

CONFERENCE COMMITTEE SUBSTITUTE

FOR

SENATE COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 638

AN ACT

To repeal sections 160.400, 160.403, 160.405, 160.410, 160.415, 160.417, 160.545, 161.216, 162.073, 162.261, 162.531, 162.541, 162.720, 163.031, 167.131, 167.241, 170.011, 170.310, 171.021, 173.750, RSMo, and to enact in lieu thereof twenty-nine new sections relating to elementary and secondary education, with an effective date for a certain section.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI,
AS FOLLOWS:

1 Section A. Sections 160.400, 160.403, 160.405, 160.410,
2 160.415, 160.417, 160.545, 161.216, 162.073, 162.261, 162.531,
3 162.541, 162.720, 163.031, 167.131, 167.241, 170.011, 170.310,
4 171.021, 173.750, RSMo, is repealed and twenty-nine new sections
5 enacted in lieu thereof, to be known as sections 160.400,
6 160.403, 160.405, 160.408, 160.410, 160.415, 160.417, 160.545,
7 161.217, 161.1050, 161.1055, 162.073, 162.261, 162.531, 162.541,
8 162.720, 163.031, 167.131, 167.241, 167.903, 167.905, 167.950,
9 170.011, 170.310, 170.345, 170.350, 171.021, 173.750, 633.420, to
10 read as follows:

11 160.400. 1. A charter school is an independent public
12 school.

13 2. Except as further provided in subsection 4 of this
14 section, charter schools may be operated only:

- 1 (1) In a metropolitan school district;
- 2 (2) In an urban school district containing most or all of a
3 city with a population greater than three hundred fifty thousand
4 inhabitants;
- 5 (3) In a school district that has been **[declared]**
6 classified as unaccredited by the state board of education;
- 7 (4) In a school district that has been classified as
8 provisionally accredited by the state board of education and has
9 received scores on its annual performance report consistent with
10 a classification of provisionally accredited or unaccredited for
11 three consecutive school years beginning with the 2012-13
12 accreditation year under the following conditions:
- 13 (a) The eligibility for charter schools of any school
14 district whose provisional accreditation is based in whole or in
15 part on financial stress as defined in sections 161.520 to
16 161.529, or on financial hardship as defined by rule of the state
17 board of education, shall be decided by a vote of the state board
18 of education during the third consecutive school year after the
19 designation of provisional accreditation; and
- 20 (b) The sponsor is limited to the local school board or a
21 sponsor who has met the standards of accountability and
22 performance as determined by the department based on sections
23 160.400 to 160.425 and section 167.349 and properly promulgated
24 rules of the department; or
- 25 (5) In a school district that has been accredited without
26 provisions, sponsored only by the local school board; provided
27 that no board with a current year enrollment of one thousand five
28 hundred fifty students or greater shall permit more than thirty-

1 five percent of its student enrollment to enroll in charter
2 schools sponsored by the local board under the authority of this
3 subdivision, except that this restriction shall not apply to any
4 school district that subsequently becomes eligible under
5 subdivision (3) or (4) of this subsection or to any district
6 accredited without provisions that sponsors charter schools prior
7 to having a current year student enrollment of one thousand five
8 hundred fifty students or greater.

9 3. Except as further provided in subsection 4 of this
10 section, the following entities are eligible to sponsor charter
11 schools:

12 (1) The school board of the district in any district which
13 is sponsoring a charter school as of August 27, 2012, as
14 permitted under subdivision (1) or (2) of subsection 2 of this
15 section, the special administrative board of a metropolitan
16 school district during any time in which powers granted to the
17 district's board of education are vested in a special
18 administrative board, or if the state board of education appoints
19 a special administrative board to retain the authority granted to
20 the board of education of an urban school district containing
21 most or all of a city with a population greater than three
22 hundred fifty thousand inhabitants, the special administrative
23 board of such school district;

24 (2) A public four-year college or university with an
25 approved teacher education program that meets regional or
26 national standards of accreditation;

27 (3) A community college, the service area of which
28 encompasses some portion of the district;

1 (4) Any private four-year college or university with an
2 enrollment of at least one thousand students, with its primary
3 campus in Missouri, and with an approved teacher preparation
4 program;

5 (5) Any two-year private vocational or technical school
6 designated as a 501(c)(3) nonprofit organization under the
7 Internal Revenue Code of 1986, as amended, [which is a member of
8 the North Central Association] and accredited by the Higher
9 Learning Commission, with its primary campus in Missouri; [or]

10 (6) The Missouri charter public school commission created
11 in section 160.425.

12 4. Changes in a school district's accreditation status that
13 affect charter schools shall be addressed as follows, except for
14 the districts described in subdivisions (1) and (2) of subsection
15 2 of this section:

16 (1) As a district transitions from unaccredited to
17 provisionally accredited, the district shall continue to fall
18 under the requirements for an unaccredited district until it
19 achieves three consecutive full school years of provisional
20 accreditation;

21 (2) As a district transitions from provisionally accredited
22 to full accreditation, the district shall continue to fall under
23 the requirements for a provisionally accredited district until it
24 achieves three consecutive full school years of full
25 accreditation;

26 (3) In any school district classified as unaccredited or
27 provisionally accredited where a charter school is operating and
28 is sponsored by an entity other than the local school board, when

1 the school district becomes classified as accredited without
2 provisions, a charter school may continue to be sponsored by the
3 entity sponsoring it prior to the classification of accredited
4 without provisions and shall not be limited to the local school
5 board as a sponsor.

6
7 A charter school operating in a school district identified in
8 subdivision (1) or (2) of subsection 2 of this section may be
9 sponsored by any of the entities identified in subsection 3 of
10 this section, irrespective of the accreditation classification of
11 the district in which it is located. A charter school in a
12 district described in this subsection whose charter provides for
13 the addition of grade levels in subsequent years may continue to
14 add levels until the planned expansion is complete to the extent
15 of grade levels in comparable schools of the district in which
16 the charter school is operated.

17 5. The mayor of a city not within a county may request a
18 sponsor under subdivision (2), (3), (4), (5), or (6) of
19 subsection 3 of this section to consider sponsoring a "workplace
20 charter school", which is defined for purposes of sections
21 160.400 to 160.425 as a charter school with the ability to target
22 prospective students whose parent or parents are employed in a
23 business district, as defined in the charter, which is located in
24 the city.

25 6. No sponsor shall receive from an applicant for a charter
26 school any fee of any type for the consideration of a charter,
27 nor may a sponsor condition its consideration of a charter on the
28 promise of future payment of any kind.

1 7. The charter school shall be organized as a Missouri
2 nonprofit corporation incorporated pursuant to chapter 355. The
3 charter provided for herein shall constitute a contract between
4 the sponsor and the charter school.

5 8. As a nonprofit corporation incorporated pursuant to
6 chapter 355, the charter school shall select the method for
7 election of officers pursuant to section 355.326 based on the
8 class of corporation selected. Meetings of the governing board
9 of the charter school shall be subject to the provisions of
10 sections 610.010 to 610.030.

11 9. A sponsor of a charter school, its agents and employees
12 are not liable for any acts or omissions of a charter school that
13 it sponsors, including acts or omissions relating to the charter
14 submitted by the charter school, the operation of the charter
15 school and the performance of the charter school.

16 10. A charter school may affiliate with a four-year college
17 or university, including a private college or university, or a
18 community college as otherwise specified in subsection 3 of this
19 section when its charter is granted by a sponsor other than such
20 college, university or community college. Affiliation status
21 recognizes a relationship between the charter school and the
22 college or university for purposes of teacher training and staff
23 development, curriculum and assessment development, use of
24 physical facilities owned by or rented on behalf of the college
25 or university, and other similar purposes. A university, college
26 or community college may not charge or accept a fee for
27 affiliation status.

28 11. The expenses associated with sponsorship of charter

1 schools shall be defrayed by the department of elementary and
2 secondary education retaining one and five-tenths percent of the
3 amount of state and local funding allocated to the charter school
4 under section 160.415, not to exceed one hundred twenty-five
5 thousand dollars, adjusted for inflation. The department of
6 elementary and secondary education shall remit the retained funds
7 for each charter school to the school's sponsor, provided the
8 sponsor remains in good standing by fulfilling its sponsorship
9 obligations under sections 160.400 to 160.425 and 167.349 with
10 regard to each charter school it sponsors, including appropriate
11 demonstration of the following:

12 (1) Expends no less than ninety percent of its charter
13 school sponsorship funds in support of its charter school
14 sponsorship program, or as a direct investment in the sponsored
15 schools;

16 (2) Maintains a comprehensive application process that
17 follows fair procedures and rigorous criteria and grants charters
18 only to those developers who demonstrate strong capacity for
19 establishing and operating a quality charter school;

20 (3) Negotiates contracts with charter schools that clearly
21 articulate the rights and responsibilities of each party
22 regarding school autonomy, expected outcomes, measures for
23 evaluating success or failure, performance consequences based on
24 the annual performance report, and other material terms;

25 (4) Conducts contract oversight that evaluates performance,
26 monitors compliance, informs intervention and renewal decisions,
27 and ensures autonomy provided under applicable law; and

28 (5) Designs and implements a transparent and rigorous

1 process that uses comprehensive data to make merit-based renewal
2 decisions.

3 12. Sponsors receiving funds under subsection 11 of this
4 section shall be required to submit annual reports to the joint
5 committee on education demonstrating they are in compliance with
6 subsection 17 of this section.

7 13. No university, college or community college shall grant
8 a charter to a nonprofit corporation if an employee of the
9 university, college or community college is a member of the
10 corporation's board of directors.

11 14. No sponsor shall grant a charter under sections 160.400
12 to 160.425 and 167.349 without ensuring that a criminal
13 background check and family care safety registry check are
14 conducted for all members of the governing board of the charter
15 schools or the incorporators of the charter school if initial
16 directors are not named in the articles of incorporation, nor
17 shall a sponsor renew a charter without ensuring a criminal
18 background check and family care safety registry check are
19 conducted for each member of the governing board of the charter
20 school.

21 15. No member of the governing board of a charter school
22 shall hold any office or employment from the board or the charter
23 school while serving as a member, nor shall the member have any
24 substantial interest, as defined in section 105.450, in any
25 entity employed by or contracting with the board. No board
26 member shall be an employee of a company that provides
27 substantial services to the charter school. All members of the
28 governing board of the charter school shall be considered

1 decision-making public servants as defined in section 105.450 for
2 the purposes of the financial disclosure requirements contained
3 in sections 105.483, 105.485, 105.487, and 105.489.

4 16. A sponsor shall develop the policies and procedures
5 for:

6 (1) The review of a charter school proposal including an
7 application that provides sufficient information for rigorous
8 evaluation of the proposed charter and provides clear
9 documentation that the education program and academic program are
10 aligned with the state standards and grade-level expectations,
11 and provides clear documentation of effective governance and
12 management structures, and a sustainable operational plan;

13 (2) The granting of a charter;

14 (3) The performance **[framework]** contract that the sponsor
15 will use to evaluate the performance of charter schools. Charter
16 schools shall meet current state academic performance standards
17 as well as other standards agreed upon by the sponsor and the
18 charter school in the performance contract;

19 (4) The sponsor's intervention, renewal, and revocation
20 policies, including the conditions under which the charter
21 sponsor may intervene in the operation of the charter school,
22 along with actions and consequences that may ensue, and the
23 conditions for renewal of the charter at the end of the term,
24 consistent with subsections 8 and 9 of section 160.405;

25 (5) Additional criteria that the sponsor will use for
26 ongoing oversight of the charter; and

27 (6) Procedures to be implemented if a charter school should
28 close, consistent with the provisions of subdivision (15) of

1 subsection 1 of section 160.405.

2
3 The department shall provide guidance to sponsors in developing
4 such policies and procedures.

5 17. (1) A sponsor shall provide timely submission to the
6 state board of education of all data necessary to demonstrate
7 that the sponsor is in material compliance with all requirements
8 of sections 160.400 to 160.425 and section 167.349. The state
9 board of education shall ensure each sponsor is in compliance
10 with all requirements under sections 160.400 to 160.425 and
11 167.349 for each charter school sponsored by any sponsor. The
12 state board shall notify each sponsor of the standards for
13 sponsorship of charter schools, delineating both what is mandated
14 by statute and what best practices dictate. The state board
15 shall evaluate sponsors to determine compliance with these
16 standards every three years. The evaluation shall include a
17 sponsor's policies and procedures in the areas of charter
18 application approval; required charter agreement terms and
19 content; sponsor performance evaluation and compliance
20 monitoring; and charter renewal, intervention, and revocation
21 decisions. Nothing shall preclude the department from
22 undertaking an evaluation at any time for cause.

23 (2) If the department determines that a sponsor is in
24 material noncompliance with its sponsorship duties, the sponsor
25 shall be notified and given reasonable time for remediation. If
26 remediation does not address the compliance issues identified by
27 the department, the commissioner of education shall conduct a
28 public hearing and thereafter provide notice to the charter

1 sponsor of corrective action that will be recommended to the
2 state board of education. Corrective action by the department
3 may include withholding the sponsor's funding and suspending the
4 sponsor's authority to sponsor a school that it currently
5 sponsors or to sponsor any additional school until the sponsor is
6 reauthorized by the state board of education under section
7 160.403.

8 (3) The charter sponsor may, within thirty days of receipt
9 of the notice of the commissioner's recommendation, provide a
10 written statement and other documentation to show cause as to why
11 that action should not be taken. Final determination of
12 corrective action shall be determined by the state board of
13 education based upon a review of the documentation submitted to
14 the department and the charter sponsor.

