required to complete another  
48 such course or pass another such examination as a condition precedent to his  
49 graduation from the college or university.

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

58 5. [The state commissioner of education and the state commissioner of  
59 higher education shall make arrangements for carrying out the provisions of this  
60 section and prescribe a list of suitable texts adapted to the needs of the school  
61 grades and college courses, respectively.

62 6. The willful neglect of any superintendent, principal or teacher to  
63 observe and carry out the requirements of this section is sufficient cause for  
64 termination of his contract.

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

**173.238. 1. As used in this section, unless the context clearly**  
2 **requires otherwise, the following terms mean:**

3 **(1) "Board", the coordinating board for higher education;**

4 **(2) "Books", any books required for any course for which tuition**

5 was paid by a grant awarded under this section;

6 (3) "Grant", the war veteran's survivors grant as established in  
7 this section;

8 (4) "Institution of postsecondary education", any approved  
9 Missouri public institution of postsecondary education, as defined in  
10 section 173.205;

11 (5) "Survivor", a child or spouse of a war veteran;

12 (6) "Tuition", any tuition or incidental fee, or both, charged by an  
13 institution of postsecondary education for attendance at the institution  
14 by a student as a resident of this state. The tuition grant shall not  
15 exceed the amount of tuition charged a Missouri resident at the  
16 University of Missouri-Columbia for attendance;

17 (7) "War veteran", a person who served in armed combat in the  
18 military and to whom the following criteria shall apply:

19 (a) The veteran was a Missouri resident when first entering the  
20 military service and at the time of death or injury; and

21 (b) The veteran dies as a result of combat action or the veteran's  
22 death was certified by a Veterans' Administration medical authority to  
23 be attributable to an illness that was contracted while serving in  
24 combat, or who became eighty percent disabled as a result of injuries  
25 or accidents sustained in combat action.

26 2. Within the limits of the amounts appropriated therefor, the  
27 coordinating board for higher education shall award annually up to  
28 twenty-five grants to survivors of war veterans to attend institutions  
29 of postsecondary education in this state, which shall continue to be  
30 awarded annually to eligible recipients as long as the recipient  
31 achieves and maintains a cumulative grade point average of at least  
32 two and one-half on a four point scale, or its equivalent. If the waiting  
33 list of eligible survivors exceeds fifty, the coordinating board may  
34 petition the general assembly to expand the quota. If the quota is not  
35 expanded, then the eligibility of survivors on the waiting list shall be  
36 extended.

37 3. A survivor may receive a grant under this section only so long  
38 as the survivor is enrolled in a program leading to a certificate, or an  
39 associate or baccalaureate degree. In no event shall a survivor receive  
40 a grant beyond the completion of the first baccalaureate degree,  
41 regardless of age.

42           **4. The coordinating board for higher education shall:**

43           **(1) Promulgate all necessary rules and regulations for the**  
44 **implementation of this section; and**

45           **(2) Provide the forms and determine the procedures necessary**  
46 **for a survivor to apply for and receive a grant under this section.**

47           **5. Any rule or portion of a rule, as that term is defined in section**  
48 **536.010, RSMo, that is created under the authority delegated in this**  
49 **section shall become effective only if it complies with and is subject to**  
50 **all of the provisions of chapter 536, RSMo, and, if applicable, section**  
51 **536.028, RSMo. This section and chapter 536, RSMo, are nonseverable**  
52 **and if any of the powers vested with the general assembly pursuant to**  
53 **chapter 536, RSMo, to review, to delay the effective date, or to**  
54 **disapprove and annul a rule are subsequently held unconstitutional,**  
55 **then the grant of rulemaking authority and any rule proposed or**  
56 **adopted after August 28, 2008, shall be invalid and void.**

57           **6. In order to be eligible to receive a grant under this section, a**  
58 **survivor shall be certified as eligible by the Missouri veterans'**  
59 **commission. In the case of an illness-related death, such certification**  
60 **shall be made upon qualified medical certification by a Veterans'**  
61 **Administration medical authority that the illness was both a direct**  
62 **result of the veteran's combat service and a substantial factor in the**  
63 **cause of the resulting death of the veteran.**

64           **7. A survivor who is enrolled or has been accepted for enrollment**  
65 **as an undergraduate postsecondary student at an approved institution**  
66 **of postsecondary education, and who is selected to receive a grant**  
67 **under this section, shall receive the following:**

68           **(1) An amount not to exceed the actual tuition charged at the**  
69 **approved institution of postsecondary education where the survivor is**  
70 **enrolled or accepted for enrollment;**

71           **(2) An allowance of up to two thousand dollars per semester for**  
72 **room and board; and**

73           **(3) The actual cost of books, up to a maximum of five hundred**  
74 **dollars per semester.**

75           **8. A survivor who is a recipient of a grant may transfer from one**  
76 **approved public institution of postsecondary education to another**  
77 **without losing his or her entitlement under this section. The board**  
78 **shall make necessary adjustments in the amount of the grant. If a grant**



79 recipient at any time withdraws from the institution of postsecondary  
80 education so that under the rules and regulations of that institution he  
81 or she is entitled to a refund of any tuition, fees, room and board,  
82 books, or other charges, the institution shall pay the portion of the  
83 refund to which he or she is entitled attributable to the grant for that  
84 semester or similar grading period to the board.

