

# SENATE AMENDMENT NO. \_\_\_\_\_

Offered by \_\_\_\_\_ of \_\_\_\_\_

Amend SCS/HCS/House Bill No. 1831, Page 1, Section Title, Line 3,

2 by striking "child care facilities" and inserting in lieu thereof  
 3 the following: "education for minors"; and

4 Further amend said bill and page, section A, line 2, by  
 5 inserting after all of said line the following:

6 "160.053. 1. If a school district maintains a  
 7 prekindergarten program, a child is eligible for admission to  
 8 that prekindergarten program only if the child has reached the  
 9 age of three before the first day of August of the school year  
 10 beginning in that calendar year. If a school district maintains  
 11 a kindergarten program, a child is eligible for admission to  
 12 kindergarten and to the summer school session immediately  
 13 preceding kindergarten, if offered, if the child reaches the age  
 14 of five before the first day of August of the school year  
 15 beginning in that calendar year or if the child is a military  
 16 dependent who has successfully completed an accredited  
 17 prekindergarten program or has attended an accredited  
 18 kindergarten program in another state. A child is eligible for  
 19 admission to first grade if the child reaches the age of six  
 20 before the first day of August of the school year beginning in  
 21 that calendar year or if the child is a military dependent who

1 has successfully completed an accredited kindergarten program in  
2 another state.

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

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

18 4. The provisions of this section relating to kindergarten  
19 instruction and state aid therefor shall not apply during any  
20 particular school year to those districts which do not provide  
21 kindergarten classes that year.

22 160.054. 1. Notwithstanding any provisions of sections  
23 160.051 and 160.053, to the contrary, beginning with the 1997-98  
24 school year, all metropolitan school districts, except as  
25 provided in subsection 2 of this section, may establish and  
26 enforce a regulation which requires that a child shall have  
27 attained the age of three by August first for purposes of  
28 prekindergarten if a school district maintains such a program,  
29 the age of five for purposes of kindergarten and summer school

1 prior to a kindergarten school term, and the age of six for  
2 purposes of grade one, on or before any date between August first  
3 and October first of that year. The school district shall  
4 receive state aid for any child admitted to kindergarten, summer  
5 school prior to kindergarten, or grade one pursuant to this  
6 section, notwithstanding the provisions of section 160.051.

7 2. Any kindergarten or grade one pupil beginning the school  
8 term and any pupil beginning summer school prior to a  
9 kindergarten school term in a metropolitan school district and  
10 subsequently transferring to another school district in this  
11 state in which the child's birth date would preclude such child's  
12 eligibility for entrance shall be deemed eligible for attendance  
13 and shall not be required to meet the minimum age requirements.  
14 The receiving school district shall receive state aid for the  
15 child, notwithstanding the provisions of section 160.051.

16 3. Any child who completes the kindergarten year in a  
17 metropolitan school district shall not be required to meet the  
18 minimum age requirements of another school district in this state  
19 for entrance into grade one.

20 4. The provisions of subsections 1 and 2 of this section,  
21 relating to kindergarten instruction and state aid therefor,  
22 shall not apply during any particular school year to those  
23 districts which do not provide kindergarten classes that year.

24 160.055. 1. Notwithstanding any provisions of sections  
25 160.051 and 160.053, to the contrary, beginning with the 1997-98  
26 school year, all urban school districts containing the greater  
27 part of the population of a city which has more than three  
28 hundred thousand inhabitants, except as provided in subsection 2  
29 of this section, may establish and enforce a regulation which

1 requires that a child shall have attained the age of three by  
2 August first for purposes of prekindergarten if a school district  
3 maintains such a program, the age of five for purposes of  
4 kindergarten and summer school prior to a kindergarten school  
5 term, and the age of six for purposes of grade one, on or before  
6 any date between August first and October first of that year.  
7 The school district shall receive state aid for any child  
8 admitted to kindergarten, summer school prior to kindergarten, or  
9 grade one pursuant to this section, notwithstanding the  
10 provisions of section 160.051.

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

22 3. Any child who completes the kindergarten year in an  
23 urban school district containing the greater part of the  
24 population of a city which has more than three hundred thousand  
25 inhabitants shall not be required to meet the minimum age  
26 requirements of another school district in this state for  
27 entrance into grade one.

28 4. The provisions of subsections 1 and 2 of this section,  
29 relating to kindergarten instruction and state aid therefor,

1 shall not apply during any particular school year to those  
2 districts which do not provide kindergarten classes that year.