15 (4) If the state board removes the authority to sponsor a
16 currently operating charter school under any provision of law,
17 the Missouri charter public school commission shall become the
18 sponsor of the school.

19 18. If a sponsor notifies a charter school of closure under
20 subsection 8 of section 160.405, the department of elementary and
21 secondary education shall exercise its financial withholding
22 authority under subsection 12 of section 160.415 to assure all
23 obligations of the charter school shall be met. The state,
24 charter sponsor, or resident district shall not be liable for any
25 outstanding liability or obligations of the charter school.

26 160.403. 1. The department of elementary and secondary
27 education shall establish an annual application and approval
28 process for all entities eligible to sponsor charters as set

1 forth in section 160.400 which are not sponsoring a charter
2 school as of August 28, 2012, except that the Missouri charter
3 public school commission shall not be required to undergo the
4 application and approval process. No later than November 1,
5 2012, the department shall make available information and
6 guidelines for all eligible sponsors concerning the opportunity
7 to apply for sponsoring authority under this section.

8 2. The application process for sponsorship shall require
9 each interested eligible sponsor, except for the Missouri charter
10 public school commission, to submit an application by February
11 first that includes the following:

12 (1) Written notification of intent to serve as a charter
13 school sponsor in accordance with sections 160.400 to 160.425 and
14 section 167.349;

15 (2) Evidence of the applicant sponsor's budget and
16 personnel capacity;

17 (3) An outline of the request for proposal that the
18 applicant sponsor would, if approved as a charter sponsor, issue
19 to solicit charter school applicants consistent with sections
20 160.400 to 160.425 and section 167.349;

21 (4) The performance [framework] contract that the applicant
22 sponsor would, if approved as a charter sponsor, use to [guide
23 the establishment of a charter contract and for ongoing oversight
24 and a description of how it would] evaluate the charter schools
25 it sponsors; and

26 (5) The applicant sponsor's renewal, revocation, and
27 nonrenewal processes consistent with section 160.405.

28 3. By April first of each year, the department shall decide

1 whether to grant or deny a sponsoring authority to a sponsor
2 applicant. This decision shall be made based on the applicant
3 [charter's] sponsor's compliance with sections 160.400 to 160.425
4 and section 167.349 and properly promulgated rules of the
5 department.

6 4. Within thirty days of the department's decision, the
7 department shall execute a renewable sponsoring contract with
8 each entity it has approved as a sponsor. The term of each
9 authorizing contract shall be six years and renewable. [No
10 eligible sponsor which is not currently sponsoring a charter
11 school as of August 28, 2012, shall commence charter sponsorship
12 without approval from the state board of education and a sponsor
13 contract with the state board of education in effect.]

14 160.405. 1. A person, group or organization seeking to
15 establish a charter school shall submit the proposed charter, as
16 provided in this section, to a sponsor. If the sponsor is not a
17 school board, the applicant shall give a copy of its application
18 to the school board of the district in which the charter school
19 is to be located and to the state board of education, within five
20 business days of the date the application is filed with the
21 proposed sponsor. The school board may file objections with the
22 proposed sponsor, and, if a charter is granted, the school board
23 may file objections with the state board of education. The
24 charter shall [be] include a legally binding performance contract
25 that describes the obligations and responsibilities of the school
26 and the sponsor as outlined in sections 160.400 to 160.425 and
27 section 167.349 and shall [also include] address the following:

28 (1) A mission and vision statement for the charter school;

1 (2) A description of the charter school's organizational
2 structure and bylaws of the governing body, which will be
3 responsible for the policy, financial management, and operational
4 decisions of the charter school, including the nature and extent
5 of parental, professional educator, and community involvement in
6 the governance and operation of the charter school;

7 (3) A financial plan for the first three years of operation
8 of the charter school including provisions for annual audits;

9 (4) A description of the charter school's policy for
10 securing personnel services, its personnel policies, personnel
11 qualifications, and professional development plan;

12 (5) A description of the grades or ages of students being
13 served;

14 (6) The school's calendar of operation, which shall include
15 at least the equivalent of a full school term as defined in
16 section 160.011;

17 (7) A description of the charter school's pupil performance
18 standards and academic program performance standards, which shall
19 meet the requirements of subdivision (6) of subsection 4 of this
20 section. The charter school program shall be designed to enable
21 each pupil to achieve such standards and shall contain a complete
22 set of indicators, measures, metrics, and targets for academic
23 program performance, including specific goals on graduation rates
24 and standardized test performance and academic growth;

25 (8) A description of the charter school's educational
26 program and curriculum;

27 (9) The term of the charter, which shall be five years and
28 ~~[shall]~~ may be ~~[renewable]~~ renewed;

1 (10) Procedures, consistent with the Missouri financial
2 accounting manual, for monitoring the financial accountability of
3 the charter, which shall meet the requirements of subdivision (4)
4 of subsection 4 of this section;

5 (11) Preopening requirements for applications that require
6 that charter schools meet all health, safety, and other legal
7 requirements prior to opening;

8 (12) A description of the charter school's policies on
9 student discipline and student admission, which shall include a
10 statement, where applicable, of the validity of attendance of
11 students who do not reside in the district but who may be
12 eligible to attend under the terms of judicial settlements and
13 procedures that ensure admission of students with disabilities in
14 a nondiscriminatory manner;

15 (13) A description of the charter school's grievance
16 procedure for parents or guardians;

17 (14) A description of the agreement and time frame for
18 implementation between the charter school and the sponsor as to
19 when a sponsor shall intervene in a charter school, when a
20 sponsor shall revoke a charter for failure to comply with
21 subsection 8 of this section, and when a sponsor will not renew a
22 charter under subsection 9 of this section;

23 (15) Procedures to be implemented if the charter school
24 should close, as provided in subdivision (6) of subsection 16 of
25 section 160.400 including:

26 (a) Orderly transition of student records to new schools
27 and archival of student records;

28 (b) Archival of business operation and transfer or

1 repository of personnel records;

2 (c) Submission of final financial reports;

3 (d) Resolution of any remaining financial obligations;

4 [and]

5 (e) Disposition of the charter school's assets upon
6 closure; and

7 (f) A notification plan to inform parents or guardians of
8 students, the local school district, the retirement system in
9 which the charter school's employees participate, and the state
10 board of education within thirty days of the decision to close;

11 (16) A description of the special education and related
12 services that shall be available to meet the needs of students
13 with disabilities; and

14 (17) For all new or revised charters, procedures to be used
15 upon closure of the charter school requiring that unobligated
16 assets of the charter school be returned to the department of
17 elementary and secondary education for their disposition, which
18 upon receipt of such assets shall return them to the local school
19 district in which the school was located, the state, or any other
20 entity to which they would belong.

21
22 Charter schools operating on August 27, 2012, shall have until
23 August 28, 2015, to meet the requirements of this subsection.

24 2. Proposed charters shall be subject to the following
25 requirements:

26 (1) A charter shall be submitted to the sponsor, and follow
27 the sponsor's policies and procedures for review and granting of
28 a charter approval, and be approved by the state board of

1 education by [~~December first of the year~~] January thirty-first
2 prior to the school year of the proposed opening date of the
3 charter school;

4 (2) A charter may be approved when the sponsor determines
5 that the requirements of this section are met, determines that
6 the applicant is sufficiently qualified to operate a charter
7 school, and that the proposed charter is consistent with the
8 sponsor's charter sponsorship goals and capacity. The sponsor's
9 decision of approval or denial shall be made within ninety days
10 of the filing of the proposed charter;

11 (3) If the charter is denied, the proposed sponsor shall
12 notify the applicant in writing as to the reasons for its denial
13 and forward a copy to the state board of education within five
14 business days following the denial;

15 (4) If a proposed charter is denied by a sponsor, the
16 proposed charter may be submitted to the state board of
17 education, along with the sponsor's written reasons for its
18 denial. If the state board determines that the applicant meets
19 the requirements of this section, that the applicant is
20 sufficiently qualified to operate the charter school, and that
21 granting a charter to the applicant would be likely to provide
22 educational benefit to the children of the district, the state
23 board may grant a charter and act as sponsor of the charter
24 school. The state board shall review the proposed charter and
25 make a determination of whether to deny or grant the proposed
26 charter within sixty days of receipt of the proposed charter,
27 provided that any charter to be considered by the state board of
28 education under this subdivision shall be submitted no later than

1 March first prior to the school year in which the charter school
2 intends to begin operations. The state board of education shall
3 notify the applicant in writing as the reasons for its denial, if
4 applicable; and

5 (5) The sponsor of a charter school shall give priority to
6 charter school applicants that propose a school oriented to high-
7 risk students and to the reentry of dropouts into the school
8 system. If a sponsor grants three or more charters, at least
9 one-third of the charters granted by the sponsor shall be to
10 schools that actively recruit dropouts or high-risk students as
11 their student body and address the needs of dropouts or high-risk
12 students through their proposed mission, curriculum, teaching
13 methods, and services. For purposes of this subsection, a "high-
14 risk" student is one who is at least one year behind in
15 satisfactory completion of course work or obtaining high school
16 credits for graduation, has dropped out of school, is at risk of
17 dropping out of school, needs drug and alcohol treatment, has
18 severe behavioral problems, has been suspended from school three
19 or more times, has a history of severe truancy, is a pregnant or
20 parenting teen, has been referred for enrollment by the judicial
21 system, is exiting incarceration, is a refugee, is homeless or
22 has been homeless sometime within the preceding six months, has
23 been referred by an area school district for enrollment in an
24 alternative program, or qualifies as high risk under department
25 of elementary and secondary education guidelines. "Dropout"
26 shall be defined through the guidelines of the school core data
27 report. The provisions of this subsection do not apply to
28 charters sponsored by the state board of education.

1 3. If a charter is approved by a sponsor, the charter
2 application shall be submitted to the state board of education,
3 along with a statement of finding by the sponsor that the
4 application meets the requirements of sections 160.400 to 160.425
5 and section 167.349 and a monitoring plan under which the charter
6 sponsor shall evaluate the academic performance, including annual
7 performance reports, of students enrolled in the charter school.
8 The state board of education [may, within sixty days, disapprove
9 the granting of the charter] shall approve or deny a charter
10 application within sixty days of receipt of the application. The
11 state board of education may [disapprove] deny a charter on
12 grounds that the application fails to meet the requirements of
13 sections 160.400 to 160.425 and section 167.349 or that a charter
14 sponsor previously failed to meet the statutory responsibilities
15 of a charter sponsor. Any denial of a charter application made
16 by the state board of education shall be in writing and shall
17 identify the specific failures of the application to meet the
18 requirements of sections 160.400 to 160.425 and section 167.349,
19 and the written denial shall be provided within ten business days
20 to the sponsor.

21 4. A charter school shall, as provided in its charter:

22 (1) Be nonsectarian in its programs, admission policies,
23 employment practices, and all other operations;

24 (2) Comply with laws and regulations of the state, county,
25 or city relating to health, safety, and state minimum educational
26 standards, as specified by the state board of education,
27 including the requirements relating to student discipline under
28 sections 160.261, 167.161, 167.164, and 167.171, notification of

1 criminal conduct to law enforcement authorities under sections
2 167.115 to 167.117, academic assessment under section 160.518,
3 transmittal of school records under section 167.020, the minimum
4 [number of school days and hours] amount of school time required
5 under section [160.041] 171.031, and the employee criminal
6 history background check and the family care safety registry
7 check under section 168.133;

8 (3) Except as provided in sections 160.400 to 160.425 and
9 as specifically provided in other sections, be exempt from all
10 laws and rules relating to schools, governing boards and school
11 districts;

12 (4) Be financially accountable, use practices consistent
13 with the Missouri financial accounting manual, provide for an
14 annual audit by a certified public accountant, publish audit
15 reports and annual financial reports as provided in chapter 165,
16 provided that the annual financial report may be published on the
17 department of elementary and secondary education's internet
18 website in addition to other publishing requirements, and provide
19 liability insurance to indemnify the school, its board, staff and
20 teachers against tort claims. A charter school that receives
21 local educational agency status under subsection 6 of this
22 section shall meet the requirements imposed by the Elementary and
23 Secondary Education Act for audits of such agencies and comply
24 with all federal audit requirements for charters with local
25 [education] educational agency status. For purposes of an audit
26 by petition under section 29.230, a charter school shall be
27 treated as a political subdivision on the same terms and
28 conditions as the school district in which it is located. For

1 the purposes of securing such insurance, a charter school shall
2 be eligible for the Missouri public entity risk management fund
3 pursuant to section 537.700. A charter school that incurs debt
4 shall include a repayment plan in its financial plan;

5 (5) Provide a comprehensive program of instruction for at
6 least one grade or age group from ~~kindergarten~~ early childhood
7 through grade twelve, ~~which may include early childhood~~
8 education if funding for such programs is established by
9 statute,] as specified in its charter;

10 (6) (a) Design a method to measure pupil progress toward
11 the pupil academic standards adopted by the state board of
12 education pursuant to section 160.514, establish baseline student
13 performance in accordance with the performance contract during
14 the first year of operation, collect student performance data as
15 defined by the annual performance report throughout the duration
16 of the charter to annually monitor student academic performance,
17 and to the extent applicable based upon grade levels offered by
18 the charter school, participate in the statewide system of
19 assessments, comprised of the essential skills tests and the
20 nationally standardized norm-referenced achievement tests, as
21 designated by the state board pursuant to section 160.518,
22 complete and distribute an annual report card as prescribed in
23 section 160.522, which shall also include a statement that
24 background checks have been completed on the charter school's
25 board members, and report to its sponsor, the local school
26 district, and the state board of education as to its teaching
27 methods and any educational innovations and the results thereof[,
28 and provide data required for the study of charter schools

1 pursuant to subsection 4 of section 160.410]. No charter school
2 shall be considered in the Missouri school improvement program
3 review of the district in which it is located for the resource or
4 process standards of the program.

