

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend SS/SCS/House Bill No. 1490, Page 13, Section 160.820, Line 20

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

3 "161.086. When the state board of education assigns
 4 classification designations to school districts and individual
 5 school buildings pursuant to its authority to classify the public
 6 schools of the state in section 161.092, the state board shall
 7 only use the following classification designations based on the
 8 standards adopted by the state board:

9 (1) Unaccredited;

10 (2) Provisionally accredited;

11 (3) Accredited; and

12 (4) Accredited with distinction."; and

13 Further amend said bill, page 20, section 161.096, line 24
 14 of said page, by inserting immediately after said line the
 15 following:

16 "161.238. 1. As authorized under its duty to classify the
 17 schools of the state under section 161.092, the state board of
 18 education shall adopt a system of classification that accredits
 19 individual school buildings within a district separately from the
 20 district as a whole using the classification designations
 21 provided in section 161.086.

22 2. Any rule or portion of a rule, as that term is defined

1 in section 536.010 that is created under the authority delegated
2 in this section shall become effective only if it complies with
3 and is subject to all of the provisions of chapter 536, and, if
4 applicable, section 536.028. This section and chapter 536 are
5 nonseverable and if any of the powers vested with the general
6 assembly pursuant to chapter 536, to review, to delay the
7 effective date, or to disapprove and annul a rule are
8 subsequently held unconstitutional, then the grant of rulemaking
9 authority and any rule proposed or adopted after the effective
10 date of this section shall be invalid and void."; and

11 Further amend said bill, Page 22, Section 161.855, Line 8 of
12 said page, by inserting after all of said line the following:

13 "162.081. 1. Whenever any school district in this state
14 fails or refuses in any school year to provide for the minimum
15 school term required by section 163.021 or is classified
16 unaccredited, the state board of education shall, upon a
17 district's initial classification or reclassification as
18 unaccredited:

19 (1) Review the governance of the district to establish the
20 conditions under which the existing school board shall continue
21 to govern; or

22 (2) Determine the date the district shall lapse and
23 determine an alternative governing structure for the district.

24 2. If at the time any school district in this state shall
25 be classified as unaccredited, the department of elementary and
26 secondary education shall conduct at least two public hearings at
27 a location in the unaccredited school district regarding the
28 accreditation status of the school district. The hearings shall
29 provide an opportunity to convene community resources that may be

1 useful or necessary in supporting the school district as it
2 attempts to return to accredited status, continues under revised
3 governance, or plans for continuity of educational services and
4 resources upon its attachment to a neighboring district. The
5 department may request the attendance of stakeholders and
6 district officials to review the district's plan to return to
7 accredited status, if any; offer technical assistance; and
8 facilitate and coordinate community resources. Such hearings
9 shall be conducted at least twice annually for every year in
10 which the district remains unaccredited or provisionally
11 accredited.

12 3. Upon classification of a district as unaccredited, the
13 state board of education may:

14 (1) Allow continued governance by the existing school
15 district board of education under terms and conditions
16 established by the state board of education; or

17 (2) Lapse the corporate organization of the unaccredited
18 district and:

19 (a) Appoint a special administrative board for the
20 operation of all or part of the district. The number of members
21 of the special administrative board shall not be less than five,
22 the majority of whom shall be residents of the district. The
23 members of the special administrative board shall reflect the
24 population characteristics of the district and shall collectively
25 possess strong experience in school governance, management and
26 finance, and leadership. The state board of education may
27 appoint members of the district's elected school board to the
28 special administrative board but members of the elected school
29 board shall not comprise more than forty-nine percent of the

1 special administrative board's membership. Within fourteen days
2 after the appointment by the state board of education, the
3 special administrative board shall organize by the election of a
4 president, vice president, secretary and a treasurer, with their
5 duties and organization as enumerated in section 162.301. The
6 special administrative board shall appoint a superintendent of
7 schools to serve as the chief executive officer of the school
8 district and to have all powers and duties of any other general
9 superintendent of schools in a seven-director school district.
10 Any special administrative board appointed under this section
11 shall be responsible for the operation of the district until such
12 time that the district is classified by the state board of
13 education as provisionally accredited for at least two successive
14 academic years, after which time the state board of education may
15 provide for a transition pursuant to section 162.083; or

16 (b) Determine an alternative governing structure for the
17 district including, at a minimum:

18 a. A rationale for the decision to use an alternative form
19 of governance and in the absence of the district's achievement of
20 full accreditation, the state board of education shall review and
21 recertify the alternative form of governance every three years;

22 b. A method for the residents of the district to provide
23 public comment after a stated period of time or upon achievement
24 of specified academic objectives;

25 c. Expectations for progress on academic achievement, which
26 shall include an anticipated time line for the district to reach
27 full accreditation; and

28 d. Annual reports to the general assembly and the governor
29 on the progress towards accreditation of any district that has

1 been declared unaccredited and is placed under an alternative
2 form of governance, including a review of the effectiveness of
3 the alternative governance; or

4 (c) Attach the territory of the lapsed district to another
5 district or districts for school purposes; or

6 (d) Establish one or more school districts within the
7 territory of the lapsed district, with a governance structure
8 specified by the state board of education, with the option of
9 permitting a district to remain intact for the purposes of
10 assessing, collecting, and distributing property taxes, to be
11 distributed equitably on a weighted average daily attendance
12 basis, but to be divided for operational purposes, which shall
13 take effect sixty days after the adjournment of the regular
14 session of the general assembly next following the state board's
15 decision unless a statute or concurrent resolution is enacted to
16 nullify the state board's decision prior to such effective date.

17 4. If a district remains under continued governance by the
18 school board under subdivision (1) of subsection 3 of this
19 section and either has been unaccredited for three consecutive
20 school years and failed to attain accredited status after the
21 third school year or has been unaccredited for two consecutive
22 school years and the state board of education determines its
23 academic progress is not consistent with attaining accredited
24 status after the third school year, then the state board of
25 education shall proceed under subdivision (2) of subsection 3 of
26 this section in the following school year.