3 163.011. As used in this chapter unless the context  
4 requires otherwise:

5 (1) "Adjusted operating levy", the sum of tax rates for the  
6 current year for teachers' and incidental funds for a school  
7 district as reported to the proper officer of each county  
8 pursuant to section 164.011;

9 (2) "Average daily attendance", the quotient or the sum of  
10 the quotients obtained by dividing the total number of hours  
11 attended in a term by resident pupils between the ages of five  
12 and twenty-one by the actual number of hours school was in  
13 session in that term. To the average daily attendance of the  
14 following school term shall be added the full-time equivalent  
15 average daily attendance of summer school students. "Full-time  
16 equivalent average daily attendance of summer school students"  
17 shall be computed by dividing the total number of hours, except  
18 for physical education hours that do not count as credit toward  
19 graduation for students in grades nine, ten, eleven, and twelve,  
20 attended by all summer school pupils by the number of hours  
21 required in section 160.011 in the school term. For purposes of  
22 determining average daily attendance under this subdivision, the  
23 term "resident pupil" shall include all children between the ages  
24 of five and twenty-one who are residents of the school district  
25 and who are attending kindergarten through grade twelve in such  
26 district. If a child is attending school in a district other  
27 than the district of residence and the child's parent is teaching  
28 in the school district or is a regular employee of the school  
29 district which the child is attending, then such child shall be

1 considered a resident pupil of the school district which the  
2 child is attending for such period of time when the district of  
3 residence is not otherwise liable for tuition. Average daily  
4 attendance for students below the age of five years for which a  
5 school district may receive state aid based on such attendance  
6 shall be computed as regular school term attendance unless  
7 otherwise provided by law;

8 (3) "Current operating expenditures":

9 (a) For the fiscal year 2007 calculation, "current  
10 operating expenditures" shall be calculated using data from  
11 fiscal year 2004 and shall be calculated as all expenditures for  
12 instruction and support services except capital outlay and debt  
13 service expenditures minus the revenue from federal categorical  
14 sources; food service; student activities; categorical payments  
15 for transportation costs pursuant to section 163.161; state  
16 reimbursements for early childhood special education; the career  
17 ladder entitlement for the district, as provided for in sections  
18 168.500 to 168.515; the vocational education entitlement for the  
19 district, as provided for in section 167.332; and payments from  
20 other districts;

21 (b) In every fiscal year subsequent to fiscal year 2007,  
22 current operating expenditures shall be the amount in paragraph  
23 (a) of this subdivision plus any increases in state funding  
24 pursuant to sections 163.031 and 163.043 subsequent to fiscal  
25 year 2005, not to exceed five percent, per recalculation, of the  
26 state revenue received by a district in the 2004-05 school year  
27 from the foundation formula, line 14, gifted, remedial reading,  
28 exceptional pupil aid, fair share, and free textbook payments for  
29 any district from the first preceding calculation of the state

1 adequacy target. Beginning on July 1, 2010, current operating  
2 expenditures shall be the amount in paragraph (a) of this  
3 subdivision plus any increases in state funding pursuant to  
4 sections 163.031 and 163.043 subsequent to fiscal year 2005  
5 received by a district in the 2004-05 school year from the  
6 foundation formula, line 14, gifted, remedial reading,  
7 exceptional pupil aid, fair share, and free textbook payments for  
8 any district from the first preceding calculation of the state  
9 adequacy target;

10 (4) "District's tax rate ceiling", the highest tax rate  
11 ceiling in effect subsequent to the 1980 tax year or any  
12 subsequent year. Such tax rate ceiling shall not contain any tax  
13 levy for debt service;

14 (5) "Dollar-value modifier", an index of the relative  
15 purchasing power of a dollar, calculated as one plus fifteen  
16 percent of the difference of the regional wage ratio minus one,  
17 provided that the dollar value modifier shall not be applied at a  
18 rate less than 1.0:

19 (a) "County wage per job", the total county wage and salary  
20 disbursements divided by the total county wage and salary  
21 employment for each county and the city of St. Louis as reported  
22 by the Bureau of Economic Analysis of the United States  
23 Department of Commerce for the fourth year preceding the payment  
24 year;

25 (b) "Regional wage per job":

26 a. The total Missouri wage and salary disbursements of the  
27 metropolitan area as defined by the Office of Management and  
28 Budget divided by the total Missouri metropolitan wage and salary  
29 employment for the metropolitan area for the county signified in

1 the school district number or the city of St. Louis, as reported  
2 by the Bureau of Economic Analysis of the United States  
3 Department of Commerce for the fourth year preceding the payment  
4 year and recalculated upon every decennial census to incorporate  
5 counties that are newly added to the description of metropolitan  
6 areas; or if no such metropolitan area is established, then:

7 b. The total Missouri wage and salary disbursements of the  
8 micropolitan area as defined by the Office of Management and  
9 Budget divided by the total Missouri micropolitan wage and salary  
10 employment for the micropolitan area for the county signified in  
11 the school district number, as reported by the Bureau of Economic  
12 Analysis of the United States Department of Commerce for the  
13 fourth year preceding the payment year, if a micropolitan area  
14 for such county has been established and recalculated upon every  
15 decennial census to incorporate counties that are newly added to  
16 the description of micropolitan areas; or