5 (b) For proposed [high risk] high-risk or alternative
6 charter schools, sponsors shall approve performance measures
7 based on mission, curriculum, teaching methods, and services.
8 Sponsors shall also approve comprehensive academic and behavioral
9 measures to determine whether students are meeting performance
10 standards on a different time frame as specified in that school's
11 charter. Student performance shall be assessed comprehensively
12 to determine whether a [high risk] high-risk or alternative
13 charter school has documented adequate student progress. Student
14 performance shall be based on sponsor-approved comprehensive
15 measures as well as standardized public school measures. Annual
16 presentation of charter school report card data to the department
17 of elementary and secondary education, the state board, and the
18 public shall include comprehensive measures of student progress.

19 (c) Nothing in this subdivision shall be construed as
20 permitting a charter school to be held to lower performance
21 standards than other public schools within a district; however,
22 the charter of a charter school may permit students to meet
23 performance standards on a different time frame as specified in
24 its charter. The performance standards for alternative and
25 special purpose charter schools that target high-risk students as
26 defined in subdivision (5) of subsection 2 of this section shall
27 be based on measures defined in the school's performance contract
28 with its sponsors;

1 (7) Comply with all applicable federal and state laws and
2 regulations regarding students with disabilities, including
3 sections 162.670 to 162.710, the Individuals with Disabilities
4 Education Act (20 U.S.C. Section 1400) and Section 504 of the
5 Rehabilitation Act of 1973 (29 U.S.C. Section 794) or successor
6 legislation;

7 (8) Provide along with any request for review by the state
8 board of education the following:

9 (a) Documentation that the applicant has provided a copy of
10 the application to the school board of the district in which the
11 charter school is to be located, except in those circumstances
12 where the school district is the sponsor of the charter school;
13 and

14 (b) A statement outlining the reasons for approval or
15 [disapproval] denial by the sponsor, specifically addressing the
16 requirements of sections 160.400 to 160.425 and 167.349.

17 5. (1) Proposed or existing high-risk or alternative
18 charter schools may include alternative arrangements for students
19 to obtain credit for satisfying graduation requirements in the
20 school's charter application and charter. Alternative
21 arrangements may include, but not be limited to, credit for off-
22 campus instruction, embedded credit, work experience through an
23 internship arranged through the school, and independent studies.
24 When the state board of education approves the charter, any such
25 alternative arrangements shall be approved at such time.

26 (2) The department of elementary and secondary education
27 shall conduct a study of any charter school granted alternative
28 arrangements for students to obtain credit under this subsection

1 after three years of operation to assess student performance,
2 graduation rates, educational outcomes, and entry into the
3 workforce or higher education.

4 6. The charter of a charter school may be amended at the
5 request of the governing body of the charter school and on the
6 approval of the sponsor. The sponsor and the governing board and
7 staff of the charter school shall jointly review the school's
8 performance, management and operations during the first year of
9 operation and then every other year after the most recent review
10 or at any point where the operation or management of the charter
11 school is changed or transferred to another entity, either public
12 or private. The governing board of a charter school may amend
13 the charter, if the sponsor approves such amendment, or the
14 sponsor and the governing board may reach an agreement in writing
15 to reflect the charter school's decision to become a local
16 educational agency. In such case the sponsor shall give the
17 department of elementary and secondary education written notice
18 no later than March first of any year, with the agreement to
19 become effective July first. The department may waive the March
20 first notice date in its discretion. The department shall
21 identify and furnish a list of its regulations that pertain to
22 local educational agencies to such schools within thirty days of
23 receiving such notice.

24 7. Sponsors shall annually review the charter school's
25 compliance with statutory standards including:

26 (1) Participation in the statewide system of assessments,
27 as designated by the state board of education under section
28 160.518;

1 (2) Assurances for the completion and distribution of an
2 annual report card as prescribed in section 160.522;

3 (3) The collection of baseline data during the first three
4 years of operation to determine the longitudinal success of the
5 charter school;

6 (4) A method to measure pupil progress toward the pupil
7 academic standards adopted by the state board of education under
8 section 160.514; and

9 (5) Publication of each charter school's annual performance
10 report.

11 8. (1) (a) A sponsor's [intervention] policies shall give
12 schools clear, adequate, evidence-based, and timely notice of
13 contract violations or performance deficiencies and mandate
14 intervention based upon findings of the state board of education
15 of the following:

16 a. The charter school provides a high school program which
17 fails to maintain a graduation rate of at least seventy percent
18 in three of the last four school years unless the school has
19 dropout recovery as its mission;

20 b. The charter school's annual performance report results
21 are below the district's annual performance report results based
22 on the performance standards that are applicable to the grade
23 level configuration of both the charter school and the district
24 in which the charter school is located in three of the last four
25 school years; and

26 c. The charter school is identified as a persistently
27 lowest achieving school by the department of elementary and
28 secondary education.

1 (b) A sponsor shall have a policy to revoke a charter
2 during the charter term if there is:

3 a. Clear evidence of underperformance as demonstrated in
4 the charter school's annual performance report in three of the
5 last four school years; or

6 b. A violation of the law or the public trust that imperils
7 students or public funds.

8 (c) A sponsor shall revoke a charter or take other
9 appropriate remedial action, which may include placing the
10 charter school on probationary status for no more than [twelve]
11 twenty-four months, provided that no more than one designation of
12 probationary status shall be allowed for the duration of the
13 charter contract, at any time if the charter school commits a
14 serious breach of one or more provisions of its charter or on any
15 of the following grounds: failure to meet the performance
16 contract as set forth in its charter, failure to meet generally
17 accepted standards of fiscal management, failure to provide
18 information necessary to confirm compliance with all provisions
19 of the charter and sections 160.400 to 160.425 and 167.349 within
20 forty-five days following receipt of written notice requesting
21 such information, or violation of law.

22 (2) The sponsor may place the charter school on
23 probationary status to allow the implementation of a remedial
24 plan, which may require a change of methodology, a change in
25 leadership, or both, after which, if such plan is unsuccessful,
26 the charter may be revoked.

27 (3) At least sixty days before acting to revoke a charter,
28 the sponsor shall notify the governing board of the charter

1 school of the proposed action in writing. The notice shall state
2 the grounds for the proposed action. The school's governing
3 board may request in writing a hearing before the sponsor within
4 two weeks of receiving the notice.

5 (4) The sponsor of a charter school shall establish
6 procedures to conduct administrative hearings upon determination
7 by the sponsor that grounds exist to revoke a charter. Final
8 decisions of a sponsor from hearings conducted pursuant to this
9 subsection are subject to an appeal to the state board of
10 education, which shall determine whether the charter shall be
11 revoked.

12 (5) A termination shall be effective only at the conclusion
13 of the school year, unless the sponsor determines that continued
14 operation of the school presents a clear and immediate threat to
15 the health and safety of the children.

16 (6) A charter sponsor shall make available the school
17 accountability report card information as provided under section
18 160.522 and the results of the academic monitoring required under
19 subsection 3 of this section.

20 9. (1) A sponsor shall take all reasonable steps necessary
21 to confirm that each charter school sponsored by such sponsor is
22 in material compliance and remains in material compliance with
23 all material provisions of the charter and sections 160.400 to
24 160.425 and 167.349. Every charter school shall provide all
25 information necessary to confirm ongoing compliance with all
26 provisions of its charter and sections 160.400 to 160.425 and
27 167.349 in a timely manner to its sponsor.

28 (2) The sponsor's renewal process of the charter school

1 shall be based on the thorough analysis of a comprehensive body
2 of objective evidence and consider if:

3 (a) The charter school has maintained results on its annual
4 performance report that meet or exceed the district in which the
5 charter school is located based on the performance standards that
6 are applicable to the grade-level configuration of both the
7 charter school and the district in which the charter school is
8 located in three of the last four school years;

9 (b) The charter school is organizationally and fiscally
10 viable determining at a minimum that the school does not have:

11 a. A negative balance in its operating funds;

12 b. A combined balance of less than three percent of the
13 amount expended for such funds during the previous fiscal year;
14 or

15 c. Expenditures that exceed receipts for the most recently
16 completed fiscal year;

17 (c) The charter is in compliance with its legally binding
18 performance contract and sections 160.400 to 160.425 and section
19 167.349; and

20 (d) The charter school has an annual performance report
21 consistent with a classification of accredited for three of the
22 last four years and is fiscally viable as described in paragraph
23 (b) of this subdivision. If such is the case, the charter school
24 may have an expedited renewal process as defined by rule of the
25 department of elementary and secondary education.

26 (3) (a) Beginning August first during the year in which a
27 charter is considered for renewal, a charter school sponsor shall
28 demonstrate to the state board of education that the charter

1 school is in compliance with federal and state law as provided in
2 sections 160.400 to 160.425 and section 167.349 and the school's
3 performance contract including but not limited to those
4 requirements specific to academic performance.

5 (b) Along with data reflecting the academic performance
6 standards indicated in paragraph (a) of this subdivision, the
7 sponsor shall submit a revised charter application to the state
8 board of education for review.

9 (c) Using the data requested and the revised charter
10 application under paragraphs (a) and (b) of this subdivision, the
11 state board of education shall determine if compliance with all
12 standards enumerated in this subdivision has been achieved. The
13 state board of education at its next regularly scheduled meeting
14 shall vote on the revised charter application.

15 (d) If a charter school sponsor demonstrates the objectives
16 identified in this subdivision, the state board of education
17 shall renew the school's charter.

18 10. A school district may enter into a lease with a charter
19 school for physical facilities.

20 11. A governing board or a school district employee who has
21 control over personnel actions shall not take unlawful reprisal
22 against another employee at the school district because the
23 employee is directly or indirectly involved in an application to
24 establish a charter school. A governing board or a school
25 district employee shall not take unlawful reprisal against an
26 educational program of the school or the school district because
27 an application to establish a charter school proposes the
28 conversion of all or a portion of the educational program to a

1 charter school. As used in this subsection, "unlawful reprisal"
2 means an action that is taken by a governing board or a school
3 district employee as a direct result of a lawful application to
4 establish a charter school and that is adverse to another
5 employee or an educational program.

6 12. Charter school board members shall be subject to the
7 same liability for acts while in office as if they were regularly
8 and duly elected members of school boards in any other public
9 school district in this state. The governing board of a charter
10 school may participate, to the same extent as a school board, in
11 the Missouri public entity risk management fund in the manner
12 provided under sections 537.700 to 537.756.

13 13. Any entity, either public or private, operating,
14 administering, or otherwise managing a charter school shall be
15 considered a quasi-public governmental body and subject to the
16 provisions of sections 610.010 to 610.035.

17 14. The chief financial officer of a charter school shall
18 maintain:

19 (1) A surety bond in an amount determined by the sponsor to
20 be adequate based on the cash flow of the school; or

21 (2) An insurance policy issued by an insurance company
22 licensed to do business in Missouri on all employees in the
23 amount of five hundred thousand dollars or more that provides
24 coverage in the event of employee theft.

25 15. The department of elementary and secondary education
26 shall calculate an annual performance report for each charter
27 school and shall publish it in the same manner as annual
28 performance reports are calculated and published for districts

1 and attendance centers.

2 16. The joint committee on education shall create a
3 committee to investigate facility access and affordability for
4 charter schools. The committee shall be comprised of equal
5 numbers of the charter school sector and the public school sector
6 and shall report its findings to the general assembly by December
7 31, 2016.

8 160.408. 1. For purposes of this section, "high-quality
9 charter school" means a charter school operating in the state of
10 Missouri that meets the following requirements:

11 (1) Receives eighty-five percent or more of the total
12 points on the annual performance report for three out of the last
13 four school years by comparing points earned to the points
14 possible on the annual performance report for three of the last
15 four school years;

16 (2) Maintains a graduation rate of at least eighty percent
17 for three of the last four school years, if the charter school
18 provides a high school program;

19 (3) Is in material compliance with its legally binding
20 performance contract and sections 160.400 to 160.425 and section
21 167.349; and

22 (4) Is organizationally and fiscally viable as described in
23 paragraph (b) of subdivision (2) of subsection 9 of section
24 160.405.

25 2. Notwithstanding any other provision of law, high-quality
26 charter schools shall be provided expedited opportunities to
27 replicate and expand into unaccredited districts, a metropolitan
28 district, or an urban school district containing most or all of a

1 home rule city with more than four hundred thousand inhabitants
2 and located in more than one county. Such replication and
3 expansion shall be subject to the following:

4 (1) The school seeking to replicate or expand shall submit
5 its proposed charter to a proposed sponsor. The charter shall
6 include a legally binding performance contract that meets the
7 requirements of sections 160.400 to 160.425 and section 167.349;

8 (2) The sponsor's decision to approve or deny shall be made
9 within sixty days of the filing of the proposed charter with the
10 proposed sponsor;

11 (3) If a charter is approved by a sponsor, the charter
12 application shall be filed with the state board of education with
13 a statement of finding from the sponsor that the application
14 meets the requirements of sections 160.400 to 160.425 and section
15 167.349 and a monitoring plan under which the sponsor shall
16 evaluate the academic performance of students enrolled in the
17 charter school. Such filing shall be made by January thirty-
18 first prior to the school year in which the charter school
19 intends to begin operations.

20 3. The term of the charter for schools operating under this
21 section shall be five years, and the charter may be renewed for
22 terms of up to ten years. Renewal shall be subject to the
23 provisions of paragraphs (a) to (d) of subdivision (3) of
24 subsection 9 of section 160.405.