27 5. A special administrative board appointed under this
28 section shall retain the authority granted to a board of
29 education for the operation of the lapsed school district under

1 the laws of the state in effect at the time of the lapse and may
2 enter into contracts with accredited school districts or other
3 education service providers in order to deliver high-quality
4 educational programs to the residents of the district. If a
5 student graduates while attending a school building in the
6 district that is operated under a contract with an accredited
7 school district as specified under this subsection, the student
8 shall receive his or her diploma from the accredited school
9 district. The authority of the special administrative board
10 shall expire at the end of the third full school year following
11 its appointment, unless extended by the state board of education.
12 If the lapsed district is reassigned, the special administrative
13 board shall provide an accounting of all funds, assets and
14 liabilities of the lapsed district and transfer such funds,
15 assets, and liabilities of the lapsed district as determined by
16 the state board of education. Neither the special administrative
17 board nor its members or employees shall be deemed to be the
18 state or a state agency for any purpose, including section
19 105.711, et seq. The state of Missouri, its agencies and
20 employees shall be absolutely immune from liability for any and
21 all acts or omissions relating to or in any way involving the
22 lapsed district, the special administrative board, its members or
23 employees. Such immunities, and immunity doctrines as exist or
24 may hereafter exist benefitting boards of education, their
25 members and their employees shall be available to the special
26 administrative board, its members and employees.

27 6. Neither the special administrative board nor any
28 district or other entity assigned territory, assets or funds from
29 a lapsed district shall be considered a successor entity for the

1 purpose of employment contracts, unemployment compensation
2 payment pursuant to section 288.110, or any other purpose.

3 7. If additional teachers are needed by a district as a
4 result of increased enrollment due to the annexation of territory
5 of a lapsed or dissolved district, such district shall grant an
6 employment interview to any permanent teacher of the lapsed or
7 dissolved district upon the request of such permanent teacher.

8 8. In the event that a school district with an enrollment
9 in excess of five thousand pupils lapses, no school district
10 shall have all or any part of such lapsed school district
11 attached without the approval of the board of the receiving
12 school district.

13 9. If the state board of education reasonably believes that
14 a school district is unlikely to provide for the minimum school
15 term required by section 163.021 because of financial difficulty,
16 the state board of education may, prior to the start of the
17 school term:

18 (1) Allow continued governance by the existing district
19 school board under terms and conditions established by the state
20 board of education; or

21 (2) Lapse the corporate organization of the district and
22 implement one of the options available under subdivision (2) of
23 subsection 3 of this section.

24 162.432. Notwithstanding any provision of section 163.011
25 to the contrary, when a change in a school district's boundary
26 lines occurs because of a boundary line change, annexation,
27 attachment, consolidation, reorganization, or dissolution under
28 sections 162.071, 162.081, 162.171 to 162.201, 162.221, 162.223,
29 162.431, 162.441, or 162.451, or in the event that a school

1 district assumes any territory from a district that ceases to
2 exist for any reason, the department of elementary and secondary
3 education shall make a proper adjustment to each affected
4 district's local effort, so that each district's local effort
5 figure conforms to the new boundary lines of the district. The
6 department shall compute the local effort figure by applying the
7 calendar year 2004 assessed valuation data to the new land areas
8 resulting from the boundary line change, annexation, attachment,
9 consolidation, reorganization, or dissolution and otherwise
10 follow the procedures described in subdivision (10) of section
11 163.011.

12 162.1310. 1. When the state board of education classifies
13 any district or school building as unaccredited, the district
14 shall notify the parent or guardian of any student enrolled in
15 the unaccredited district or unaccredited school and any district
16 taxpayer of the loss of accreditation within seven business days.
17 The district's notice shall include an explanation of the option
18 to transfer students to another accredited school in the district
19 or to another accredited district, and any services students may
20 be entitled to receive. The district's notice shall be written
21 in a clear, concise, and easy to understand manner. The district
22 shall post the notice in a conspicuous and accessible place in
23 each district school. The district shall also send the notice to
24 each political subdivision located within the boundaries of the
25 district.

26 2. The school board of any district that operates an
27 unaccredited school, provisionally accredited school, or school
28 with a three year average annual performance report score
29 consistent with a classification of unaccredited or provisionally

1 accredited shall adopt a policy regarding the availability of
2 home visits by school personnel. Pursuant to such policy, the
3 school shall offer to the parent or guardian of a student
4 enrolled in any such school the opportunity to have at least one
5 annual home visit.

6 3. For purposes of this section, the following terms shall
7 mean:

8 (1) "Provisionally accredited school", a school building
9 that is classified as provisionally accredited by the state board
10 of education pursuant to the authority of the state board of
11 education to classify schools as established in sections 161.086,
12 161.092, and 161.238;

13 (2) "Unaccredited school", a school building that is
14 classified as unaccredited by the state board of education
15 pursuant to the authority of the state board of education to
16 classify schools as established in sections 161.086, 161.092, and
17 161.238.

18 167.131. 1. The board of education of each district in
19 this state that does not maintain [an accredited] a high school
20 [pursuant to the authority of the state board of education to
21 classify schools as established in section 161.092] offering work
22 through the twelfth grade shall pay [the] tuition [of] as
23 calculated by the receiving district under subsection 2 of this
24 section and provide transportation consistent with the provisions
25 of section 167.241 for each pupil resident therein who has
26 completed the work of the highest grade offered in the schools of
27 the district and who attends [an accredited] a public high school
28 in another district of the same or an adjoining county.

29 2. The rate of tuition to be charged by the district

1 attended and paid by the sending district is the per pupil cost
2 of maintaining the district's grade level grouping which includes
3 the school attended. The cost of maintaining a grade level
4 grouping shall be determined by the board of education of the
5 district but in no case shall it exceed all amounts spent for
6 teachers' wages, incidental purposes, debt service, maintenance
7 and replacements. The term "debt service", as used in this
8 section, means expenditures for the retirement of bonded
9 indebtedness and expenditures for interest on bonded
10 indebtedness. Per pupil cost of the grade level grouping shall
11 be determined by dividing the cost of maintaining the grade level
12 grouping by the average daily pupil attendance. If there is
13 disagreement as to the amount of tuition to be paid, the facts
14 shall be submitted to the state board of education, and its
15 decision in the matter shall be final. Subject to the
16 limitations of this section, each pupil shall be free to attend
17 the public school of his or her choice.