17 c. If a county is not part of a metropolitan or  
18 micropolitan area as established by the Office of Management and  
19 Budget, then the county wage per job, as defined in paragraph (a)  
20 of this subdivision, shall be used for the school district, as  
21 signified by the school district number;

22 (c) "Regional wage ratio", the ratio of the regional wage  
23 per job divided by the state median wage per job;

24 (d) "State median wage per job", the fifty-eighth highest  
25 county wage per job;

26 (6) "Free and reduced lunch pupil count", for school  
27 districts not eligible for and those that do not choose the USDA  
28 Community Eligibility Option, the number of pupils eligible for  
29 free and reduced lunch on the last Wednesday in January for the



1 preceding school year who were enrolled as students of the  
2 district, as approved by the department in accordance with  
3 applicable federal regulations. For eligible school districts  
4 that choose the USDA Community Eligibility Option, the free and  
5 reduced lunch pupil count shall be the percentage of free and  
6 reduced lunch students calculated as eligible on the last  
7 Wednesday in January of the most recent school year that included  
8 household applications to determine free and reduced lunch count  
9 multiplied by the district's average daily attendance figure;

10 (7) "Free and reduced lunch threshold" shall be calculated  
11 by dividing the total free and reduced lunch pupil count of every  
12 performance district that falls entirely above the bottom five  
13 percent and entirely below the top five percent of average daily  
14 attendance, when such districts are rank-ordered based on their  
15 current operating expenditures per average daily attendance, by  
16 the total average daily attendance of all included performance  
17 districts;

18 (8) "Limited English proficiency pupil count", the number  
19 in the preceding school year of pupils aged three through  
20 twenty-one enrolled or preparing to enroll in an elementary  
21 school or secondary school who were not born in the United States  
22 or whose native language is a language other than English or are  
23 Native American or Alaskan native, or a native resident of the  
24 outlying areas, and come from an environment where a language  
25 other than English has had a significant impact on such  
26 individuals' level of English language proficiency, or are  
27 migratory, whose native language is a language other than  
28 English, and who come from an environment where a language other  
29 than English is dominant; and have difficulties in speaking,

1 reading, writing, or understanding the English language  
2 sufficient to deny such individuals the ability to meet the  
3 state's proficient level of achievement on state assessments  
4 described in Public Law 107-10, the ability to achieve  
5 successfully in classrooms where the language of instruction is  
6 English, or the opportunity to participate fully in society;

7 (9) "Limited English proficiency threshold" shall be  
8 calculated by dividing the total limited English proficiency  
9 pupil count of every performance district that falls entirely  
10 above the bottom five percent and entirely below the top five  
11 percent of average daily attendance, when such districts are  
12 rank-ordered based on their current operating expenditures per  
13 average daily attendance, by the total average daily attendance  
14 of all included performance districts;

15 (10) "Local effort":

16 (a) For the fiscal year 2007 calculation, "local effort"  
17 shall be computed as the equalized assessed valuation of the  
18 property of a school district in calendar year 2004 divided by  
19 one hundred and multiplied by the performance levy less the  
20 percentage retained by the county assessor and collector plus one  
21 hundred percent of the amount received in fiscal year 2005 for  
22 school purposes from intangible taxes, fines, escheats, payments  
23 in lieu of taxes and receipts from state-assessed railroad and  
24 utility tax, one hundred percent of the amount received for  
25 school purposes pursuant to the merchants' and manufacturers'  
26 taxes under sections 150.010 to 150.370, one hundred percent of  
27 the amounts received for school purposes from federal properties  
28 under sections 12.070 and 12.080 except when such amounts are  
29 used in the calculation of federal impact aid pursuant to P.L.

1 81-874, fifty percent of Proposition C revenues received for  
2 school purposes from the school district trust fund under section  
3 163.087, and one hundred percent of any local earnings or income  
4 taxes received by the district for school purposes. Under this  
5 paragraph, for a special district established under sections  
6 162.815 to 162.940 in a county with a charter form of government  
7 and with more than one million inhabitants, a tax levy of zero  
8 shall be utilized in lieu of the performance levy for the special  
9 school district;