25 160.410. 1. A charter school shall enroll:

26 (1) All pupils resident in the district in which it
27 operates;

28 (2) Nonresident pupils eligible to attend a district's

1 school under an urban voluntary transfer program;

2 (3) Nonresident pupils who transfer from an unaccredited
3 district under section 167.131, provided that the charter school
4 is an approved charter school, as defined in section 167.131, and
5 subject to all other provisions of section 167.131;

6 (4) In the case of a charter school whose mission includes
7 student drop-out prevention or recovery, any nonresident pupil
8 from the same or an adjacent county who resides in a residential
9 care facility, a transitional living group home, or an
10 independent living program whose last school of enrollment is in
11 the school district where the charter school is established, who
12 submits a timely application; and

13 [(4)] (5) In the case of a workplace charter school, any
14 student eligible to attend under subdivision (1) or (2) of this
15 subsection whose parent is employed in the business district, who
16 submits a timely application, unless the number of applications
17 exceeds the capacity of a program, class, grade level or
18 building. The configuration of a business district shall be set
19 forth in the charter and shall not be construed to create an
20 undue advantage for a single employer or small number of
21 employers.

22 2. If capacity is insufficient to enroll all pupils who
23 submit a timely application, the charter school shall have an
24 admissions process that assures all applicants of an equal chance
25 of gaining admission and does not discriminate based on parents'
26 ability to pay fees or tuition except that:

27 (1) A charter school may establish a geographical area
28 around the school whose residents will receive a preference for

1 enrolling in the school, provided that such preferences do not
2 result in the establishment of racially or socioeconomically
3 isolated schools and provided such preferences conform to
4 policies and guidelines established by the state board of
5 education;

6 (2) A charter school may also give a preference for
7 admission of children whose siblings attend the school or whose
8 parents are employed at the school or in the case of a workplace
9 charter school, a child whose parent is employed in the business
10 district or at the business site of such school; and

11 (3) Charter alternative and special purpose schools may
12 also give a preference for admission to high-risk students, as
13 defined in subdivision (5) of subsection 2 of section 160.405,
14 when the school targets these students through its proposed
15 mission, curriculum, teaching methods, and services.

16 3. A charter school shall not limit admission based on
17 race, ethnicity, national origin, disability, income level,
18 proficiency in the English language or athletic ability, but may
19 limit admission to pupils within a given age group or grade
20 level. Charter schools may limit admission based on gender only
21 when the school is a single-gender school. Students of a charter
22 school [that are present for the January membership count as
23 defined in section 163.011] who have been enrolled for a full
24 academic year shall be counted in the performance of the charter
25 school on the statewide assessments in that calendar year, unless
26 otherwise exempted as English language learners. For purposes of
27 this subsection, "full academic year" means the last Wednesday in
28 September through the administration of the Missouri assessment

1 program test without transferring out of the school and re-
2 enrolling.

3 [4. The department of elementary and secondary education
4 shall commission a study of the performance of students at each
5 charter school in comparison with an equivalent group of district
6 students representing an equivalent demographic and geographic
7 population and a study of the impact of charter schools upon the
8 constituents they serve in the districts in which they are
9 located, to be conducted by the joint committee on education.
10 The charter school study shall include analysis of the
11 administrative and instructional practices of each charter school
12 and shall include findings on innovative programs that illustrate
13 best practices and lend themselves to replication or
14 incorporation in other schools. The joint committee on education
15 shall coordinate with individuals representing charter schools
16 and the districts in which charter schools are located in
17 conducting the study. The study of a charter school's student
18 performance in relation to a comparable group shall be designed
19 to provide information that would allow parents and educators to
20 make valid comparisons of academic performance between the
21 charter school's students and an equivalent group of district
22 students representing an equivalent demographic and geographic
23 population. The student performance assessment and comparison
24 shall include, but may not be limited to:

- 25 (1) Missouri assessment program test performance and
26 aggregate growth over several years;
27 (2) Student reenrollment rates;
28 (3) Educator, parent, and student satisfaction data;

1 (4) Graduation rates in secondary programs; and
2 (5) Performance of students enrolled in the same public
3 school for three or more consecutive years. The impact study
4 shall be undertaken every two years to determine the impact of
5 charter schools on the constituents they serve in the districts
6 where charter schools are operated. The impact study shall
7 include, but is not limited to, determining if changes have been
8 made in district policy or procedures attributable to the charter
9 school and to perceived changes in attitudes and expectations on
10 the part of district personnel, school board members, parents,
11 students, the business community and other education
12 stakeholders. The department of elementary and secondary
13 education shall make the results of the studies public and shall
14 deliver copies to the governing boards of the charter schools,
15 the sponsors of the charter schools, the school board and
16 superintendent of the districts in which the charter schools are
17 operated.]

18 [5.] 4. A charter school shall make available for public
19 inspection, and provide upon request, to the parent, guardian, or
20 other custodian of any school-age pupil resident in the district
21 in which the school is located the following information:

- 22 (1) The school's charter;
- 23 (2) The school's most recent annual report card published
24 according to section 160.522;
- 25 (3) The results of background checks on the charter
26 school's board members; and
- 27 (4) If a charter school is operated by a management
28 company, a copy of the written contract between the governing

1 board of the charter school and the educational management
2 organization or the charter management organization for services.
3 The charter school may charge reasonable fees, not to exceed the
4 rate specified in section 610.026 for furnishing copies of
5 documents under this subsection.

6 [6.] 5. When a student attending a charter school who is a
7 resident of the school district in which the charter school is
8 located moves out of the boundaries of such school district, the
9 student may complete the current semester and shall be considered
10 a resident student. The student's parent or legal guardian shall
11 be responsible for the student's transportation to and from the
12 charter school.

13 [7.] 6. If a change in school district boundary lines
14 occurs under section 162.223, 162.431, 162.441, or 162.451, or by
15 action of the state board of education under section 162.081,
16 including attachment of a school district's territory to another
17 district or dissolution, such that a student attending a charter
18 school prior to such change no longer resides in a school
19 district in which the charter school is located, then the student
20 may complete the current academic year at the charter school.
21 The student shall be considered a resident student. The
22 student's parent or legal guardian shall be responsible for the
23 student's transportation to and from the charter school.

24 [8.] 7. The provisions of sections 167.018 and 167.019
25 concerning foster children's educational rights are applicable to
26 charter schools.

27 160.415. 1. For the purposes of calculation and
28 distribution of state school aid under section 163.031, pupils

1 enrolled in a charter school shall be included in the pupil
2 enrollment of the school district within which each pupil
3 resides. Each charter school shall report the names, addresses,
4 and eligibility for free and reduced price lunch, special
5 education, or limited English proficiency status, as well as
6 eligibility for categorical aid, of pupils resident in a school
7 district who are enrolled in the charter school to the school
8 district in which those pupils reside. The charter school shall
9 report the average daily attendance data, free and reduced price
10 lunch count, special education pupil count, and limited English
11 proficiency pupil count to the state department of elementary and
12 secondary education. Each charter school shall promptly notify
13 the state department of elementary and secondary education and
14 the pupil's school district when a student discontinues
15 enrollment at a charter school.

16 2. Except as provided in subsections 3 and 4 of this
17 section, the aid payments for charter schools shall be as
18 described in this subsection.

19 (1) A school district having one or more resident pupils
20 attending a charter school shall pay to the charter school an
21 annual amount equal to the product of the charter school's
22 weighted average daily attendance and the state adequacy target,
23 multiplied by the dollar value modifier for the district, plus
24 local tax revenues per weighted average daily attendance from the
25 incidental and teachers' funds in excess of the performance levy
26 as defined in section 163.011 plus all other state aid
27 attributable to such pupils.

28 (2) The district of residence of a pupil attending a

1 charter school shall also pay to the charter school any other
2 federal or state aid that the district receives on account of
3 such child.

4 (3) If the department overpays or underpays the amount due
5 to the charter school, such overpayment or underpayment shall be
6 repaid by the public charter school or credited to the public
7 charter school in twelve equal payments in the next fiscal year.

8 (4) The amounts provided pursuant to this subsection shall
9 be prorated for partial year enrollment for a pupil.

10 (5) A school district shall pay the amounts due pursuant to
11 this subsection as the disbursal agent and no later than twenty
12 days following the receipt of any such funds. The department of
13 elementary and secondary education shall pay the amounts due when
14 it acts as the disbursal agent within five days of the required
15 due date.

16 3. A workplace charter school shall receive payment for
17 each eligible pupil as provided under subsection 2 of this
18 section, except that if the student is not a resident of the
19 district and is participating in a voluntary interdistrict
20 transfer program, the payment for such pupils shall be the same
21 as provided under section 162.1060.

22 4. A charter school that has declared itself as a local
23 educational agency shall receive from the department of
24 elementary and secondary education an annual amount equal to the
25 product of the charter school's weighted average daily attendance
26 and the state adequacy target, multiplied by the dollar value
27 modifier for the district, plus local tax revenues per weighted
28 average daily attendance from the incidental and teachers funds

1 in excess of the performance levy as defined in section 163.011
2 plus all other state aid attributable to such pupils. If a
3 charter school declares itself as a local [education] educational
4 agency, the department of elementary and secondary education
5 shall, upon notice of the declaration, reduce the payment made to
6 the school district by the amount specified in this subsection
7 and pay directly to the charter school the annual amount reduced
8 from the school district's payment.

9 5. If a school district fails to make timely payments of
10 any amount for which it is the disbursal agent, the state
11 department of elementary and secondary education shall authorize
12 payment to the charter school of the amount due pursuant to
13 subsection 2 of this section and shall deduct the same amount
14 from the next state school aid apportionment to the owing school
15 district. If a charter school is paid more or less than the
16 amounts due pursuant to this section, the amount of overpayment
17 or underpayment shall be adjusted equally in the next twelve
18 payments by the school district or the department of elementary
19 and secondary education, as appropriate. Any dispute between the
20 school district and a charter school as to the amount owing to
21 the charter school shall be resolved by the department of
22 elementary and secondary education, and the department's decision
23 shall be the final administrative action for the purposes of
24 review pursuant to chapter 536. During the period of dispute,
25 the department of elementary and secondary education shall make
26 every administrative and statutory effort to allow the continued
27 education of children in their current public charter school
28 setting.

1 6. The charter school and a local school board may agree by
2 contract for services to be provided by the school district to
3 the charter school. The charter school may contract with any
4 other entity for services. Such services may include but are not
5 limited to food service, custodial service, maintenance,
6 management assistance, curriculum assistance, media services and
7 libraries and shall be subject to negotiation between the charter
8 school and the local school board or other entity. Documented
9 actual costs of such services shall be paid for by the charter
10 school.

11 7. In the case of a proposed charter school that intends to
12 contract with an education service provider for substantial
13 educational services[,] or management services, the request for
14 proposals shall additionally require the charter school applicant
15 to:

16 (1) Provide evidence of the education service provider's
17 success in serving student populations similar to the targeted
18 population, including demonstrated academic achievement as well
19 as successful management of nonacademic school functions, if
20 applicable;

21 (2) Provide a termsheet setting forth the proposed
22 duration of the service contract; roles and responsibilities of
23 the governing board, the school staff, and the service provider;
24 scope of services and resources to be provided by the service
25 provider; performance evaluation measures and time lines;
26 compensation structure, including clear identification of all
27 fees to be paid to the service provider; methods of contract
28 oversight and enforcement; investment disclosure; and conditions

1 for renewal and termination of the contract;

2 (3) Disclose any known conflicts of interest between the
3 school governing board and proposed service provider or any
4 affiliated business entities;

5 (4) Disclose and explain any termination or nonrenewal of
6 contracts for equivalent services for any other charter school in
7 the United States within the past five years;

8 (5) Ensure that the legal counsel for the charter school
9 shall report directly to the charter school's governing board;
10 and

11 (6) Provide a process to ensure that the expenditures that
12 the [educational] education service provider intends to bill to
13 the charter school shall receive prior approval of the governing
14 board or its designee.

15 8. A charter school may enter into contracts with community
16 partnerships and state agencies acting in collaboration with such
17 partnerships that provide services to children and their families
18 linked to the school.

19 9. A charter school shall be eligible for transportation
20 state aid pursuant to section 163.161 and shall be free to
21 contract with the local district, or any other entity, for the
22 provision of transportation to the students of the charter
23 school.

24 10. (1) The proportionate share of state and federal
25 resources generated by students with disabilities or staff
26 serving them shall be paid in full to charter schools enrolling
27 those students by their school district where such enrollment is
28 through a contract for services described in this section. The

1 proportionate share of money generated under other federal or
2 state categorical aid programs shall be directed to charter
3 schools serving such students eligible for that aid.

4 (2) A charter school shall provide the special services
5 provided pursuant to section 162.705 and may provide the special
6 services pursuant to a contract with a school district or any
7 provider of such services.

8 11. A charter school may not charge tuition[, nor may it]
9 or impose fees that a school district is prohibited from charging
10 or imposing, except that a charter school may receive tuition
11 payments from districts in the same or an adjoining county for
12 nonresident students who transfer to an approved charter school,
13 as defined in section 167.131, from an unaccredited district.