18 167.685. 1. Any unaccredited district, any provisionally
19 accredited district, or any district with a three year average
20 annual performance report score consistent with a classification
21 of unaccredited or provisionally accredited shall offer free
22 tutoring and supplemental education services to students who are
23 performing below grade level or identified by the district as
24 struggling, using funds from the school district improvement
25 fund.

26 2. There is hereby created in the state treasury the
27 "School District Improvement Fund". The fund shall consist of
28 any gifts, bequests or public or private donations to such fund.
29 Any person or entity that makes a gift, bequest, or donation to

1 the fund may specify the district that shall be the recipient of
2 such gift, bequest, or donation.

3 3. The state treasurer shall be custodian of the fund. In
4 accordance with sections 30.170 and 30.180, the state treasurer
5 may approve disbursements. The fund shall be a dedicated fund
6 and, upon appropriation, money in the fund shall be used solely
7 for the administration of this section.

8 4. Notwithstanding the provisions of section 33.080 to the
9 contrary, any moneys remaining in the fund at the end of the
10 biennium shall not revert to the credit of the general revenue
11 fund.

12 5. The state treasurer shall invest moneys in the fund in
13 the same manner as other funds are invested. Any interest and
14 moneys earned on such investments shall be credited to the fund.

15 6. For purposes of this section, the following terms shall
16 mean:

17 (1) "Provisionally accredited district", a school district
18 classified as provisionally accredited by the state board of
19 education pursuant to the authority of the state board of
20 education to classify schools as established in sections 161.086
21 and 161.092;

22 (2) "Unaccredited district", a school district classified
23 as unaccredited by the state board of education pursuant to the
24 authority of the state board of education to classify schools as
25 established in sections 161.086 and 161.092.

26 167.687. 1. Any unaccredited district, any provisionally
27 accredited district, or any district with a three year average
28 annual performance report score consistent with a classification
29 of unaccredited or provisionally accredited may perform any or

1 all of the following actions:

2 (1) Implement a new curriculum, including appropriate
3 professional development, based on scientifically-based research
4 that offers substantial promise of improving educational
5 achievement of low-achieving students;

6 (2) Retain an outside expert to advise the district or
7 school on its progress toward regaining accreditation;

8 (3) Enter into a contract with an education management
9 company or education services provider to operate a school or
10 schools within the district that has a demonstrated record of
11 effectiveness;

12 (4) For any unaccredited school, enter into a collaborative
13 relationship and agreement with an accredited district in which
14 teachers from the unaccredited school may exchange positions with
15 teachers from an accredited school in an accredited district for
16 a period of two school weeks.

17 2. For purposes of this section, the following terms shall
18 mean:

19 (1) "Accredited district", a school district that is
20 accredited by the state board of education pursuant to the
21 authority of the state board of education to classify schools as
22 established in sections 161.086 and 161.092;

23 (2) "Accredited school", a school building that is
24 accredited by the state board of education pursuant to the
25 authority of the state board of education to classify schools as
26 established in sections 161.086, 161.092, and 161.238;

27 (3) "Provisionally accredited district", a school district
28 classified as provisionally accredited by the state board of
29 education pursuant to the authority of the state board of

1 education to classify schools as established in sections 161.086
2 and 161.092;

3 (4) "Provisionally accredited school", a school building
4 that is provisionally accredited by the state board of education
5 pursuant to the authority of the state board of education to
6 classify schools as established in sections 161.086, 161.092, and
7 161.238;

8 (5) "Unaccredited district", a school district classified
9 as unaccredited by the state board of education pursuant to the
10 authority of the state board of education to classify schools as
11 established in sections 161.086 and 161.092;

12 (6) "Unaccredited school", a school building that is
13 classified as unaccredited by the state board of education
14 pursuant to the authority of the state board of education to
15 classify schools as established in sections 161.086, 161.092, and
16 161.238.

17 167.730. 1. Beginning July 1, 2015, every public school in
18 the metropolitan school district or in any urban school district
19 containing most or all of a home rule city with more than four
20 hundred thousand inhabitants and located in more than one county,
21 including charter schools, shall incorporate a response-to-
22 intervention tiered approach to reading instruction to focus
23 resources on students who are determined by their school to need
24 additional or changed instruction to make progress as readers.
25 At a minimum, the reading levels of students in kindergarten
26 through tenth grade shall be assessed at the beginning and middle
27 of the school year, and students who score below district
28 benchmarks shall be provided with intensive, systematic reading
29 instruction.

1 2. Beginning January 1, 2015, and every January first
2 thereafter, every public school in the metropolitan school
3 district or in any urban school district containing most or all
4 of a home rule city with more than four hundred thousand
5 inhabitants and located in more than one county, including
6 charter schools, shall prepare a personalized learning plan for
7 any kindergarten or first grade student whose most recent school-
8 wide reading assessment result shows the student is working below
9 grade level unless the student has been determined by other means
10 in the current school year to be working at grade level or above.
11 The provisions of this section shall not apply to students
12 otherwise served under an individualized education program, to
13 students receiving services through a plan prepared under Section
14 504 of the Rehabilitation Act of 1973 that includes an element
15 addressing reading below grade level, or to students determined
16 to have limited English proficiency.

17 3. For any student in a metropolitan school district or in
18 any urban school district containing most or all of a home rule
19 city with more than four hundred thousand inhabitants and located
20 in more than one county that is required by this section to have
21 a personalized learning plan, the student's main teacher shall
22 consult with the student's parent or guardian during the
23 preparation of the plan and shall consult, as appropriate, any
24 district personnel or department of elementary and secondary
25 education personnel with necessary expertise to develop such a
26 plan. The school shall require the written consent of the parent
27 or guardian to implement the plan; however, if the school is
28 unsuccessful in contacting the parent or guardian by January
29 fifteenth, the school may send a letter by certified mail to the

1 student's last known address stating its intention to implement
2 the plan by February first.