10 (b) In every year subsequent to fiscal year 2007, "local  
11 effort" shall be the amount calculated under paragraph (a) of  
12 this subdivision plus any increase in the amount received for  
13 school purposes from fines. If a district's assessed valuation  
14 has decreased subsequent to the calculation outlined in paragraph  
15 (a) of this subdivision, the district's local effort shall be  
16 calculated using the district's current assessed valuation in  
17 lieu of the assessed valuation utilized in the calculation  
18 outlined in paragraph (a) of this subdivision. When a change in  
19 a school district's boundary lines occurs because of a boundary  
20 line change, annexation, attachment, consolidation,  
21 reorganization, or dissolution under section 162.071, 162.081,  
22 sections 162.171 to 162.201, section 162.221, 162.223, 162.431,  
23 162.441, or 162.451, or in the event that a school district  
24 assumes any territory from a district that ceases to exist for  
25 any reason, the department of elementary and secondary education  
26 shall make a proper adjustment to each affected district's local  
27 effort, so that each district's local effort figure conforms to  
28 the new boundary lines of the district. The department shall  
29 compute the local effort figure by applying the calendar year

1 2004 assessed valuation data to the new land areas resulting from  
2 the boundary line change, annexation, attachment, consolidation,  
3 reorganization, or dissolution and otherwise follow the  
4 procedures described in this subdivision;

5 (11) "Membership" shall be the average of:

6 (a) The number of resident full-time students and the  
7 full-time equivalent number of part-time students who were  
8 enrolled in the public schools of the district on the last  
9 Wednesday in September of the previous year and who were in  
10 attendance one day or more during the preceding ten school days;  
11 and

12 (b) The number of resident full-time students and the  
13 full-time equivalent number of part-time students who were  
14 enrolled in the public schools of the district on the last  
15 Wednesday in January of the previous year and who were in  
16 attendance one day or more during the preceding ten school days,  
17 plus the full-time equivalent number of summer school pupils.

18 "Full-time equivalent number of part-time students" is determined  
19 by dividing the total number of hours for which all part-time  
20 students are enrolled by the number of hours in the school term.

21 "Full-time equivalent number of summer school pupils" is  
22 determined by dividing the total number of hours for which all  
23 summer school pupils were enrolled by the number of hours  
24 required pursuant to section 160.011 in the school term. Only  
25 students eligible to be counted for average daily attendance  
26 shall be counted for membership;

27 (12) "Operating levy for school purposes", the sum of tax  
28 rates levied for teachers' and incidental funds plus the  
29 operating levy or sales tax equivalent pursuant to section

1 162.1100 of any transitional school district containing the  
2 school district, in the payment year, not including any equalized  
3 operating levy for school purposes levied by a special school  
4 district in which the district is located;

5 (13) "Performance district", any district that has met  
6 [all] performance standards and indicators as established by the  
7 department of elementary and secondary education for purposes of  
8 accreditation under section 161.092 and as reported on the final  
9 annual performance report for that district each year; for  
10 calculations to be utilized for payments in fiscal years  
11 subsequent to fiscal year 2018, the number of performance  
12 districts shall not exceed twenty-five percent of all public  
13 school districts;

14 (14) "Performance levy", three dollars and forty-three  
15 cents;

16 (15) "School purposes" pertains to teachers' and incidental  
17 funds;

18 (16) "Special education pupil count", the number of public  
19 school students with a current individualized education program  
20 or services plan and receiving services from the resident  
21 district as of December first of the preceding school year,  
22 except for special education services provided through a school  
23 district established under sections 162.815 to 162.940 in a  
24 county with a charter form of government and with more than one  
25 million inhabitants, in which case the sum of the students in  
26 each district within the county exceeding the special education  
27 threshold of each respective district within the county shall be  
28 counted within the special district and not in the district of  
29 residence for purposes of distributing the state aid derived from

1 the special education pupil count;

2 (17) "Special education threshold" shall be calculated by  
3 dividing the total special education pupil count of every  
4 performance district that falls entirely above the bottom five  
5 percent and entirely below the top five percent of average daily  
6 attendance, when such districts are rank-ordered based on their  
7 current operating expenditures per average daily attendance, by  
8 the total average daily attendance of all included performance  
9 districts;

10 (18) "State adequacy target", the sum of the current  
11 operating expenditures of every performance district that falls  
12 entirely above the bottom five percent and entirely below the top  
13 five percent of average daily attendance, when such districts are  
14 rank-ordered based on their current operating expenditures per  
15 average daily attendance, divided by the total average daily  
16 attendance of all included performance districts. The department  
17 of elementary and secondary education shall first calculate the  
18 state adequacy target for fiscal year 2007 and recalculate the  
19 state adequacy target every two years using the most current  
20 available data. The recalculation shall never result in a  
21 decrease from the previous state adequacy target amount. Should  
22 a recalculation result in an increase in the state adequacy  
23 target amount, fifty percent of that increase shall be included  
24 in the state adequacy target amount in the year of recalculation,  
25 and fifty percent of that increase shall be included in the state  
26 adequacy target amount in the subsequent year. The state  
27 adequacy target may be adjusted to accommodate available  
28 appropriations as provided in subsection 8 of section 163.031;