14 12. A charter school is authorized to incur debt in
15 anticipation of receipt of funds. A charter school may also
16 borrow to finance facilities and other capital items. A school
17 district may incur bonded indebtedness or take other measures to
18 provide for physical facilities and other capital items for
19 charter schools that it sponsors or contracts with. Except as
20 otherwise specifically provided in sections 160.400 to 160.425,
21 upon the dissolution of a charter school, any liabilities of the
22 corporation will be satisfied through the procedures of chapter
23 355. A charter school shall satisfy all its financial
24 obligations within twelve months of notice from the sponsor of
25 the charter school's closure under subsection 8 of section
26 160.405. After satisfaction of all its financial obligations, a
27 charter school shall return any remaining state and federal funds
28 to the department of elementary and secondary education for

1 disposition as stated in subdivision (17) of subsection 1 of
2 section 160.405. The department of elementary and secondary
3 education may withhold funding at a level the department
4 determines to be adequate during a school's last year of
5 operation until the department determines that school records,
6 liabilities, and reporting requirements, including a full audit,
7 are satisfied.

8 13. Charter schools shall not have the power to acquire
9 property by eminent domain.

10 14. The governing body of a charter school is authorized to
11 accept grants, gifts or donations of any kind and to expend or
12 use such grants, gifts or donations. A grant, gift or donation
13 may not be accepted by the governing body if it is subject to any
14 condition contrary to law applicable to the charter school or
15 other public schools, or contrary to the terms of the charter.

16 160.417. 1. By October 1, 2012, and by each October first
17 thereafter, the sponsor of each charter school shall review the
18 information submitted on the report required by section 162.821
19 to identify charter schools experiencing financial stress. The
20 department of elementary and secondary education shall be
21 authorized to obtain such additional information from a charter
22 school as may be necessary to determine the financial condition
23 of the charter school. Annually, a listing of charter schools
24 identified as experiencing financial stress according to the
25 provisions of this section shall be provided to the governor,
26 speaker of the house of representatives, and president pro
27 tempore of the senate by the department of elementary and
28 secondary education.

1 2. For the purposes of this section, a charter school shall
2 be identified as experiencing financial stress if it:

3 (1) At the end of its most recently completed fiscal year:

4 (a) Has a negative balance in its operating funds; or

5 (b) Has a combined balance of less than three percent of
6 the amount expended from such funds during the previous fiscal
7 year; [or]

8 (2) For the most recently completed fiscal year
9 expenditures, exceeded receipts for any of its funds because of
10 recurring costs; or

11 (3) Due to insufficient fund balances or reserves, incurred
12 debt after January thirty-first and before July first during the
13 most recently completed fiscal year in order to meet expenditures
14 of the charter school.

15 3. The sponsor shall notify by November first the governing
16 board of the charter school identified as experiencing financial
17 stress. Upon receiving the notification, the governing board
18 shall develop, or cause to have developed, and shall approve a
19 budget and education plan on forms provided by the sponsor. The
20 budget and education plan shall be submitted to the sponsor,
21 signed by the officers of the charter school, within forty-five
22 calendar days of notification that the charter school has been
23 identified as experiencing financial stress. Minimally, the
24 budget and education plan shall:

25 (1) Give assurances that adequate educational services to
26 students of the charter school shall continue uninterrupted for
27 the remainder of the current school year and that the charter
28 school can provide the minimum [number of school days and hours]

1 amount of school time required by section [160.041] 171.031;

2 (2) Outline a procedure to be followed by the charter
3 school to report to charter school patrons about the financial
4 condition of the charter school; and

5 (3) Detail the expenditure reduction measures, revenue
6 increases, or other actions to be taken by the charter school to
7 address its condition of financial stress.

8 4. Upon receipt and following review of any budget and
9 education plan, the sponsor may make suggestions to improve the
10 plan. Nothing in sections 160.400 to 160.425 or section 167.349
11 shall exempt a charter school from submitting a budget and
12 education plan to the sponsor according to the provisions of this
13 section following each such notification that a charter school
14 has been identified as experiencing financial stress, except that
15 the sponsor may permit a charter school's governing board to make
16 amendments to or update a budget and education plan previously
17 submitted to the sponsor.

18 5. The department may withhold any payment of financial aid
19 otherwise due to the charter school until such time as the
20 sponsor and the charter school have fully complied with this
21 section.

22 160.545. 1. There is hereby established within the
23 department of elementary and secondary education the "A+ Schools
24 Program" to be administered by the commissioner of education.
25 The program shall consist of grant awards made to public
26 secondary schools that demonstrate a commitment to ensure that:

27 (1) All students be graduated from school;

28 (2) All students complete a selection of high school

1 studies that is challenging and for which there are identified
2 learning expectations; and

3 (3) All students proceed from high school graduation to a
4 college or postsecondary vocational or technical school or high-
5 wage job with work place skill development opportunities.

6 2. The state board of education shall promulgate rules and
7 regulations for the approval of grants made under the program to
8 schools that:

9 (1) Establish measurable districtwide performance standards
10 for the goals of the program outlined in subsection 1 of this
11 section; and

12 (2) Specify the knowledge, skills and competencies, in
13 measurable terms, that students must demonstrate to successfully
14 complete any individual course offered by the school, and any
15 course of studies which will qualify a student for graduation
16 from the school; and

17 (3) Do not offer a general track of courses that, upon
18 completion, can lead to a high school diploma; and

19 (4) Require rigorous coursework with standards of
20 competency in basic academic subjects for students pursuing
21 vocational and technical education as prescribed by rule and
22 regulation of the state board of education; and

23 (5) Have a partnership plan developed in cooperation and
24 with the advice of local business persons, labor leaders,
25 parents, and representatives of college and postsecondary
26 vocational and technical school representatives, with the plan
27 then approved by the local board of education. The plan shall
28 specify a mechanism to receive information on an annual basis

1 from those who developed the plan in addition to senior citizens,
2 community leaders, and teachers to update the plan in order to
3 best meet the goals of the program as provided in subsection 1 of
4 this section. Further, the plan shall detail the procedures used
5 in the school to identify students that may drop out of school
6 and the intervention services to be used to meet the needs of
7 such students. The plan shall outline counseling and mentoring
8 services provided to students who will enter the work force upon
9 graduation from high school, address apprenticeship and intern
10 programs, and shall contain procedures for the recruitment of
11 volunteers from the community of the school to serve in schools
12 receiving program grants.

13 3. Any nonpublic school in this state may apply to the
14 state board of education for certification that it meets the
15 requirements of this section subject to the same criteria as
16 public high schools. Every nonpublic school that applies and has
17 met the requirements of this section shall have its students
18 eligible for reimbursement of postsecondary education under
19 subsection 8 of this section on an equal basis to students who
20 graduate from public schools that meet the requirements of this
21 section. Any nonpublic school that applies shall not be eligible
22 for any grants under this section. Students of certified
23 nonpublic schools shall be eligible for reimbursement of
24 postsecondary education under subsection 8 of this section so
25 long as they meet the other requirements of such subsection. For
26 purposes of subdivision (5) of subsection 2 of this section, the
27 nonpublic school shall be included in the partnership plan
28 developed by the public school district in which the nonpublic

1 school is located. For purposes of subdivision (1) of subsection
2 2 of this section, the nonpublic school shall establish
3 measurable performance standards for the goals of the program for
4 every school and grade level over which the nonpublic school
5 maintains control.

6 4. A school district may participate in the program
7 irrespective of its accreditation classification by the state
8 board of education, provided it meets all other requirements.

9 [4.] 5. By rule and regulation, the state board of
10 education may determine a local school district variable fund
11 match requirement in order for a school or schools in the
12 district to receive a grant under the program. However, no
13 school in any district shall receive a grant under the program
14 unless the district designates a salaried employee to serve as
15 the program coordinator, with the district assuming a minimum of
16 one-half the cost of the salary and other benefits provided to
17 the coordinator. Further, no school in any district shall
18 receive a grant under the program unless the district makes
19 available facilities and services for adult literacy training as
20 specified by rule of the state board of education.

21 [5.] 6. For any school that meets the requirements for the
22 approval of the grants authorized by this section and specified
23 in subsection 2 of this section for three successive school
24 years, by August first following the third such school year, the
25 commissioner of education shall present a plan to the
26 superintendent of the school district in which such school is
27 located for the waiver of rules and regulations to promote
28 flexibility in the operations of the school and to enhance and

1 encourage efficiency in the delivery of instructional services in
2 the school. The provisions of other law to the contrary
3 notwithstanding, the plan presented to the superintendent shall
4 provide a summary waiver, with no conditions, for the pupil
5 testing requirements pursuant to section 160.257 in the school.
6 Further, the provisions of other law to the contrary
7 notwithstanding, the plan shall detail a means for the waiver of
8 requirements otherwise imposed on the school related to the
9 authority of the state board of education to classify school
10 districts pursuant to subdivision (9) of section 161.092 and such
11 other rules and regulations as determined by the commissioner of
12 education, except such waivers shall be confined to the school
13 and not other schools in the school district unless such other
14 schools meet the requirements of this subsection. However, any
15 waiver provided to any school as outlined in this subsection
16 shall be void on June thirtieth of any school year in which the
17 school fails to meet the requirements for the approval of the
18 grants authorized by this section as specified in subsection 2 of
19 this section.

20 [6.] 7. For any school year, grants authorized by
21 subsections 1, 2, and [4] 5 of this section shall be funded with
22 the amount appropriated for this program, less those funds
23 necessary to reimburse eligible students pursuant to subsection
24 [7] 8 of this section.

25 [7.] 8. The department of higher education shall, by rule,
26 establish a procedure for the reimbursement of the cost of
27 tuition, books and fees to any public community college or
28 vocational or technical school or within the limits established

1 in subsection ~~[9]~~ 10 of this section for any two-year private
2 vocational or technical school for any student:

3 (1) Who has attended a ~~[public]~~ high school in the state
4 for at least three years immediately prior to graduation that
5 meets the requirements of subsection 2 of this section; except
6 that, students who are active duty military dependents, and
7 students who are dependants of retired military who relocate to
8 Missouri within one year of the date of the parent's retirement
9 from active duty, who, in the school year immediately preceding
10 graduation, meet all other requirements of this subsection and
11 are attending a school that meets the requirements of subsection
12 2 of this section shall be exempt from the three-year attendance
13 requirement of this subdivision; and

14 (2) Who has made a good faith effort to first secure all
15 available federal sources of funding that could be applied to the
16 reimbursement described in this subsection; and

17 (3) Who has earned a minimal grade average while in high
18 school as determined by rule of the department of higher
19 education, and other requirements for the reimbursement
20 authorized by this subsection as determined by rule and
21 regulation of the department; and

22 (4) Who is a citizen or permanent resident of the United
23 States.

24 ~~[8.]~~ 9. The commissioner of education shall develop a
25 procedure for evaluating the effectiveness of the program
26 described in this section. Such evaluation shall be conducted
27 annually with the results of the evaluation provided to the
28 governor, speaker of the house, and president pro tempore of the

1 senate.

2 [9.] 10. For a two-year private vocational or technical
3 school to obtain reimbursements under subsection [7] 8 of this
4 section, the following requirements shall be satisfied:

5 (1) Such two-year private vocational or technical school
6 shall be a member of the North Central Association and be
7 accredited by the Higher Learning Commission as of July 1, 2008,
8 and maintain such accreditation;

9 (2) Such two-year private vocational or technical school
10 shall be designated as a 501(c)(3) nonprofit organization under
11 the Internal Revenue Code of 1986, as amended;

12 (3) No two-year private vocational or technical school
13 shall receive tuition reimbursements in excess of the tuition
14 rate charged by a public community college for course work
15 offered by the private vocational or technical school within the
16 service area of such college; and

17 (4) The reimbursements provided to any two-year private
18 vocational or technical school shall not violate the provisions
19 of Article IX, Section 8, or Article I, Section 7, of the
20 Missouri Constitution or the first amendment of the United States
21 Constitution.

22 161.217. 1. The department of elementary and secondary
23 education, in collaboration with the Missouri Head Start State
24 Collaboration Office and the departments of health and senior
25 services, mental health, and social services, shall develop, as a
26 three-year pilot program, a voluntary early learning quality
27 assurance report. The early learning quality assurance report
28 shall be developed based on evidence-based practices.

1 2. Participation in the early learning quality assurance
2 report pilot program shall be voluntary for any licensed or
3 license-exempt early learning providers that are center-based or
4 home-based and are providing services for children from any ages
5 from birth up to kindergarten.

6 3. The early learning quality assurance report may include,
7 but is not limited to, information regarding staff
8 qualifications, instructional quality, professional development,
9 health and safety standards, parent engagement, and community
10 engagement.

11 4. The early learning quality assurance report shall not be
12 used for enforcement of compliance with any law or for any
13 punitive purposes.

14 5. The department of elementary and secondary education
15 shall promulgate all necessary rules and regulations for the
16 administration of this section. Any rule or portion of a rule,
17 as that term is defined in section 536.010, that is created under
18 the authority delegated in this section shall become effective
19 only if it complies with and is subject to all of the provisions
20 of chapter 536 and, if applicable, section 536.028. This section
21 and chapter 536 are nonseverable, and if any of the powers vested
22 with the general assembly pursuant to chapter 536 to review, to
23 delay the effective date, or to disapprove and annul a rule are
24 subsequently held unconstitutional, then the grant of rulemaking
25 authority and any rule proposed or adopted after August 28, 2016,
26 shall be invalid and void.

27 6. Under section 23.253 of the Missouri sunset act:

28 (1) The provisions of the new program authorized under this

1 section shall automatically sunset three years after the
2 effective date of this section unless reauthorized by an act of
3 the general assembly; and

4 (2) If such program is reauthorized, the program authorized
5 under this section shall automatically sunset three years after
6 the effective date of the reauthorization of this section; and

7 (3) This section shall terminate on September first of the
8 calendar year immediately following the calendar year in which
9 the program authorized under this section is sunset.