3 4. After implementing the personalized learning plan
4 through the end of the student's first grade year, the school
5 shall refer any student who still performs below grade level for
6 assessment to determine if an individualized education program is
7 necessary for the student. A student who is assessed as not
8 needing an individualized education program but who is reading
9 below grade level at the end of the first grade shall continue to
10 be required to have a personalized learning plan until the
11 student is reading at grade level.

12 5. Notwithstanding any provision of law to the contrary,
13 any student in a metropolitan or in any urban school district
14 containing most or all of a home rule city with more than four
15 hundred thousand inhabitants and located in more than one county
16 who is not reading at second-grade level by the end of second
17 grade may be promoted to the third grade only under one of the
18 following circumstances:

19 (1) The school provides additional reading instruction
20 during the summer and demonstrates the student is ready for third
21 grade at the end of the summer school;

22 (2) The school provides a combined classroom in which the
23 student continues with the same teacher, sometimes referred to as
24 "looping". If the student in such a classroom is not reading at
25 third-grade level by the end of third grade, the student shall be
26 retained in third grade; or

27 (3) The student's parents or guardians have signed a notice
28 that they prefer to have their student promoted although the
29 student is reading below grade level. The school shall have the

1 final determination on the issue of retention.

2 6. The metropolitan school district, any urban school
3 district containing most or all of a home rule city with more
4 than four hundred thousand inhabitants and located in more than
5 one county, and each charter school located in them shall provide
6 in its annual report card under section 160.522 the numbers and
7 percentages by grade from first grade to tenth grade in each
8 school of any students at any grade level who have been promoted
9 who have been determined as reading below grade level, except
10 that no reporting shall permit the identification of an
11 individual student.

12 167.825. 1. Any student who is enrolled in and attends a
13 public school that is classified as unaccredited by the state
14 board of education under the system of classification enacted
15 under section 161.238 may transfer to another public school in
16 the student's district of residence that offers the student's
17 grade level of enrollment and that is accredited without
18 provisions by the state board of education. However, no such
19 transfer shall result in a class size and assigned enrollment in
20 a receiving school that exceeds the standard level for class size
21 and assigned enrollment as promulgated in the Missouri school
22 improvement program's resource standards.

23 2. If the student chooses to attend a magnet school, an
24 academically selective school, or a school with a competitive
25 entrance process within his or her district of residence that has
26 admissions requirements criteria, the student shall meet such
27 admissions requirements criteria in order to attend.

28 167.826. 1. If a student residing in an unaccredited
29 district and living within the attendance boundaries of an

1 unaccredited school is unable to transfer to another accredited
2 school within his or her district of residence under section
3 167.825, the student may transfer to an accredited school within
4 an accredited district located in the same or an adjoining
5 county. The student's district of residence shall pay the
6 student's tuition as established in subsection 3 of this section,
7 or, if applicable, subsection 4 of this section shall apply. A
8 student who wishes to transfer to an accredited district shall
9 provide proof that he or she resided in an unaccredited district
10 and within the attendance boundaries of an unaccredited school
11 for a minimum of twelve months prior to applying for a transfer.

12 2. No provisionally accredited district or provisionally
13 accredited school shall be eligible to receive transfer students.
14 No unaccredited district or unaccredited school shall be eligible
15 to receive transfer students.

16 3. The rate of tuition to be charged by the district
17 attended and paid by the sending district is the per pupil cost
18 of maintaining the district's grade level grouping which includes
19 the school attended. The cost of maintaining a grade level
20 grouping shall be determined by the board of education of the
21 district but in no case shall it exceed all amounts spent for
22 teachers' wages, incidental purposes, debt service, maintenance,
23 and replacements. The term "debt service", as used in this
24 section, means expenditures for the retirement of bonded
25 indebtedness and expenditures for interest on bonded
26 indebtedness. Per pupil cost of the grade level grouping shall
27 be determined by dividing the cost of maintaining the grade level
28 grouping by the average daily pupil attendance. If there is
29 disagreement as to the amount of tuition to be paid, the facts

1 shall be submitted to the state board of education, and its
2 decision in the matter shall be final. The school board of a
3 receiving district, upon a majority vote of the board, may choose
4 to charge a rate of tuition less than the amount that would
5 otherwise be calculated under this subsection. If any receiving
6 district chooses to charge a rate of tuition that is at least
7 thirty percent less than the rate of tuition that would otherwise
8 be calculated under this subsection, then the statewide
9 assessment scores and all other performance data for those
10 students whom the district received shall not be used for five
11 school years when calculating the performance of the receiving
12 district for purposes of the Missouri school improvement program.

13 4. If the school board of a receiving district, upon a
14 majority vote of the board, chooses to charge a rate of tuition
15 that is less than ninety percent of the rate that would otherwise
16 be calculated under subsection 3 of this section, ten percent of
17 the receiving district's tuition rate shall be paid from the
18 supplemental tuition fund. There is hereby created in the state
19 treasury the "Supplemental Tuition Fund". The fund shall consist
20 of any moneys appropriated annually by the general assembly from
21 general revenue to such fund, any moneys paid into the state
22 treasury and required by law to be credited to such fund and any
23 gifts, bequests or public or private donations to such fund. The
24 state treasurer shall be custodian of the fund. In accordance
25 with sections 30.170 and 30.180, the state treasurer may approve
26 disbursements. The fund shall be a dedicated fund and, upon
27 appropriation, money in the fund shall be used solely for the
28 administration of this section. Notwithstanding the provisions
29 of section 33.080 to the contrary, any moneys remaining in the

1 fund at the end of the biennium shall not revert to the credit of
2 the general revenue fund. The state treasurer shall invest
3 moneys in the fund in the same manner as other funds are
4 invested. Any interest and moneys earned on such investments
5 shall be credited to the fund.