29 (19) "Teacher", any teacher, teacher-secretary, substitute

1 teacher, supervisor, principal, supervising principal,  
2 superintendent or assistant superintendent, school nurse, social  
3 worker, counselor or librarian who shall, regularly, teach or be  
4 employed for no higher than grade twelve more than one-half time  
5 in the public schools and who is certified under the laws  
6 governing the certification of teachers in Missouri;

7 (20) "Weighted average daily attendance", the average daily  
8 attendance plus the product of twenty-five hundredths multiplied  
9 by the free and reduced lunch pupil count that exceeds the free  
10 and reduced lunch threshold, plus the product of seventy-five  
11 hundredths multiplied by the number of special education pupil  
12 count that exceeds the special education threshold, plus the  
13 product of six-tenths multiplied by the number of limited English  
14 proficiency pupil count that exceeds the limited English  
15 proficiency threshold. For special districts established under  
16 sections 162.815 to 162.940 in a county with a charter form of  
17 government and with more than one million inhabitants, weighted  
18 average daily attendance shall be the average daily attendance  
19 plus the product of twenty-five hundredths multiplied by the free  
20 and reduced lunch pupil count that exceeds the free and reduced  
21 lunch threshold, plus the product of seventy-five hundredths  
22 multiplied by the sum of the special education pupil count that  
23 exceeds the threshold for each county district, plus the product  
24 of six-tenths multiplied by the limited English proficiency pupil  
25 count that exceeds the limited English proficiency threshold.  
26 None of the districts comprising a special district established  
27 under sections 162.815 to 162.940 in a county with a charter form  
28 of government and with more than one million inhabitants, shall  
29 use any special education pupil count in calculating their

1 weighted average daily attendance.

2 163.018. 1. Notwithstanding the definition of "average  
3 daily attendance" in subdivision (2) of section 163.011 to the  
4 contrary, pupils between the ages of three and five who are  
5 eligible for free and reduced lunch and attend an early childhood  
6 education program that is operated by and in a district or by a  
7 charter school that has declared itself as a local educational  
8 agency providing full-day kindergarten and that meets standards  
9 established by the state board of education, shall be included in  
10 the district's or charter school's calculation of average daily  
11 attendance. The total number of such pupils included in the  
12 district's or charter school's calculation of average daily  
13 attendance shall not exceed four percent of the total number of  
14 pupils who are eligible for free and reduced lunch between the  
15 ages of three and eighteen who are included in the district's or  
16 charter school's calculation of average daily attendance.

17 2. (1) For any district that has been declared  
18 unaccredited by the state board of education and remains  
19 unaccredited as of July 1, 2015, the provisions of subsection 1  
20 of this section shall become applicable during the 2015-2016  
21 school year;

22 (2) For any district that is declared unaccredited by the  
23 state board of education after July 1, 2015, the provisions of  
24 subsection 1 of this section shall become applicable immediately  
25 upon such declaration;

26 (3) For any district that has been declared provisionally  
27 accredited by the state board of education and remains  
28 provisionally accredited as of July 1, 2016, the provisions of  
29 subsection 1 of this section shall become applicable beginning in



1 the 2016-2017 school year;

2 (4) For any district that is declared provisionally  
3 accredited by the state board of education after July 1, 2016,  
4 the provisions of this section shall become applicable beginning  
5 in the 2016-2017 school year or immediately upon such  
6 declaration, whichever is later;

7 (5) For all other districts, the provisions of subsection 1  
8 of this section shall become effective in any school year  
9 subsequent to a school year in which the amount appropriated for  
10 subsections 1 and 2 of section 163.031 is equal to or exceeds the  
11 amount necessary to fund the entire entitlement calculation  
12 determined by subsections 1 and 2 of section 163.031, and shall  
13 remain effective in all school years thereafter, irrespective of  
14 the amount appropriated for subsections 1 and 2 of section  
15 163.031 in any succeeding year.

16 3. This section shall not require school attendance beyond  
17 that mandated under section 167.031 and shall not change or amend  
18 the provisions of sections 160.051, 160.053, 160.054, and 160.055  
19 relating to kindergarten attendance.

20 163.031. 1. The department of elementary and secondary  
21 education shall calculate and distribute to each school district  
22 qualified to receive state aid under section 163.021 an amount  
23 determined by multiplying the district's weighted average daily  
24 attendance by the state adequacy target, multiplying this product  
25 by the dollar value modifier for the district, and subtracting  
26 from this product the district's local effort and, in years not  
27 governed under subsection 4 of this section, subtracting payments  
28 from the classroom trust fund under section 163.043.