10 161.1050. 1. There is hereby established within the
11 department of elementary and secondary education the "Trauma-
12 Informed Schools Initiative".

13 2. The department of elementary and secondary education
14 shall consult the department of mental health and the department
15 of social services for assistance in fulfilling the requirements
16 of this section.

17 3. The department of elementary and secondary education
18 shall:

19 (1) Provide information regarding the trauma-informed
20 approach to all school districts;

21 (2) Offer training on the trauma-informed approach to all
22 school districts, which shall include information on how schools
23 can become trauma-informed schools; and

24 (3) Develop a website about the trauma-informed schools
25 initiative that includes information for schools and parents
26 regarding the trauma-informed approach and a guide for schools on
27 how to become trauma-informed schools.

28 4. Each school district shall provide the address of the

1 website described under subdivision (3) of subsection 3 of this
2 section to all parents of the students in its district before
3 October first of each school year.

4 5. For purposes of this section, the following terms mean:

5 (1) "Trauma-informed approach", an approach that involves
6 understanding and responding to the symptoms of chronic
7 interpersonal trauma and traumatic stress across the lifespan;

8 (2) "Trauma-informed school", a school that:

9 (a) Realizes the widespread impact of trauma and
10 understands potential paths for recovery;

11 (b) Recognizes the signs and symptoms of trauma in
12 students, teachers, and staff;

13 (c) Responds by fully integrating knowledge about trauma
14 into its policies, procedures, and practices; and

15 (d) Seeks to actively resist re-traumatization.

16 161.1055. 1. Subject to appropriations, the department of
17 elementary and secondary education shall establish the "Trauma-
18 Informed Schools Pilot Program".

19 2. Under the trauma-informed schools pilot program, the
20 department of elementary and secondary education shall choose
21 five schools to receive intensive training on the trauma-informed
22 approach.

23 3. The five schools chosen for the pilot program shall be
24 located in the following areas:

25 (1) One public school located in a metropolitan school
26 district;

27 (2) One public school located in a home rule city with more
28 than four hundred thousand inhabitants and located in more than

1 one county;

2 (3) One public school located in a school district that has
3 most or all of its land area located in a county with a charter
4 form of government and with more than nine hundred fifty thousand
5 inhabitants;

6 (4) One public school located in a school district that has
7 most or all of its land area located in a county with a charter
8 form of government and with more than six hundred thousand but
9 fewer than seven hundred thousand inhabitants; and

10 (5) One public school located in any one of the following
11 counties:

12 (a) A county of the third classification without a township
13 form of government and with more than forty-one thousand but
14 fewer than forty-five thousand inhabitants;

15 (b) A county of the third classification without a township
16 form of government and with more than six thousand but fewer than
17 seven thousand inhabitants and with a city of the fourth
18 classification with more than eight hundred but fewer than nine
19 hundred inhabitants as the county seat;

20 (c) A county of the third classification with a township
21 form of government and with more than thirty-one thousand but
22 fewer than thirty-five thousand inhabitants;

23 (d) A county of the third classification without a township
24 form of government and with more than fourteen thousand but fewer
25 than sixteen thousand inhabitants and with a city of the third
26 classification with more than five thousand but fewer than six
27 thousand inhabitants as the county seat;

28 (e) A county of the third classification without a township

1 form of government and with more than eighteen thousand but fewer
2 than twenty thousand inhabitants and with a city of the fourth
3 classification with more than three thousand but fewer than three
4 thousand seven hundred inhabitants as the county seat;

5 (f) A county of the third classification without a township
6 form of government and with more than eighteen thousand but fewer
7 than twenty thousand inhabitants and with a city of the third
8 classification with more than six thousand but fewer than seven
9 thousand inhabitants as the county seat;

10 (g) A county of the third classification without a township
11 form of government and with more than fourteen thousand but fewer
12 than sixteen thousand inhabitants and with a city of the fourth
13 classification with more than one thousand nine hundred but fewer
14 than two thousand one hundred inhabitants as the county seat;

15 (h) A county of the third classification without a township
16 form of government and with more than thirty-seven thousand but
17 fewer than forty-one thousand inhabitants and with a city of the
18 fourth classification with more than eight hundred but fewer than
19 nine hundred inhabitants as the county seat;

20 (i) A county of the third classification with a township
21 form of government and with more than twenty-eight thousand but
22 fewer than thirty-one thousand inhabitants; or

23 (j) A county of the third classification without a township
24 form of government and with more than twelve thousand but fewer
25 than fourteen thousand inhabitants and with a city of the fourth
26 classification with more than five hundred but fewer than five
27 hundred fifty inhabitants as the county seat.

28 4. The department of elementary and secondary education

1 shall:

2 (1) Train the teachers and administrators of the five
3 schools chosen for the pilot program regarding the trauma-
4 informed approach and how to become trauma-informed schools;

5 (2) Provide the five schools with funds to implement the
6 trauma-informed approach; and

7 (3) Closely monitor the progress of the five schools in
8 becoming trauma-informed schools and provide further assistance
9 if necessary.

10 5. The department of elementary and secondary education
11 shall terminate the trauma-informed schools pilot program on
12 August 28, 2019. Before December 31, 2019, the department of
13 elementary and secondary education shall submit a report to the
14 general assembly that contains the results of the pilot program,
15 including any benefits experienced by the five schools chosen for
16 the program.

17 6. (1) There is hereby created in the state treasury the
18 "Trauma-Informed Schools Pilot Program Fund". The fund shall
19 consist of any appropriations to such fund. The state treasurer
20 shall be custodian of the fund. In accordance with sections
21 30.170 and 30.180, the state treasurer may approve disbursements
22 of public moneys in accordance with distribution requirements and
23 procedures developed by the department of elementary and
24 secondary education. The fund shall be a dedicated fund and,
25 upon appropriation, moneys in the fund shall be used solely for
26 the administration of this section.

27 (2) Notwithstanding the provisions of section 33.080 to the
28 contrary, any moneys remaining in the fund at the end of the

1 biennium shall not revert to the credit of the general revenue
2 fund.

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

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

7 (1) "Trauma-informed approach", an approach that involves
8 understanding and responding to the symptoms of chronic
9 interpersonal trauma and traumatic stress across the lifespan;

10 (2) "Trauma-informed school", a school that:

11 (a) Realizes the widespread impact of trauma and
12 understands potential paths for recovery;

13 (b) Recognizes the signs and symptoms of trauma in
14 students, teachers, and staff;

15 (c) Responds by fully integrating knowledge about trauma
16 into its policies, procedures, and practices; and

17 (d) Seeks to actively resist re-traumatization.

18 8. The provisions of this section shall expire December 31,
19 2019.

20 162.073. For the purposes of sections 162.071, 162.073,
21 162.152, 162.171, 162.181, 162.191, 162.201, 162.241, [162.261,]
22 162.301, 162.311, 162.821 and 167.121, in those counties without
23 a county commission, the following words shall have the following
24 meaning:

25 (1) "County clerk" shall mean the vice-chairman of the
26 county legislature or county council;

27 (2) "County commission" shall mean the county legislature
28 or county council;

1 (3) "Presiding commissioner of the county commission" shall
2 mean the chairman of the county legislature or county council.

3 162.261. 1. The government and control of a seven-director
4 school district, other than an urban district, is vested in a
5 board of education of seven members, who hold their office for
6 three years, except as provided in section 162.241, and until
7 their successors are duly elected and qualified. Any vacancy
8 occurring in the board shall be filled by the remaining members
9 of the board; except that if there are more than two vacancies at
10 any one time, the county commission upon receiving written notice
11 of the vacancies shall fill the vacancies by appointment. If
12 there are more than two vacancies at any one time in a county
13 without a county commission, the county executive upon receiving
14 written notice of the vacancies shall fill the vacancies, with
15 the advice and consent of the county council, by appointment.
16 The person appointed shall hold office until the next municipal
17 election, when a director shall be elected for the unexpired
18 term.

19 2. No seven-director, urban, or metropolitan school
20 district board of education shall hire a spouse of any member of
21 such board for a vacant or newly created position unless the
22 position has been advertised pursuant to board policy and the
23 superintendent of schools submits a written recommendation for
24 the employment of the spouse to the board of education. The
25 names of all applicants as well as the name of the applicant
26 hired for the position are to be included in the board minutes.

27 3. The provisions of article VII, section 6 of the Missouri
28 Constitution apply to school districts.

1 162.531. The secretary of the board of each urban district
2 shall keep a record of the proceedings of the board; he shall
3 also keep a record of all warrants drawn upon the treasurer,
4 showing the date and amount of each, in whose favor and upon what
5 account it was drawn, and shall also keep a register of the
6 bonded indebtedness of the school district; he shall also perform
7 other duties required of him by the board, and shall safely keep
8 all bonds or other papers entrusted to his care. He shall,
9 before entering upon his duties, execute a bond to the school
10 district in the penal sum of not less than five thousand dollars,
11 the amount thereof to be fixed by the board, with at least [two
12 sureties] one surety, to be approved by the board.

13 162.541. The treasurer of each urban district, before
14 entering upon the discharge of his duties as such, shall enter
15 into a bond to the state of Missouri with [two] one or more
16 sureties, approved by the board, conditioned that he will render
17 a faithful and just account of all moneys that come into his
18 hands as treasurer, and otherwise perform the duties of his
19 office according to law and shall file the bond with the
20 secretary of the board. On breach of any of the conditions of
21 the bond, the board, or the president or the secretary thereof,
22 or any resident of the school district, may cause suit to be
23 brought thereon, in the name of the state of Missouri, at the
24 relation and to the use of the school district.

25 162.720. 1. Where a sufficient number of children are
26 determined to be gifted and their development requires programs
27 or services beyond the level of those ordinarily provided in
28 regular public school programs, districts may establish special

1 programs for such gifted children.

2 2. The state board of education shall determine standards
3 for such programs. Approval of such programs shall be made by
4 the state department of elementary and secondary education based
5 upon project applications submitted by July fifteenth of each
6 year.

7 3. No district shall make a determination as to whether a
8 child is gifted based on the child's participation in an advanced
9 placement course or international baccalaureate course.

10 Districts shall determine a child is gifted only if the child
11 meets the definition of "gifted children" as provided in section
12 162.675.

13 163.031. 1. The department of elementary and secondary
14 education shall calculate and distribute to each school district
15 qualified to receive state aid under section 163.021 an amount
16 determined by multiplying the district's weighted average daily
17 attendance by the state adequacy target, multiplying this product
18 by the dollar value modifier for the district, and subtracting
19 from this product the district's local effort and subtracting
20 payments from the classroom trust fund under section 163.043.

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

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

25 (a) For the 2008-09 school year, the state revenue per
26 weighted average daily attendance received by a district from the
27 state aid calculation under subsections 1 and 4 of this section,
28 as applicable, and the classroom trust fund under section 163.043

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

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

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

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

24 (b) For each year subsequent to the 2008-09 school year,
25 the amount shall be no less than that computed in paragraph (a)
26 of this subdivision;

27 (3) The department of elementary and secondary education
28 shall make an addition in the payment amount specified in

1 subsection 1 of this section to assure compliance with the
2 provisions contained in this subsection.

3 3. School districts that meet the requirements of section
4 163.021 shall receive categorical add-on revenue as provided in
5 this subsection. The categorical add-on for the district shall
6 be the sum of: seventy-five percent of the district allowable
7 transportation costs under section 163.161; the career ladder
8 entitlement for the district, as provided for in sections 168.500
9 to 168.515; the vocational education entitlement for the
10 district, as provided for in section 167.332; and the district
11 educational and screening program entitlements as provided for in
12 sections 178.691 to 178.699. The categorical add-on revenue
13 amounts may be adjusted to accommodate available appropriations.

14 4. For any school district meeting the eligibility criteria
15 for state aid as established in section 163.021, but which is
16 considered an option district under section 163.042 and therefore
17 receives no state aid, the commissioner of education shall
18 present a plan to the superintendent of the school district for
19 the waiver of rules and the duration of said waivers, in order to
20 promote flexibility in the operations of the district and to
21 enhance and encourage efficiency in the delivery of instructional
22 services as provided in section 163.042.

23 5. (1) No less than seventy-five percent of the state
24 revenue received under the provisions of subsections 1 and 2 of
25 this section shall be placed in the teachers' fund, and the
26 remaining percent of such moneys shall be placed in the
27 incidental fund. No less than seventy-five percent of one-half
28 of the funds received from the school district trust fund

1 distributed under section 163.087 shall be placed in the
2 teachers' fund. One hundred percent of revenue received under
3 the provisions of section 163.161 shall be placed in the
4 incidental fund. One hundred percent of revenue received under
5 the provisions of sections 168.500 to 168.515 shall be placed in
6 the teachers' fund.

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

9 (a) An amount equal to at least seventy-five percent of the
10 state revenue received under the provisions of subsections 1 and
11 2 of this section;

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

16 (c) Beginning in fiscal year 2008, as much as was spent per
17 the second preceding year's weighted average daily attendance for
18 certificated compensation and tuition expenditures the previous
19 year from revenue produced by local and county tax sources in the
20 teachers' fund, plus the amount of the incidental fund to
21 teachers' fund transfer calculated to be local and county tax
22 sources by dividing local and county tax sources in the
23 incidental fund by total revenue in the incidental fund.

24
25 In the event a district fails to comply with this provision, the
26 amount by which the district fails to spend funds as provided
27 herein shall be deducted from the district's state revenue
28 received under the provisions of subsections 1 and 2 of this

1 section for the following year, provided that the state board of
2 education may exempt a school district from this provision if the
3 state board of education determines that circumstances warrant
4 such exemption.