6 5. Each district shall have the right to establish and
7 adopt, by objective means, a policy for desirable class size and
8 student-teacher ratios. If a district adopts such a policy, it
9 shall not be required to accept any transfer students under this
10 section that would violate its class size or student-teacher
11 ratio. If a student seeking to transfer is denied admission to a
12 district based on a lack of space under the district's policy,
13 the student or the student's parent or guardian may appeal the
14 ruling to the state board of education if he or she believes the
15 district's policy is unduly restrictive to student transfers.
16 The state board of education shall review the appropriateness of
17 the district's policy and shall give special consideration to any
18 district with a greater than average population of students that
19 qualify for free and reduced lunch. If the state board of
20 education finds that the district's policy is unduly restrictive
21 to student transfers, it may limit the district's policy. The
22 state board of education's decision shall be final.

23 6. When a district is declared unaccredited, it shall
24 contract with any special school district located in the same or
25 an adjoining county for the reimbursement of special education
26 services provided by the special school district for transfer
27 students who are residents of the unaccredited district.

28 7. The student's district of residence may provide
29 transportation for him or her to attend another accredited

1 district but shall not be required to do so.

2 167.827. 1. By January first annually, each accredited
3 district, any portion of which is located in the same county or
4 in an adjoining county to an unaccredited district shall report
5 to the education authority for the county in which the
6 unaccredited district is located the number of available
7 enrollment slots by grade level.

8 2. Any education authority whose geographic area includes
9 an unaccredited district or unaccredited school shall make
10 information and assistance available to parents or guardians who
11 intend to transfer their child from an unaccredited district to
12 an accredited district under section 167.826.

13 3. The parent or guardian of a student who intends to
14 enroll his or her child in an accredited district under the
15 provisions of section 167.826 shall send initial notification to
16 the education authority for the county in which he or she resides
17 by March first for enrollment in the subsequent school year.

18 4. The education authority whose geographic area includes
19 an unaccredited district shall assign those students who seek to
20 transfer. The authority shall give first priority to students
21 who live in the same household with any family member within the
22 first or second degree of consanguinity who already attends an
23 accredited school and who apply to attend the same accredited
24 school. The authority shall then grant transfer requests in the
25 order in which they were received. If insufficient enrollment
26 slots are available for a student to be able to transfer, that
27 student shall receive first priority the following school year.
28 If sufficient enrollment slots are available, the authority shall
29 provide each student a choice of three accredited schools to

1 which he or she may transfer.

2 5. An education authority may deny a transfer to a student
3 with a demonstrated and documented history of school discipline
4 policy violations.

5 167.830. 1. There is hereby established the "St. Louis
6 Area Education Authority". The authority is hereby constituted a
7 public instrumentality and body politic and corporate, and the
8 exercise by the authority of the powers conferred by this section
9 shall be deemed and held to be the performance of an essential
10 public function. Unless otherwise provided, the authority shall
11 be subject to all general laws pertaining to the operation of
12 seven-director districts as defined in section 160.011.

13 2. Whenever any metropolitan school district or any
14 district located in any county with a charter form of government
15 and with more than nine hundred fifty thousand inhabitants is
16 assigned a classification designation of unaccredited by the
17 state board of education, the authority shall coordinate student
18 transfers from the unaccredited district to accredited districts
19 that are located in the same or an adjoining county as the
20 unaccredited district.

21 3. The authority shall consist of three members to be
22 appointed by the governor, by and with the advice and consent of
23 the senate, each of whom shall be a resident of the state and a
24 resident of any county with a charter form of government and with
25 more than nine hundred fifty thousand inhabitants or any city not
26 within a county. Not more than two out of the three members of
27 the authority shall be of the same political party. The length
28 of term for members shall be six years except for the initial
29 members, who shall be appointed in the following manner:

1 (1) One member shall be appointed for a term of two years;

2 (2) One member shall be appointed for a term of four years;

3 and

4 (3) One member shall be appointed for a term of six years.

5 4. The term length of each initial appointee shall be
6 designated by the governor at the time of making the appointment.

7 Upon the expiration of the initial terms of office, successor
8 members shall be appointed for terms of six years and shall serve
9 until their successors shall have been appointed and shall have
10 qualified. Any member shall be eligible for reappointment. The
11 governor shall fill any vacancy for the remainder of any
12 unexpired term. Any member of the authority may be removed by
13 the governor for misfeasance, malfeasance, willful neglect of
14 duty, or other cause after notice and a public hearing unless the
15 notice or hearing shall be expressly waived in writing.

16 5. Members of the authority shall receive no compensation
17 for services, but shall be entitled to reimbursement for
18 necessary expenses, including traveling and lodging expenses,
19 incurred in the discharge of their duties. Any payment for
20 expenses shall be paid from funds of the authority.

21 6. One member of the authority, designated by the governor
22 for the purpose, shall call and convene the initial
23 organizational meeting of the authority and shall serve as its
24 president pro tempore. At the initial meeting and annually
25 thereafter, the authority shall elect one of its members as
26 president. The authority may appoint an executive director who
27 shall not be a member of the authority and who shall serve at its
28 pleasure. If an executive director is appointed, he or she shall
29 receive such compensation as shall be fixed from time to time by

1 action of the authority. The authority shall appoint a member as
2 secretary who shall keep a record of the proceedings of the
3 authority and shall be the custodian of all books, documents, and
4 papers filed with the authority, the minute books or journal
5 thereof, and its official seal. The secretary may cause copies
6 to be made of all minutes and other records and documents of the
7 authority and may give certificates under the official seal of
8 the authority to the effect that the copies are true and correct
9 copies, and all persons dealing with the authority may rely on
10 such certificates. The authority, by resolution duly adopted,
11 shall fix the powers and duties of its executive director as it
12 may, from time to time, deem proper and necessary.

13 7. Meetings, records, and operations of the authority shall
14 be subject to the provisions of chapter 610.