29 2. Other provisions of law to the contrary notwithstanding:

1           (1) For districts with an average daily attendance of more  
2 than three hundred fifty in the school year preceding the payment  
3 year:

4           (a) For the 2006-07 school year, the state revenue per  
5 weighted average daily attendance received by a district from the  
6 state aid calculation under subsections 1 and 4 of this section,  
7 as applicable, and the classroom trust fund under section 163.043  
8 shall not be less than the state revenue received by a district  
9 in the 2005-06 school year from the foundation formula, line 14,  
10 gifted, remedial reading, exceptional pupil aid, fair share, and  
11 free textbook payment amounts multiplied by the sum of one plus  
12 the product of one-third multiplied by the remainder of the  
13 dollar value modifier minus one, and dividing this product by the  
14 weighted average daily attendance computed for the 2005-06 school  
15 year;

16           (b) For the 2007-08 school year, the state revenue per  
17 weighted average daily attendance received by a district from the  
18 state aid calculation under subsections 1 and 4 of this section,  
19 as applicable, and the classroom trust fund under section 163.043  
20 shall not be less than the state revenue received by a district  
21 in the 2005-06 school year from the foundation formula, line 14,  
22 gifted, remedial reading, exceptional pupil aid, fair share, and  
23 free textbook payment amounts multiplied by the sum of one plus  
24 the product of two-thirds multiplied by the remainder of the  
25 dollar value modifier minus one, and dividing this product by the  
26 weighted average daily attendance computed for the 2005-06 school  
27 year;

28           (c) For the 2008-09 school year, the state revenue per  
29 weighted average daily attendance received by a district from the

1 state aid calculation under subsections 1 and 4 of this section,  
2 as applicable, and the classroom trust fund under section 163.043  
3 shall not be less than the state revenue received by a district  
4 in the 2005-06 school year from the foundation formula, line 14,  
5 gifted, remedial reading, exceptional pupil aid, fair share, and  
6 free textbook payment amounts multiplied by the dollar value  
7 modifier, and dividing this product by the weighted average daily  
8 attendance computed for the 2005-06 school year;

9 (d) For each year subsequent to the 2008-09 school year,  
10 the amount shall be no less than that computed in paragraph (c)  
11 of this subdivision, multiplied by the weighted average daily  
12 attendance pursuant to section 163.036, less any increase in  
13 revenue received from the classroom trust fund under section  
14 163.043;

15 (2) For districts with an average daily attendance of three  
16 hundred fifty or less in the school year preceding the payment  
17 year:

18 (a) For the 2006-07 school year, the state revenue received  
19 by a district from the state aid calculation under subsections 1  
20 and 4 of this section, as applicable, and the classroom trust  
21 fund under section 163.043 shall not be less than the greater of  
22 state revenue received by a district in the 2004-05 or 2005-06  
23 school year from the foundation formula, line 14, gifted,  
24 remedial reading, exceptional pupil aid, fair share, and free  
25 textbook payment amounts multiplied by the sum of one plus the  
26 product of one-third multiplied by the remainder of the dollar  
27 value modifier minus one;

28 (b) For the 2007-08 school year, the state revenue received  
29 by a district from the state aid calculation under subsections 1

1 and 4 of this section, as applicable, and the classroom trust  
2 fund under section 163.043 shall not be less than the greater of  
3 state revenue received by a district in the 2004-05 or 2005-06  
4 school year from the foundation formula, line 14, gifted,  
5 remedial reading, exceptional pupil aid, fair share, and free  
6 textbook payment amounts multiplied by the sum of one plus the  
7 product of two-thirds multiplied by the remainder of the dollar  
8 value modifier minus one;

9 (c) For the 2008-09 school year, the state revenue received  
10 by a district from the state aid calculation under subsections 1  
11 and 4 of this section, as applicable, and the classroom trust  
12 fund under section 163.043 shall not be less than the greater of  
13 state revenue received by a district in the 2004-05 or 2005-06  
14 school year from the foundation formula, line 14, gifted,  
15 remedial reading, exceptional pupil aid, fair share, and free  
16 textbook payment amounts multiplied by the dollar value modifier;

17 (d) For each year subsequent to the 2008-09 school year,  
18 the amount shall be no less than that computed in paragraph (c)  
19 of this subdivision;

20 (3) The department of elementary and secondary education  
21 shall make an addition in the payment amount specified in  
22 subsection 1 of this section to assure compliance with the  
23 provisions contained in this subsection.

24 3. School districts that meet the requirements of section  
25 163.021 shall receive categorical add-on revenue as provided in  
26 this subsection. The categorical add-on for the district shall  
27 be the sum of: seventy-five percent of the district allowable  
28 transportation costs under section 163.161; the career ladder  
29 entitlement for the district, as provided for in sections 168.500

1 to 168.515; the vocational education entitlement for the  
2 district, as provided for in section 167.332; and the district  
3 educational and screening program entitlements as provided for in  
4 sections 178.691 to 178.699. The categorical add-on revenue  
5 amounts may be adjusted to accommodate available appropriations.