5 6. (1) If a school district's annual audit discloses that
6 students were inappropriately identified as eligible for free and
7 reduced price lunch, special education, or limited English
8 proficiency and the district does not resolve the audit finding,
9 the department of elementary and secondary education shall
10 require that the amount of aid paid pursuant to the weighting for
11 free and reduced price lunch, special education, or limited
12 English proficiency in the weighted average daily attendance on
13 the inappropriately identified pupils be repaid by the district
14 in the next school year and shall additionally impose a penalty
15 of one hundred percent of such aid paid on such pupils, which
16 penalty shall also be paid within the next school year. Such
17 amounts may be repaid by the district through the withholding of
18 the amount of state aid.

19 (2) In the 2017-18 school year and in each subsequent
20 school year, if a district experiences a decrease in its gifted
21 program enrollment of twenty percent or more from the previous
22 school year, an amount equal to the product of the difference
23 between the number of students enrolled in the gifted program in
24 the current school year and the number of students enrolled in
25 the gifted program in the previous school year multiplied by six
26 hundred eighty dollars shall be subtracted from the district's
27 current year payment amount. The provisions of this subdivision
28 shall apply to districts entitled to receive state aid payments

1 under both subsections 1 and 2 of this section but shall not
2 apply to any school district with an average daily attendance of
3 three hundred fifty or less.

4 7. Notwithstanding any provision of law to the contrary, in
5 any fiscal year during which the total formula appropriation is
6 insufficient to fully fund the entitlement calculation of this
7 section, the department of elementary and secondary education
8 shall adjust the state adequacy target in order to accommodate
9 the appropriation level for the given fiscal year. In no manner
10 shall any payment modification be rendered for any district
11 qualified to receive payments under subsection 2 of this section
12 based on insufficient appropriations.

13 167.131. 1. The board of education of each district in
14 this state that does not maintain an accredited school pursuant
15 to the authority of the state board of education to classify
16 schools as established in section 161.092 shall pay the tuition
17 of and provide transportation consistent with the provisions of
18 section 167.241 for each pupil resident therein who attends an
19 accredited school in another district of the same or an adjoining
20 county or who attends an approved charter school in the same or
21 an adjoining county.

22 2. The rate of tuition to be charged by the district
23 attended and paid by the sending district is the per pupil cost
24 of maintaining the district's grade level grouping which includes
25 the school attended. The rate of tuition to be charged by the
26 approved charter school attended and paid by the sending district
27 is the per pupil cost of maintaining the approved charter
28 school's grade level grouping. For a district, the cost of

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

20 3. For purposes of this section, "approved charter school"
21 means a charter school that has existed for less than three years
22 or a charter school with a three-year average score of seventy
23 percent or higher on its annual performance report.

24 167.241. Transportation for pupils whose tuition the
25 district of residence is required to pay by section 167.131 or
26 who are assigned as provided in section 167.121 shall be provided
27 by the district of residence; however, in the case of pupils
28 covered by section 167.131, the district of residence shall be

1 required to provide transportation only to approved charter
2 schools as defined in section 167.131, school districts
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 section 161.092, and those school districts
6 designated by the board of education of the district of
7 residence.

8 167.903. 1. Each student prior to his or her ninth grade
9 year at a public school, including a charter school, may develop
10 with help from the school's guidance counselors a personal plan
11 of study, which shall be reviewed regularly, as needed by school
12 personnel and the student's parent or guardian and updated based
13 upon the needs of the student. Each plan shall present a
14 sequence of courses and experiences that conclude with the
15 student reaching his or her postsecondary goals, with
16 implementation of the plan of study transferring to the program
17 of postsecondary education or training upon the student's high
18 school graduation. The plan shall include, but not be limited
19 to:

20 (1) Requirements for graduation from the school district or
21 charter school;

22 (2) Career or postsecondary goals;

23 (3) Coursework or program of study related to career and
24 postsecondary goals, which shall include, if relevant,
25 opportunities that the district or school may not directly offer;

26 (4) Grade-appropriate and career-related experiences, as
27 outlined in the grade-level expectations of the Missouri
28 comprehensive guidance program; and

1 (5) Student assessments, interest inventories, or academic
2 results needed to develop, review, and revise the personal plan
3 of study, which shall include, if relevant, assessments,
4 inventories, or academic results that the school district or
5 charter school may not offer.

6 2. Each school district shall adopt a policy to permit the
7 waiver of the requirements of this section for any student with a
8 disability if recommended by the student's IEP committee. For
9 purposes of this subsection, "IEP" means individualized education
10 program.

11 167.905. 1. By July 1, 2018, each school district shall
12 develop a policy and implement a measurable system for
13 identifying students in their ninth grade year, or students who
14 transfer into the school subsequent to their ninth grade year,
15 who are at risk of not being ready for college-level work or for
16 entry-level career positions. Districts shall include, but are
17 not limited to, the following sources of information:

18 (1) A student's performance on the Missouri assessment
19 program test in eighth grade in English language arts and
20 mathematics;

21 (2) A student's comparable statewide assessment performance
22 if such student transferred from another state;

23 (3) The district's overall reported remediation rate under
24 section 173.750; and

25 (4) A student's attendance rate.

26 2. The district policy shall require academic and career
27 counseling to take place prior to graduation so that the school
28 may attempt to provide sufficient opportunities to the student to

1 graduate college-ready or career-ready and on time.

2 3. Each school district shall adopt a policy to permit the
3 waiver of the requirements of this section for any student with a
4 disability if recommended by the student's IEP committee. For
5 purposes of this subsection, "IEP" means individualized education
6 program.

7 167.950. 1. (1) By December 31, 2017, the department of
8 elementary and secondary education shall develop guidelines for
9 the appropriate screening of students for dyslexia and related
10 disorders and the necessary classroom support for students with
11 dyslexia and related disorders. Such guidelines shall be
12 consistent with the findings and recommendations of the task
13 force created under section 633.420.

14 (2) In the 2018-19 school year and subsequent years, each
15 public school, including each charter school, shall conduct
16 dyslexia screenings for students in the appropriate year
17 consistent with the guidelines developed by the Department of
18 Elementary and Secondary Education.

19 (3) In the 2018-19 school year and subsequent years, the
20 school board of each district and the governing board of each
21 charter school shall provide reasonable classroom support
22 consistent with the guidelines developed by the Department of
23 Elementary and Secondary Education.

24 2. In the 2018-19 school year and subsequent years, the
25 practicing teacher assistance programs established under section
26 168.400 shall include two hours of in-service training provided
27 by each local school district for all practicing teachers in such
28 district regarding dyslexia and related disorders. Each charter

1 school shall also offer all of its teachers two hours of training
2 on dyslexia and related disorders. Districts and charter schools
3 may seek assistance from the department of elementary and
4 secondary education in developing and providing such training.
5 Completion of such training shall count as two contact hours of
6 professional development under section 168.021.

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

8 (1) "Dyslexia", a disorder that is neurological in origin,
9 characterized by difficulties with accurate and fluent word
10 recognition and poor spelling and decoding abilities that
11 typically result from a deficit in the phonological component of
12 language, often unexpected in relation to other cognitive
13 abilities and the provision of effective classroom instruction,
14 and of which secondary consequences may include problems in
15 reading comprehension and reduced reading experience that can
16 impede growth of vocabulary and background knowledge. Nothing in
17 this definition shall require a student with dyslexia to obtain
18 an individualized education program (IEP) unless the student has
19 otherwise met the federal conditions necessary;

20 (2) "Dyslexia screening", a short test conducted by a
21 teacher or school counselor to determine whether a student likely
22 has dyslexia or a related disorder in which a positive result
23 does not represent a medical diagnosis but indicates that the
24 student could benefit from approved support;

25 (3) "Related disorders", disorders similar to or related to
26 dyslexia, such as developmental auditory imperception, dysphasia,
27 specific developmental dyslexia, developmental dysgraphia, and
28 developmental spelling disability;

1 (4) "Support", low-cost and effective best practices, such
2 as oral examinations and extended test-taking periods, used to
3 support students who have dyslexia or any related disorder.

4 4. The state board of education shall promulgate rules and
5 regulations for each public school to screen students for
6 dyslexia and related disorders and to provide the necessary
7 classroom support for students with dyslexia and related
8 disorders. Any rule or portion of a rule, as that term is
9 defined in section 536.010, that is created under the authority
10 delegated in this section shall become effective only if it
11 complies with and is subject to all of the provisions of chapter
12 536 and, if applicable, section 536.028. This section and
13 chapter 536 are nonseverable, and if any of the powers vested
14 with the general assembly pursuant to chapter 536 to review, to
15 delay the effective date, or to disapprove and annul a rule are
16 subsequently held unconstitutional, then the grant of rulemaking
17 authority and any rule proposed or adopted after August 28, 2016,
18 shall be invalid and void.

19 5. Nothing in this section shall require the MO HealthNet
20 program to expand the services that it provides.

21 170.011. 1. Regular courses of instruction in the
22 Constitution of the United States and of the state of Missouri
23 and in American history and institutions shall be given in all
24 public and private schools in the state of Missouri, except
25 [privately operated trade] proprietary schools, and shall begin
26 not later than the seventh grade and continue in high school to
27 an extent determined by the state commissioner of education, and
28 shall continue in college and university courses to an extent

1 determined by the state commissioner of higher education. In the
2 1990-91 school year and each year thereafter, local school
3 districts maintaining high schools shall comply with the
4 provisions of this section by offering in grade nine, ten,
5 eleven, or twelve a course of instruction in the institutions,
6 branches and functions of the government of the state of
7 Missouri, including local governments, and of the government of
8 the United States, and in the electoral process. A local school
9 district maintaining such a high school shall require that prior
10 to the completion of the twelfth grade each pupil who receives a
11 high school diploma or certificate of graduation on or after
12 January 1, 1994, shall satisfactorily complete such a course of
13 study. Such course shall be of at least one semester in length
14 and may be two semesters in length. The department of elementary
15 and secondary education may provide assistance in developing such
16 a course if the district requests assistance. A school district
17 may elect to waive the requirements of this subsection for any
18 student who transfers from outside the state to a Missouri high
19 school if the student can furnish documentation deemed acceptable
20 by the school district of the student's successful completion in
21 any year from the ninth through the twelfth grade of a course of
22 instruction in the institutions, branches, and functions of state
23 government, including local governments, and of the government of
24 the United States, and in the electoral process.

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

1 Missouri laws and attitudes.

2 3. No pupil shall receive a certificate of graduation from
3 any public or private school other than private trade schools
4 unless he has satisfactorily passed an examination on the
5 provisions and principles of the Constitution of the United
6 States and of the state of Missouri, and in American history
7 [and], American institutions, and American civics. A school
8 district may elect to waive the requirements of this subsection
9 for any student who transfers from outside the state to a
10 Missouri high school if the student can furnish documentation
11 deemed acceptable by the school district of the student's
12 successful completion in any year from the ninth through the
13 twelfth grade of a course of instruction in the institutions,
14 branches, and functions of state government, including local
15 governments, and of the government of the United States, and in
16 the electoral process. A student of a college or university,
17 who, after having completed a course of instruction prescribed in
18 this section and successfully passed an examination on the United
19 States Constitution, and in American history and American
20 institutions required hereby, transfers to another college or
21 university, is not required to complete another such course or
22 pass another such examination as a condition precedent to his
23 graduation from the college or university.

24 4. In the 1990-91 school year and each year thereafter,
25 each school district maintaining a high school may annually
26 nominate to the state board of education a student who has
27 demonstrated knowledge of the principles of government and
28 citizenship through academic achievement, participation in

1 extracurricular activities, and service to the community.
2 Annually, the state board of education shall select fifteen
3 students from those nominated by the local school districts and
4 shall recognize and award them for their academic achievement,
5 participation and service.

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

11 170.310. 1. For school year 2017-18 and each school year
12 thereafter, upon graduation from high school, pupils in public
13 schools and charter schools shall have received thirty minutes of
14 cardiopulmonary resuscitation instruction and training in the
15 proper performance of the Heimlich maneuver or other first aid
16 for choking given any time during a pupil's four years of high
17 school.

18 2. Beginning in school year 2017-18, any public school or
19 charter school serving grades nine through twelve [may] shall
20 provide enrolled students instruction in cardiopulmonary
21 resuscitation. Students with disabilities may participate to the
22 extent appropriate as determined by the provisions of the
23 Individuals with Disabilities Education Act or Section 504 of the
24 Rehabilitation Act. [Instruction may be embedded in any health
25 education course] Instruction shall be included in the district's
26 existing health or physical education curriculum. Instruction
27 shall be based on a program established by the American Heart
28 Association or the American Red Cross, or through a nationally

1 recognized program based on the most current national evidence-
2 based emergency cardiovascular care guidelines, and psychomotor
3 skills development shall be incorporated into the instruction.
4 For purposes of this section, "psychomotor skills" means the use
5 of hands-on practicing and skills testing to support cognitive
6 learning.

7 [2.] 3. The teacher of the cardiopulmonary resuscitation
8 course or unit shall not be required to be a certified trainer of
9 cardiopulmonary resuscitation if the instruction is not designed
10 to result in certification of students. Instruction that is
11 designed to result in certification being earned shall be
12 required to be taught by an authorized cardiopulmonary
13 instructor. Schools may develop agreements with any local
14 chapter of a voluntary organization of first responders to
15 provide the required hands-on practice and skills testing.

