

SECOND REGULAR SESSION

SENATE BILL NO. 751

96TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHAAF.

Read 1st time February 6, 2012, and ordered printed.

TERRY L. SPIELER, Secretary.

5728S.011

AN ACT

To repeal section 171.031, RSMo, and to enact in lieu thereof one new section relating to the length of the school day.

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

Section A. Section 171.031, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 171.031, to read as follows:

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

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

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

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

20 be satisfied by the local school board each year that the board proposes an
21 opening date more than ten days before the first Monday in September.

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

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

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

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

36 (1) Vocational schools which may adopt an eight-hour day in a
37 metropolitan school district and a school district in a first class county adjacent
38 to a city not within a county[.];

39 (2) **A school district that adopts an eight-hour day by following**
40 **the procedure established in subsection 8 of this section;** and

41 (3) Any school that adopts a four-day school week in accordance with
42 section 171.029.

43 8. **The school board of any school district in this state, upon**
44 **adoption of a resolution by the vote of a majority of all its members to**
45 **authorize such action, may establish an eight-hour day. The school**
46 **board shall notify the commissioner of education of its action within**
47 **thirty days.**

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