6 4. In the 2006-07 school year and each school year  
7 thereafter for five years, those districts entitled to receive  
8 state aid under the provisions of subsection 1 of this section  
9 shall receive state aid in an amount as provided in this  
10 subsection.

11 (1) For the 2006-07 school year, the amount shall be  
12 fifteen percent of the amount of state aid calculated for the  
13 district for the 2006-07 school year under the provisions of  
14 subsection 1 of this section, plus eighty-five percent of the  
15 total amount of state revenue received by the district for the  
16 2005-06 school year from the foundation formula, line 14, gifted,  
17 remedial reading, exceptional pupil aid, fair share, and free  
18 textbook payments less any amounts received under section  
19 163.043.

20 (2) For the 2007-08 school year, the amount shall be thirty  
21 percent of the amount of state aid calculated for the district  
22 for the 2007-08 school year under the provisions of subsection 1  
23 of this section, plus seventy percent of the total amount of  
24 state revenue received by the district for the 2005-06 school  
25 year from the foundation formula, line 14, gifted, remedial  
26 reading, exceptional pupil aid, fair share, and free textbook  
27 payments less any amounts received under section 163.043.

28 (3) For the 2008-09 school year, the amount of state aid  
29 shall be forty-four percent of the amount of state aid calculated

1 for the district for the 2008-09 school year under the provisions  
2 of subsection 1 of this section plus fifty-six percent of the  
3 total amount of state revenue received by the district for the  
4 2005-06 school year from the foundation formula, line 14, gifted,  
5 remedial reading, exceptional pupil aid, fair share, and free  
6 textbook payments less any amounts received under section  
7 163.043.

8 (4) For the 2009-10 school year, the amount of state aid  
9 shall be fifty-eight percent of the amount of state aid  
10 calculated for the district for the 2009-10 school year under the  
11 provisions of subsection 1 of this section plus forty-two percent  
12 of the total amount of state revenue received by the district for  
13 the 2005-06 school year from the foundation formula, line 14,  
14 gifted, remedial reading, exceptional pupil aid, fair share, and  
15 free textbook payments less any amounts received under section  
16 163.043.

17 (5) For the 2010-11 school year, the amount of state aid  
18 shall be seventy-two percent of the amount of state aid  
19 calculated for the district for the 2010-11 school year under the  
20 provisions of subsection 1 of this section plus twenty-eight  
21 percent of the total amount of state revenue received by the  
22 district for the 2005-06 school year from the foundation formula,  
23 line 14, gifted, remedial reading, exceptional pupil aid, fair  
24 share, and free textbook payments less any amounts received under  
25 section 163.043.

26 (6) For the 2011-12 school year, the amount of state aid  
27 shall be eighty-six percent of the amount of state aid calculated  
28 for the district for the 2011-12 school year under the provisions  
29 of subsection 1 of this section plus fourteen percent of the

1 total amount of state revenue received by the district for the  
2 2005-06 school year from the foundation formula, line 14, gifted,  
3 remedial reading, exceptional pupil aid, fair share, and free  
4 textbook payments less any amounts received under section  
5 163.043.

6 (7) (a) [Notwithstanding subdivision (18) of section  
7 163.011, the state adequacy target may not be adjusted downward  
8 to accommodate available appropriations in any year governed by  
9 this subsection.

10 (b)] a. For the 2006-07 school year, if a school district  
11 experiences a decrease in summer school average daily attendance  
12 of more than twenty percent from the district's 2005-06 summer  
13 school average daily attendance, an amount equal to the product  
14 of the percent reduction that is in excess of twenty percent of  
15 the district's summer school average daily attendance multiplied  
16 by the funds generated by the district's summer school program in  
17 the 2005-06 school year shall be subtracted from the district's  
18 current year payment amount.

19 b. For the 2007-08 school year, if a school district  
20 experiences a decrease in summer school average daily attendance  
21 of more than thirty percent from the district's 2005-06 summer  
22 school average daily attendance, an amount equal to the product  
23 of the percent reduction that is in excess of thirty percent of  
24 the district's summer school average daily attendance multiplied  
25 by the funds generated by the district's summer school program in  
26 the 2005-06 school year shall be subtracted from the district's  
27 payment amount.

28 c. For the 2008-09 school year, if a school district  
29 experiences a decrease in summer school average daily attendance

1 of more than thirty-five percent from the district's 2005-06  
2 summer school average daily attendance, an amount equal to the  
3 product of the percent reduction that is in excess of thirty-five  
4 percent of the district's summer school average daily attendance  
5 multiplied by the funds generated by the district's summer school  
6 program in the 2005-06 school year shall be subtracted from the  
7 district's payment amount.