15 8. The authority shall have the following powers, together
16 with all powers incidental thereto or necessary for the
17 performance thereof to:

18 (1) Have perpetual succession as a body politic and
19 corporate;

20 (2) Adopt bylaws for the regulation of its affairs and the
21 conduct of its business;

22 (3) Sue and be sued and to prosecute and defend, at law or
23 in equity, in any court having jurisdiction of the subject matter
24 and of the parties;

25 (4) Establish and use a corporate seal and to alter the
26 same at pleasure;

27 (5) Maintain an office at such place or places in the state
28 of Missouri as it may designate;

29 (6) Employ an executive director and other staff as needed,

1 with compensation fixed by the authority;

2 (7) Coordinate student transfers from unaccredited
3 districts located in any city not within a county or any county
4 with a charter form of government and with more than nine hundred
5 fifty thousand inhabitants to accredited districts in the same or
6 an adjoining county, as provided by law;

7 (8) Coordinate and collaborate with local districts and
8 local governments for the transfer of students from unaccredited
9 districts located in any city not within a county or any county
10 with a charter form of government and with more than nine hundred
11 fifty thousand inhabitants to accredited districts in the same or
12 an adjoining county, as provided by law.

13 167.833. 1. There is hereby created in the state treasury
14 the "St. Louis Area Education Authority Fund". The fund shall
15 consist of any gifts, bequests or public or private donations to
16 such fund. Any moneys in the fund shall be used to fund the
17 operations of the student transfer coordination authority. The
18 state treasurer shall be custodian of the fund. In accordance
19 with sections 30.170 and 30.180, the state treasurer may approve
20 disbursements. The fund shall be a dedicated fund and, upon
21 appropriation, money in the fund shall be used solely for the
22 administration of sections 167.830 and 167.833.

23 2. Notwithstanding the provisions of section 33.080 to the
24 contrary, any moneys remaining in the fund at the end of the
25 biennium shall not revert to the credit of the general revenue
26 fund.

27 3. The state treasurer shall invest moneys in the fund in
28 the same manner as other funds are invested. Any interest and
29 moneys earned on such investments shall be credited to the fund.

1 167.836. 1. There is hereby established the "Jackson
2 County Education Authority". The authority is hereby constituted
3 a public instrumentality and body politic and corporate, and the
4 exercise by the authority of the powers conferred by this section
5 shall be deemed and held to be the performance of an essential
6 public function. Unless otherwise provided, the authority shall
7 be subject to all general laws pertaining to the operation of
8 seven-director districts as defined in section 160.011.

9 2. Whenever any district located in any county with a
10 charter form of government and with more than six hundred
11 thousand but fewer than seven hundred thousand inhabitants is
12 assigned a classification designation of unaccredited by the
13 state board of education, the authority shall coordinate student
14 transfers from the unaccredited district to accredited districts
15 that are located in the same or an adjoining county as the
16 unaccredited district.

17 3. The authority shall consist of three members to be
18 appointed by the governor, by and with the advice and consent of
19 the senate, each of whom shall be a resident of the state and a
20 resident of any county with a charter form of government and with
21 more than six hundred thousand but fewer than seven hundred
22 thousand inhabitants. Not more than two out of the three members
23 of the authority shall be of the same political party. The
24 length of term for members shall be six years except for the
25 initial members, who shall be appointed in the following manner:

26 (1) One member shall be appointed for a term of two years;

27 (2) One member shall be appointed for a term of four years;

28 and

29 (3) One member shall be appointed for a term of six years.

1 4. The term length of each initial appointee shall be
2 designated by the governor at the time of making the appointment.
3 Upon the expiration of the initial terms of office, successor
4 members shall be appointed for terms of six years and shall serve
5 until their successors shall have been appointed and shall have
6 qualified. Any member shall be eligible for reappointment. The
7 governor shall fill any vacancy for the remainder of any
8 unexpired term. Any member of the authority may be removed by
9 the governor for misfeasance, malfeasance, willful neglect of
10 duty, or other cause after notice and a public hearing unless the
11 notice or hearing shall be expressly waived in writing.

12 5. Members of the authority shall receive no compensation
13 for services, but shall be entitled to reimbursement for
14 necessary expenses, including traveling and lodging expenses,
15 incurred in the discharge of their duties. Any payment for
16 expenses shall be paid from funds of the authority.

17 6. One member of the authority, designated by the governor
18 for the purpose, shall call and convene the initial
19 organizational meeting of the authority and shall serve as its
20 president pro tempore. At the initial meeting and annually
21 thereafter, the authority shall elect one of its members as
22 president. The authority may appoint an executive director who
23 shall not be a member of the authority and who shall serve at its
24 pleasure. If an executive director is appointed, he or she shall
25 receive such compensation as shall be fixed from time to time by
26 action of the authority. The authority shall appoint a member as
27 secretary who shall keep a record of the proceedings of the
28 authority and shall be the custodian of all books, documents, and
29 papers filed with the authority, the minute books or journal

1 thereof, and its official seal. The secretary may cause copies
2 to be made of all minutes and other records and documents of the
3 authority and may give certificates under the official seal of
4 the authority to the effect that the copies are true and correct
5 copies, and all persons dealing with the authority may rely on
6 such certificates. The authority, by resolution duly adopted,
7 shall fix the powers and duties of its executive director as it
8 may, from time to time, deem proper and necessary.

9 7. Meetings, records, and operations of the authority shall
10 be subject to the provisions of chapter 610.

11 8. The authority shall have the following powers, together
12 with all powers incidental thereto or necessary for the
13 performance thereof to:

14 (1) Have perpetual succession as a body politic and
15 corporate;

16 (2) Adopt bylaws for the regulation of its affairs and the
17 conduct of its business;

18 (3) Sue and be sued and to prosecute and defend, at law or
19 in equity, in any court having jurisdiction of the subject matter
20 and of the parties;

21 (4) Establish and use a corporate seal and to alter the
22 same at pleasure;

23 (5) Maintain an office at such place or places in the state
24 of Missouri as it may designate;

25 (6) Employ an executive director and other staff as needed,
26 with compensation fixed by the authority;

27 (7) Coordinate student transfers from unaccredited
28 districts located in any county with a charter form of government
29 and with more than six hundred thousand but fewer than seven

1 hundred thousand inhabitants to accredited districts in the same
2 or an adjoining county, as provided by law;

3 (8) Coordinate and collaborate with local districts and
4 local governments for the transfer of students from unaccredited
5 districts located in any county with a charter form of government
6 and with more than six hundred thousand but fewer than seven
7 hundred thousand inhabitants to accredited districts in the same
8 or an adjoining county, as provided by law.