85 9. If a survivor is granted financial assistance under any other  
86 student aid program, public or private, the full amount of such aid shall  
87 be reported to the board by the institution and the eligible survivor.

88 10. Nothing in this section shall be construed as a promise or  
89 guarantee that a person will be admitted to an institution of  
90 postsecondary education or to a particular institution of postsecondary  
91 education, will be allowed to continue to attend an institution of  
92 postsecondary education after having been admitted, or will be  
93 graduated from an institution of postsecondary education.

94 11. The benefits conferred by this section shall be available to  
95 any academically qualified surviving spouse or children of war  
96 veterans. Surviving children who are eligible shall be permitted to  
97 apply for full benefits conferred by this section until they reach twenty-  
98 five years of age.

620.515. 1. This section shall be known and may be cited as the "Guard  
2 at Home" program [whose], **the purpose of which** is to:

3 (1) Assist the spouse of an active duty national guard or reserve  
4 component service member reservist to address immediate needs and employment  
5 in an attempt to keep the family from falling into poverty while the primary  
6 income earner is on active duty, **and during the one-year period following**  
7 **discharge from deployment;** and

8 (2) Assist returning national guard troops **or reserve component**  
9 **service member reservists** with finding work in situations where an individual  
10 needs to rebuild business clientele or where an individual's job has been  
11 eliminated while such individual was deployed, **or where the individual**  
12 **otherwise cannot return to his or her previous employment.**

13 2. Subject to appropriation, the department of economic development shall  
14 [enter] **operate the guard at home program through existing programs**  
15 **or by entering** into a contract with qualified providers through local workforce  
16 investment boards [to provide the guard at home program. The department shall

17 develop the criteria of the contract]. **Eligibility for the program shall be**  
18 based on the following criteria:

19 (1) Eligible participants in the program shall be those families where:

20 (a) The primary income earner was called to active duty in defense of the  
21 United States for a period of more than four months;

22 (b) The family's primary income is no longer available;

23 (c) The family is experiencing significant hardship due to financial  
24 burdens; and

25 (d) The family has no outside resources available to assist with such  
26 hardships;

27 (2) Services that may be provided to the family will be aimed at  
28 ameliorating the immediate crisis and providing a path for economic stability  
29 while the primary income is not available due to the active military  
30 commitment. **Services shall be made available up to one year following**  
31 **discharge from deployment.** Services may include, but not be limited to the  
32 following:

33 (a) Financial assistance to families facing financial crisis from overdue  
34 bills due to reduced income after the deployment of a spouse;

35 (b) Help paying day care costs to pursue training and or employment;

36 (c) Help covering the costs of transportation to training and or  
37 employment;

38 (d) Vocational evaluation and vocational counseling to help the individual  
39 choose a visible employment goal;

40 (e) Vocational training to acquire or upgrade skills needed to be  
41 marketable in the workforce;

42 (f) Paid internships and subsidized employment to train on the job; and

43 (g) Job placement assistance for those who don't require skills training;

44 (3) The department shall ensure the eligible providers are:

45 (a) Community-based not-for-profit agencies which have significant  
46 experience in job training, placement, and social services;

47 (b) Providers with extensive experience providing such services to  
48 veterans and implementing contracts with veteran organizations such as the  
49 department of veteran affairs;

50 (c) Providers which have attained the distinction of being accredited  
51 through a national accreditation body for training and or human services;

52 (d) Providers which are able to provide a twenty percent match to the

53 program either through indirect or direct expenditures; and

54 (e) Providers with experience in the regions targeted for the program.

55 3. The department shall structure [the] **any** contract such that payment  
56 will be based on delivering the services described in this section as well as  
57 performance to guarantee the greatest possible effectiveness of the program.

58 4. Because of the important nature of this program to the health and  
59 welfare of Missourians, this section shall become effective on July 1, 2006. The  
60 department shall make every reasonable effort to ensure that the guard at home  
61 program is serving families by August 1, 2006.

62 5. The department shall prepare a report on the operations and progress  
63 of the program to be delivered to the speaker of the house of representatives and  
64 the president pro tem of the senate no later than January 1, 2007.

✓

Bill

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