16 [3.] 4. The department of elementary and secondary
17 education may promulgate rules to implement this section. Any
18 rule or portion of a rule, as that term is defined in section
19 536.010, that is created under the authority delegated in this
20 section shall become effective only if it complies with and is
21 subject to all of the provisions of chapter 536 and, if
22 applicable, section 536.028. This section and chapter 536 are
23 nonseverable and if any of the powers vested with the general
24 assembly pursuant to chapter 536 to review, to delay the
25 effective date, or to disapprove and annul a rule are
26 subsequently held unconstitutional, then the grant of rulemaking
27 authority and any rule proposed or adopted after August 28, 2012,
28 shall be invalid and void.

1 170.345. 1. This section shall be known as the "Missouri
2 Civics Education Initiative".

3 2. Any student entering ninth grade after July 1, 2017, who
4 is attending any public, charter, or private school, except
5 private trade schools, as a condition of high school graduation
6 shall pass an examination on the provisions and principles of
7 American civics.

8 3. The examination shall consist of one hundred questions
9 similar to the one hundred questions used by the United States
10 Citizenship and Immigration Services that are administered to
11 applicants for United States citizenship.

12 4. The examination required under this section may be
13 included in any other examination that is administered on the
14 provisions and principles of the Constitution of the United
15 States and of the state of Missouri, and in American history and
16 American institutions, as required in subsection 3 of section
17 170.011.

18 5. School districts may use any online test to comply with
19 the provisions of this section.

20 6. Each school district shall adopt a policy to permit the
21 waiver of the requirements of this section for any student with a
22 disability if recommended by the student's IEP committee. For
23 purposes of this subsection, "IEP" means individualized education
24 program.

25 170.350. A school district may develop a policy that allows
26 student participation in the Constitution Project of the Missouri
27 Supreme Court to be recognized by:

28 (1) The granting of credit for some portion of, or in

1 collaboration with:

2 (a) Inclusion in the student's record of good citizenship
3 as required by the A+ tuition reimbursement program under section
4 160.545; or

5 (b) The Missouri and United States Constitution course
6 required under section 170.011; or

7 (c) Any relevant course or instructional unit in American
8 government or a similar subject; or

9 (2) District or school-level awards including, but not
10 limited to, certificates or assemblies.

11 171.021. 1. Every school in this state which is supported
12 in whole or in part by public moneys, during the hours while
13 school is in session, shall display in some prominent place
14 either upon the outside of the school building or upon a pole
15 erected in the school yard the flag of the United States of
16 America.

17 2. Every school in this state which is supported in whole
18 or in part by public moneys shall ensure that the Pledge of
19 Allegiance to the flag of the United States of America is recited
20 in at least one scheduled class of every pupil enrolled in that
21 school no less often than once per [week] school day. Flags for
22 display in individual classrooms may be provided by voluntary
23 donation by any person. No student shall be required to recite
24 the Pledge of Allegiance.

25 173.750. 1. By July 1, 1995, the coordinating board for
26 higher education, within existing resources provided to the
27 department of higher education and by rule and regulation, shall
28 have established and implemented a procedure for annually

1 reporting the performance of graduates of public high schools in
2 the state during the student's initial year in the public
3 colleges and universities of the state. The purpose of such
4 reports shall be to assist in determining how high schools are
5 preparing students for successful college and university
6 performance. The report produced pursuant to this subsection
7 shall annually be furnished to the state board of education for
8 reporting pursuant to subsection 4 of section 161.610 and shall
9 not be used for any other purpose until such time that a standard
10 process and consistent, specific criteria for determining a
11 student's need for remedial coursework is agreed upon by the
12 coordinating board for higher education, higher education
13 institutions, and the state board of education.

14 2. The procedures shall be designed so that the reporting
15 is made by the name of each high school in the state, with
16 individual student data to be grouped according to the high
17 school from which the students graduated. The data in the
18 reports shall be disaggregated by race and sex. The procedures
19 shall not be designed so that the reporting contains the name of
20 any student. No grade point average shall be disclosed under
21 subsection 3 of this section in any case where three or fewer
22 students from a particular high school attend a particular
23 college or university.

24 3. The data reported shall include grade point averages
25 after the initial college year, calculated on, or adjusted to, a
26 four point grade scale; the percentage of students returning to
27 college after the first and second half of the initial college
28 year, or after each trimester of the initial college year; the

1 percentage of students taking noncollege level classes in basic
2 academic courses during the first college year, or remedial
3 courses in basic academic subjects of English, mathematics, or
4 reading; and other such data as determined by rule and regulation
5 of the coordinating board for higher education.

6 4. The department of elementary and secondary education
7 shall conduct a review of its policies and procedures relating to
8 remedial education in light of the best practices in remediation
9 identified as required by subdivision (6) of subsection 2 of
10 section 173.005 to ensure that school districts are informed
11 about best practices to reduce the need for remediation. The
12 department shall present its results to the joint committee on
13 education by October 31, 2017.

14 633.420. 1. For the purposes of this section, the term
15 "dyslexia" means a disorder that is neurological in origin,
16 characterized by difficulties with accurate and fluent word
17 recognition, and poor spelling and decoding abilities that
18 typically result from a deficit in the phonological component of
19 language, often unexpected in relation to other cognitive
20 abilities and the provision of effective classroom instruction,
21 and of which secondary consequences may include problems in
22 reading comprehension and reduced reading experience that can
23 impede growth of vocabulary and background knowledge. Nothing in
24 this section shall prohibit a district from assessing students
25 for dyslexia and offering students specialized reading
26 instruction if a determination is made that a student suffers
27 from dyslexia. Unless required by federal law, nothing in this
28 definition shall require a student with dyslexia to be

1 automatically determined eligible as a student with a disability.

2 2. There is hereby created the "Legislative Task Force on
3 Dyslexia". The joint committee on education shall provide
4 technical and administrative support as required by the task
5 force to fulfill its duties; any such support involving monetary
6 expenses shall first be approved by the chairman of the joint
7 committee on education. The task force shall meet at least
8 quarterly and may hold meetings by telephone or video conference.
9 The task force shall advise and make recommendations to the
10 governor, joint committee on education, and relevant state
11 agencies regarding matters concerning individuals with dyslexia,
12 including education and other adult and adolescent services.

13 3. The task force shall be comprised of twenty members
14 consisting of the following:

15 (1) Two members of the senate appointed by the president
16 pro tempore of the senate, with one member appointed from the
17 minority party and one member appointed from the majority party;

18 (2) Two members of the house of representatives appointed
19 by the speaker of the house of representatives, with one member
20 appointed from the minority party and one member appointed from
21 the majority party;

22 (3) The commissioner of education, or his or her designee;

23 (4) One representative from an institution of higher
24 education located in this state with specialized expertise in
25 dyslexia and reading instruction;

26 (5) A representative from a state teachers association or
27 the Missouri National Education Association;

28 (6) A representative from the International Dyslexia

1 Association of Missouri;

2 (7) A representative from Decoding Dyslexia of Missouri;

3 (8) A representative from the Missouri Association of
4 Elementary School Principals;

5 (9) A representative from the Missouri Council of
6 Administrators of Special Education;

7 (10) A professional licensed in the state of Missouri with
8 experience diagnosing dyslexia including, but not limited to, a
9 licensed psychologist, school psychologist, or neuropsychologist;

10 (11) A speech-language pathologist with training and
11 experience in early literacy development and effective research-
12 based intervention techniques for dyslexia, including an Orton-
13 Gillingham remediation program recommended by the Missouri
14 Speech-Language Hearing Association;

15 (12) A certified academic language therapist recommended by
16 the Academic Language Therapists Association who is a resident of
17 this state;

18 (13) A representative from an independent private provider
19 or nonprofit organization serving individuals with dyslexia;

20 (14) An assistive technology specialist with expertise in
21 accessible print materials and assistive technology used by
22 individuals with dyslexia recommended by the Missouri assistive
23 technology council;

24 (15) One private citizen who has a child who has been
25 diagnosed with dyslexia;

26 (16) One private citizen who has been diagnosed with
27 dyslexia;

28 (17) A representative of the Missouri State Council of the

1 International Reading Association; and

2 (18) A pediatrician with knowledge of dyslexia.

3 4. The members of the task force, other than the members
4 from the general assembly and ex officio members, shall be
5 appointed by the president pro tempore of the senate or the
6 speaker of the house of representatives by September 1, 2016, by
7 alternating appointments beginning with the president pro tempore
8 of the senate. A chairperson shall be selected by the members of
9 the task force. Any vacancy on the task force shall be filled in
10 the same manner as the original appointment. Members shall serve
11 on the task force without compensation.

12 5. The task force shall make recommendations for a
13 statewide system for identification, intervention, and delivery
14 of supports for students with dyslexia, including the development
15 of resource materials and professional development activities.
16 These recommendations shall be included in a report to the
17 governor and joint committee on education and shall include
18 findings and proposed legislation and shall be made available no
19 longer than twelve months from the task force's first meeting.

20 6. The recommendations and resource materials developed by
21 the task force shall:

22 (1) Identify valid and reliable screening and evaluation
23 assessments and protocols that can be used and the appropriate
24 personnel to administer such assessments in order to identify
25 children with dyslexia or the characteristics of dyslexia as part
26 of an ongoing reading progress monitoring system, multi-tiered
27 system of supports, and special education eligibility
28 determinations in schools;

1 (2) Recommend an evidence-based reading instruction, with
2 consideration of the National Reading Panel Report and Orton-
3 Gillingham methodology principles for use in all Missouri
4 schools, and intervention system, including a list of effective
5 dyslexia intervention programs, to address dyslexia or
6 characteristics of dyslexia for use by schools in multi-tiered
7 systems of support and for services as appropriate for special
8 education eligible students;

9 (3) Develop and implement preservice and inservice
10 professional development activities to address dyslexia
11 identification and intervention, including utilization of
12 accessible print materials and assistive technology, within
13 degree programs such as education, reading, special education,
14 speech-language pathology, and psychology;

15 (4) Review teacher certification and professional
16 development requirements as they relate to the needs of students
17 with dyslexia;

18 (5) Examine the barriers to accurate information on the
19 prevalence of students with dyslexia across the state and
20 recommend a process for accurate reporting of demographic data;
21 and

22 (6) Study and evaluate current practices for diagnosing,
23 treating, and educating children in this state and examine how
24 current laws and regulations affect students with dyslexia in
25 order to present recommendations to the governor and joint
26 committee on education.

27 7. The task force shall hire or contract for hire
28 specialist services to support the work of the task force as

1 necessary with appropriations made by the general assembly for
2 that purpose or from other available funding.

3 8. The task force authorized under this section shall
4 expire on August 31, 2018.

5 [161.216. 1. No public institution of higher
6 education, political subdivision, governmental entity,
7 or quasi-governmental entity receiving state funds
8 shall operate, establish, or maintain, offer incentives
9 to participate in, or mandate participation in a
10 quality rating system for early childhood education, a
11 training quality assurance system, any successor
12 system, or any substantially similar system for early
13 childhood education, unless the authority to operate,
14 establish, or maintain such a system is enacted into
15 law through:

16 (1) A bill as prescribed by Article III of
17 the Missouri Constitution;

18 (2) An initiative petition as prescribed by
19 Section 50 of Article III of the Missouri
20 Constitution; or

21 (3) A referendum as prescribed by Section
22 52(a) of Article III of the Missouri Constitution.

23 2. No public institution of higher
24 education, political subdivision, governmental
25 entity or quasi-governmental entity receiving
26 state funds shall promulgate any rule or establish
27 any program, policy, guideline, or plan or change
28 any rule, program, policy, guideline, or plan to
29 operate, establish, or maintain a quality rating
30 system for early childhood education, a training
31 quality assurance system, any successor system, or
32 any substantially similar system for early
33 childhood education unless such public institution
34 of higher education, political subdivision,
35 governmental entity or quasi-governmental entity
36 receiving state funds has received statutory
37 authority to do so in a manner consistent with
38 subsection 1 of this section.

39 3. Any taxpayer of this state or any member
40 of the general assembly shall have standing to
41 bring suit against any public institution of
42 higher education, political subdivision,
43 governmental entity or quasi-governmental entity
44 which is in violation of this section in any court
45 with jurisdiction to enforce the provisions of
46 this section.

47 4. This section shall not be construed to
48 limit the content of early childhood education

1 courses, research, or training carried out by any
2 public institution of higher education. A course
3 on quality rating systems or training quality
4 assurance systems shall not be a requirement for
5 certification by the state as an individual child
6 care provider or any licensing requirement that
7 may be established for an individual child care
8 provider.

9 5. For purposes of this section:

10 (1) "Early childhood education" shall mean
11 education programs that are both centered and
12 home-based and providing services for children
13 from birth to kindergarten;

14 (2) "Quality rating system" or "training
15 quality assurance system" shall include the model
16 from the Missouri quality rating system pilots
17 developed by the University of Missouri center for
18 family policy and research, any successor model,
19 or substantially similar model. "Quality rating
20 system" or "training quality assurance system"
21 shall also include but not be limited to a tiered
22 rating system that provides a number of tiers or
23 levels to set benchmarks for quality that build
24 upon each other, leading to a top tier that
25 includes program accreditation. "Quality rating
26 system" or "training quality assurance system" may
27 also include a tiered reimbursement system that
28 may be tied to a tiered rating system;

29 (3) "Tiered reimbursement system" or "training
30 quality assurance system" shall include but not be
31 limited to a system that links funding to a quality
32 rating system, a system to award higher child care
33 subsidy payments to programs that attain higher quality
34 levels, or a system that offers other incentives
35 through tax policy or professional development
36 opportunities for child care providers.]

37 Section B. The repeal and reenactment of section 161.1050
38 of this act shall become effective July 1, 2017.

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45 Jeanie Riddle

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45 Kathryn Swann