9 167.839. 1. There is hereby created in the state treasury
10 the "Jackson County Education Authority Fund". The fund shall
11 consist of any gifts, bequests or public or private donations to
12 such fund. Any moneys in the fund shall be used to fund the
13 operations of the student transfer coordination authority. The
14 state treasurer shall be custodian of the fund. In accordance
15 with sections 30.170 and 30.180, the state treasurer may approve
16 disbursements. The fund shall be a dedicated fund and, upon
17 appropriation, money in the fund shall be used solely for the
18 administration of sections 167.836 and 167.839.

19 2. Notwithstanding the provisions of section 33.080 to the
20 contrary, any moneys remaining in the fund at the end of the
21 biennium shall not revert to the credit of the general revenue
22 fund.

23 3. The state treasurer shall invest moneys in the fund in
24 the same manner as other funds are invested. Any interest and
25 moneys earned on such investments shall be credited to the fund.

26 167.842. 1. There is hereby established the "Statewide
27 Education Authority". The authority is hereby constituted a
28 public instrumentality and body politic and corporate, and the
29 exercise by the authority of the powers conferred by this section

1 shall be deemed and held to be the performance of an essential
2 public function. Unless otherwise provided, the authority shall
3 be subject to all general laws pertaining to the operation of
4 seven-director districts as defined in section 160.011. The
5 jurisdiction of the statewide education authority shall be all
6 counties except for:

7 (1) Any city not within a county;

8 (2) Any county with a charter form of government and with
9 more than six hundred thousand but fewer than seven hundred
10 thousand inhabitants;

11 (3) Any county with a charter form of government and with
12 more than nine hundred fifty thousand inhabitants;

13 2. Whenever any district located in the statewide education
14 authority's jurisdiction is assigned a classification designation
15 of unaccredited by the state board of education, the authority
16 shall coordinate student transfers from the unaccredited district
17 to accredited districts that are located in the same or an
18 adjoining county as the unaccredited district.

19 3. The authority shall consist of three members to be
20 appointed by the governor, by and with the advice and consent of
21 the senate, each of whom shall be a resident of the state and a
22 resident of any county located in the authority's jurisdiction.
23 Not more than two out of the three members of the authority shall
24 be of the same political party. The length of term for members
25 shall be six years except for the initial members, who shall be
26 appointed in the following manner:

27 (1) One member shall be appointed for a term of two years;

28 (2) One member shall be appointed for a term of four years;

29 and

1 (3) One member shall be appointed for a term of six years.

2 4. The term length of each initial appointee shall be
3 designated by the governor at the time of making the appointment.
4 Upon the expiration of the initial terms of office, successor
5 members shall be appointed for terms of six years and shall serve
6 until their successors shall have been appointed and shall have
7 qualified. Any member shall be eligible for reappointment. The
8 governor shall fill any vacancy for the remainder of any
9 unexpired term. Any member of the authority may be removed by
10 the governor for misfeasance, malfeasance, willful neglect of
11 duty, or other cause after notice and a public hearing unless the
12 notice or hearing shall be expressly waived in writing.

13 5. Members of the authority shall receive no compensation
14 for services, but shall be entitled to reimbursement for
15 necessary expenses, including traveling and lodging expenses,
16 incurred in the discharge of their duties. Any payment for
17 expenses shall be paid from funds of the authority.

18 6. One member of the authority, designated by the governor
19 for the purpose, shall call and convene the initial
20 organizational meeting of the authority and shall serve as its
21 president pro tempore. At the initial meeting and annually
22 thereafter, the authority shall elect one of its members as
23 president. The authority may appoint an executive director who
24 shall not be a member of the authority and who shall serve at its
25 pleasure. If an executive director is appointed, he or she shall
26 receive such compensation as shall be fixed from time to time by
27 action of the authority. The authority shall appoint a member as
28 secretary who shall keep a record of the proceedings of the
29 authority and shall be the custodian of all books, documents, and

1 papers filed with the authority, the minute books or journal
2 thereof, and its official seal. The secretary may cause copies
3 to be made of all minutes and other records and documents of the
4 authority and may give certificates under the official seal of
5 the authority to the effect that the copies are true and correct
6 copies, and all persons dealing with the authority may rely on
7 such certificates. The authority, by resolution duly adopted,
8 shall fix the powers and duties of its executive director as it
9 may, from time to time, deem proper and necessary.

10 7. Meetings, records, and operations of the authority shall
11 be subject to the provisions of chapter 610.

12 8. The authority shall have the following powers, together
13 with all powers incidental thereto or necessary for the
14 performance thereof to:

15 (1) Have perpetual succession as a body politic and
16 corporate;

17 (2) Adopt bylaws for the regulation of its affairs and the
18 conduct of its business;

19 (3) Sue and be sued and to prosecute and defend, at law or
20 in equity, in any court having jurisdiction of the subject matter
21 and of the parties;

22 (4) Establish and use a corporate seal and to alter the
23 same at pleasure;

24 (5) Maintain an office at such place or places in the state
25 of Missouri as it may designate;

26 (6) Employ an executive director and other staff as needed,
27 with compensation fixed by the authority;

28 (7) Coordinate student transfers from unaccredited
29 districts located in the jurisdiction of the statewide education

1 authority to accredited districts in the same or an adjoining
2 county, as provided by law;

3 (8) Coordinate and collaborate with local districts and
4 local governments for the transfer of students from unaccredited
5 districts located in the jurisdiction of the statewide education
6 authority to accredited districts in the same or an adjoining
7 county, as provided by law.

