

SECOND REGULAR SESSION

# SENATE BILL NO. 895

96TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR CURLS.

Read 1st time March 1, 2012, and ordered printed.

TERRY L. SPIELER, Secretary.

6111S.011

## AN ACT

To amend chapters 160, 161, 163, 170, and 171, RSMo, by adding thereto five new sections relating to school districts classified as unaccredited or provisionally accredited by the state board of education.

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

Section A. Chapters 160, 161, 163, 170, and 171, RSMo, are amended by  
2 adding thereto five new sections, to be known as sections 160.057, 161.236,  
3 163.412, 170.345, and 171.032, to read as follows:

**160.057. Notwithstanding any provision of law to the contrary,  
2 for any school district classified as provisionally accredited or  
3 unaccredited by the state board of education, the age at which a parent  
4 or guardian shall enroll a child in school shall be five years in  
5 accordance with sections 160.051, 160.054, and 160.055, as applicable.**

**161.236. 1. This section establishes a preschool program to  
2 provide preschool for children who are no more than two years away  
3 from kindergarten entry who reside in a school district classified as  
4 provisionally accredited or unaccredited by the state board of  
5 education. Eligible school districts shall provide preschool  
6 services. The department of elementary and secondary education shall  
7 administer the program.**

**8 2. Children who are no more than two years away from  
9 kindergarten entry who reside in a school district classified as  
10 provisionally accredited or unaccredited by the state board of  
11 education shall attend preschool through the school district unless  
12 otherwise enrolled in another preschool program, pre-kindergarten  
13 program, or Head Start program.**

**14 3. Preschool services shall be provided under this section to**

15 children no more than two years away from kindergarten entry at no  
16 cost to them or their families.

17 4. The department of elementary and secondary education shall  
18 promulgate rules and regulations necessary to implement this  
19 section. Any rule or portion of a rule, as that term is defined in section  
20 536.010, that is created under the authority delegated in this section  
21 shall become effective only if it complies with and is subject to all of  
22 the provisions of chapter 536, and, if applicable, section 536.028. This  
23 section and chapter 536, are nonseverable and if any of the powers  
24 vested with the general assembly pursuant to chapter 536, to review, to  
25 delay the effective date, or to disapprove and annul a rule are  
26 subsequently held unconstitutional, then the grant of rulemaking  
27 authority and any rule proposed or adopted after August 28, 2012, shall  
28 be invalid and void.

29 5. Pursuant to section 23.253, of the Missouri sunset act:

30 (1) Any new program authorized under this section shall  
31 automatically sunset six years after the effective date of this section  
32 unless reauthorized by an act of the general assembly; and

33 (2) If such program is reauthorized, the program authorized  
34 under this section shall automatically sunset twelve years after the  
35 effective date of the reauthorization of this section; and

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

163.412. Notwithstanding any provision of law to the contrary,  
2 any school district classified as provisionally accredited or  
3 unaccredited by the state board of education that provides preschool  
4 services through the preschool program established in section 161.236,  
5 shall be able to include such students in the district's weighted average  
6 daily attendance count as defined in section 163.011 for purposes of  
7 state school funding under section 163.031.

170.345. In any school district classified as provisionally  
2 accredited or unaccredited by the state board of education, any student  
3 deemed to be underperforming by the student's principal shall be  
4 referred to a learning center or learning program for summer  
5 school. The district shall pay all costs of the program and may include  
6 the student in its summer school attendance under section 163.036. The

7 district shall follow up with the learning center or program for  
8 purposes of monitoring and determining the student's academic growth  
9 and academic achievement.

171.032. 1. In any school district classified as provisionally  
2 accredited or unaccredited by the state board of education, the  
3 district's board of education shall adopt a seven hour school day for  
4 any attendance center, as provided in this section.

5 2. If a district operates four or more attendance centers, the  
6 district's board of education shall adopt a seven hour school day for  
7 any school that is identified as being in the lowest twenty-five percent  
8 of the district's attendance centers in terms of performance, as  
9 measured by the department of elementary and secondary education  
10 based on standardized assessment data, achievement data, and other  
11 measures. The department may promulgate rules and regulations to  
12 implement the provisions of this subsection. Any rule or portion of a  
13 rule, as that term is defined in section 536.010 that is created under the  
14 authority delegated in this section shall become effective only if it  
15 complies with and is subject to all of the provisions of chapter 536, and,  
16 if applicable, section 536.028. This section and chapter 536 are  
17 nonseverable and if any of the powers vested with the general assembly  
18 pursuant to chapter 536, to review, to delay the effective date, or to  
19 disapprove and annul a rule are subsequently held unconstitutional,  
20 then the grant of rulemaking authority and any rule proposed or  
21 adopted after August 28, 2012, shall be invalid and void.

22 3. If a district operates fewer than four attendance centers, the  
23 district's board of education shall adopt a seven hour school day for at  
24 least one of the attendance centers.

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