8 d. Notwithstanding the provisions of this paragraph, no  
9 such reduction shall be made in the case of a district that is  
10 receiving a payment under section 163.044 or any district whose  
11 regular school term average daily attendance for the preceding  
12 year was three hundred fifty or less.

13 e. This paragraph shall not be construed to permit any  
14 reduction applied under this paragraph to result in any district  
15 receiving a current-year payment that is less than the amount  
16 calculated for such district under subsection 2 of this section.

17 [(c)] (b) If a school district experiences a decrease in  
18 its gifted program enrollment of more than twenty percent from  
19 its 2005-06 gifted program enrollment in any year governed by  
20 this subsection, an amount equal to the product of the percent  
21 reduction in the district's gifted program enrollment multiplied  
22 by the funds generated by the district's gifted program in the  
23 2005-06 school year shall be subtracted from the district's  
24 current year payment amount.

25 5. For any school district meeting the eligibility criteria  
26 for state aid as established in section 163.021, but which is  
27 considered an option district under section 163.042 and therefore  
28 receives no state aid, the commissioner of education shall  
29 present a plan to the superintendent of the school district for



1 the waiver of rules and the duration of said waivers, in order to  
2 promote flexibility in the operations of the district and to  
3 enhance and encourage efficiency in the delivery of instructional  
4 services as provided in section 163.042.

5 6. (1) No less than seventy-five percent of the state  
6 revenue received under the provisions of subsections 1, 2, and 4  
7 of this section shall be placed in the teachers' fund, and the  
8 remaining percent of such moneys shall be placed in the  
9 incidental fund. No less than seventy-five percent of one-half  
10 of the funds received from the school district trust fund  
11 distributed under section 163.087 shall be placed in the  
12 teachers' fund. One hundred percent of revenue received under  
13 the provisions of section 163.161 shall be placed in the  
14 incidental fund. One hundred percent of revenue received under  
15 the provisions of sections 168.500 to 168.515 shall be placed in  
16 the teachers' fund.

17 (2) A school district shall spend for certificated  
18 compensation and tuition expenditures each year:

19 (a) An amount equal to at least seventy-five percent of the  
20 state revenue received under the provisions of subsections 1, 2,  
21 and 4 of this section;

22 (b) An amount equal to at least seventy-five percent of  
23 one-half of the funds received from the school district trust  
24 fund distributed under section 163.087 during the preceding  
25 school year; and

26 (c) Beginning in fiscal year 2008, as much as was spent per  
27 the second preceding year's weighted average daily attendance for  
28 certificated compensation and tuition expenditures the previous  
29 year from revenue produced by local and county tax sources in the

1 teachers' fund, plus the amount of the incidental fund to  
2 teachers' fund transfer calculated to be local and county tax  
3 sources by dividing local and county tax sources in the  
4 incidental fund by total revenue in the incidental fund. In the  
5 event a district fails to comply with this provision, the amount  
6 by which the district fails to spend funds as provided herein  
7 shall be deducted from the district's state revenue received  
8 under the provisions of subsections 1, 2, and 4 of this section  
9 for the following year, provided that the state board of  
10 education may exempt a school district from this provision if the  
11 state board of education determines that circumstances warrant  
12 such exemption.

13 7. If a school district's annual audit discloses that  
14 students were inappropriately identified as eligible for free and  
15 reduced lunch, special education, or limited English proficiency  
16 and the district does not resolve the audit finding, the  
17 department of elementary and secondary education shall require  
18 that the amount of aid paid pursuant to the weighting for free  
19 and reduced lunch, special education, or limited English  
20 proficiency in the weighted average daily attendance on the  
21 inappropriately identified pupils be repaid by the district in  
22 the next school year and shall additionally impose a penalty of  
23 one hundred percent of such aid paid on such pupils, which  
24 penalty shall also be paid within the next school year. Such  
25 amounts may be repaid by the district through the withholding of  
26 the amount of state aid.

27 8. Notwithstanding any provision of law to the contrary, in  
28 any fiscal year during which the total formula appropriation is  
29 insufficient to fully fund the entitlement calculation of this

1 section, the department of elementary and secondary education  
2 shall adjust the state adequacy target in order to accommodate  
3 the appropriation level for the given fiscal year. In no manner  
4 shall any payment modification be rendered for any district  
5 qualified to receive payments under subsection 2 of this section  
6 based on insufficient appropriations."; and

7 Further amend said bill, section 210.211, page 3, line 66,  
8 by inserting after all of said line the following:

9 "Section B. The repeal and reenactment of sections 160.053,  
10 160.054, 160.055, 163.011, and 163.031 and the enactment of  
11 section 163.018 of this act shall become effective July 1,  
12 2015."; and

13 Further amend the title and enacting clause accordingly.