8 167.845. 1. There is hereby created in the state treasury
9 the "Statewide Education Authority Fund". The fund shall consist
10 of any gifts, bequests, or public or private donations to such
11 fund. Any moneys in the fund shall be used to fund the
12 operations of the student transfer coordination authority. The
13 state treasurer shall be custodian of the fund. In accordance
14 with sections 30.170 and 30.180, the state treasurer may approve
15 disbursements. The fund shall be a dedicated fund and, upon
16 appropriation, money in the fund shall be used solely for the
17 administration of sections 167.842 and 167.845.

18 2. Notwithstanding the provisions of section 33.080 to the
19 contrary, any moneys remaining in the fund at the end of the
20 biennium shall not revert to the credit of the general revenue
21 fund.

22 3. The state treasurer shall invest moneys in the fund in
23 the same manner as other funds are invested. Any interest and
24 moneys earned on such investments shall be credited to the fund.

25 167.848. For purposes of sections 167.825 to 167.848, the
26 following terms shall mean:

27 (1) "Accredited district", a school district that is
28 accredited by the state board of education pursuant to the
29 authority of the state board of education to classify schools as

1 established in sections 161.086 and 161.092;

2 (2) "Accredited school", a school building that is
3 accredited by the state board of education pursuant to the
4 authority of the state board of education to classify schools as
5 established in sections 161.086, 161.092, and 161.238;

6 (3) "Education authority" or "authority", an education
7 authority established under sections 167.830 to 167.845;

8 (4) "Provisionally accredited district", a school district
9 that is classified as provisionally accredited by the state board
10 of education pursuant to the authority of the state board of
11 education to classify schools as established in sections 161.086
12 and 161.092;

13 (5) "Provisionally accredited school", a school building
14 that is classified as provisionally accredited by the state board
15 of education pursuant to the authority of the state board of
16 education to classify schools as established in sections 161.086,
17 161.092, and 161.238;

18 (6) "Unaccredited district", a school district classified
19 as unaccredited by the state board of education pursuant to the
20 authority of the state board of education to classify schools as
21 established in sections 161.086 and 161.092;

22 (7) "Unaccredited school", a school building that is
23 classified as unaccredited by the state board of education
24 pursuant to the authority of the state board of education to
25 classify schools as established in sections 161.086, 161.092, and
26 161.238.

27 168.205. Notwithstanding any provision of law to the
28 contrary, two or more school districts may share a superintendent
29 who possesses a valid Missouri superintendent's license. If any

1 school districts choose to share a superintendent, they shall not
2 be required to receive approval from the department of elementary
3 and secondary education but may notify the department.

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

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

18 3. A district may set an opening date that is more than ten
19 calendar days prior to the first Monday in September only if the
20 local school board first gives public notice of a public meeting
21 to discuss the proposal of opening school on a date more than ten
22 days prior to the first Monday in September, and the local school
23 board holds said meeting and, at the same public meeting, a
24 majority of the board votes to allow an earlier opening date. If
25 all of the previous conditions are met, the district may set its
26 opening date more than ten calendar days prior to the first
27 Monday in September. The condition provided in this subsection
28 must be satisfied by the local school board each year that the
29 board proposes an opening date more than ten days before the

1 first Monday in September.

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

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

10 6. The state board of education may grant an exemption from
11 this section to a school district that demonstrates highly
12 unusual and extenuating circumstances justifying exemption from
13 the provisions of subsections 2 to 4 of this section. Any
14 exemption granted by the state board of education shall be valid
15 for one academic year only.

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

18 (1) Vocational schools which may adopt an eight-hour day in
19 a metropolitan school district and a school district in a first
20 class county adjacent to a city not within a county[, and];

21 (2) Any school that adopts a four-day school week in
22 accordance with section 171.029; and

23 (3) A school district that increases the length of the
24 school day for an unaccredited school or provisionally accredited
25 school by following the procedure established in subsection 8 of
26 this section.

27 8. The school board of any school district in this state,
28 upon adoption of a resolution by a majority vote to authorize
29 such action, may increase the length of the school day by ten

1 percent for any provisionally accredited school or unaccredited
2 school that has a student population, seventy-five percent of
3 which is eligible for free and reduced lunch or seventy-five
4 percent of which has been eligible in any of the three previous
5 school years. Such a school district may also, by the adoption
6 of a resolution by a majority vote to authorize such action,
7 increase the annual hours of instruction above the required
8 number of hours in subsection 1 of this section.

9 9. (1) There is hereby created in the state treasury the
10 "Extended Learning Time Fund". The fund shall consist of any
11 moneys that may be appropriated by the general assembly from
12 general revenue to such fund, any moneys paid into the state
13 treasury and required by law to be credited to such fund and any
14 gifts, bequests or public or private donations to such fund.

15 (2) The state treasurer shall be custodian of the fund. In
16 accordance with sections 30.170 and 30.180, the state treasurer
17 may approve disbursements. The fund shall be a dedicated fund
18 and, upon appropriation, money in the fund shall be used solely
19 for the administration of subsection 8 of this section.

20 (3) Notwithstanding the provisions of section 33.080 to the
21 contrary, any moneys remaining in the fund at the end of the
22 biennium shall not revert to the credit of the general revenue
23 fund.

24 (4) The state treasurer shall invest moneys in the fund in
25 the same manner as other funds are invested. Any interest and
26 moneys earned on such investments shall be credited to the fund.

27 10. For purposes of this section, the following terms shall
28 mean:

29 (1) "Provisionally accredited school", a school building

1 that is classified as provisionally accredited by the state board
2 of education pursuant to the authority of the state board of
3 education to classify schools as established in sections 161.086,
4 161.092, and 161.238;

5 (2) "Unaccredited school", a school building that is
6 classified as unaccredited by the state board of education
7 pursuant to the authority of the state board of education to
8 classify schools as established in sections 161.086, 161.092, and
9 161.238."; and

10 Further amend the title and enacting clause accordingly.

11