

SECOND REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 904**  
**98TH GENERAL ASSEMBLY**

5842H.04C

D. ADAM CRUMBLISS, Chief Clerk

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**AN ACT**

To repeal sections 162.720, 162.1115, and 163.031, RSMo, and to enact in lieu thereof six new sections relating to elementary and secondary education.

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

Section A. Sections 162.720, 162.1115, and 163.031, RSMo, are repealed and six new  
2 sections enacted in lieu thereof, to be known as sections 162.720, 162.1115, 163.031, 170.047,  
3 170.048, and 633.420, to read as follows:

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

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

7 **3. No district shall make a determination as to whether a child is gifted based on**  
8 **the child's participation in an advanced placement course or international baccalaureate**  
9 **course. Districts shall determine a child is gifted only if the child meets the definition of**  
10 **"gifted children" as provided in section 162.675.**

162.1115. 1. Notwithstanding any provision of law to the contrary, no district shall be  
2 penalized for any reason under the Missouri school improvement program if students who  
3 graduate from the district complete career and technical education programs approved by the  
4 department of elementary and secondary education but are not placed in occupations directly  
5 related to their training within six months of graduating.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

6           2. The department of elementary and secondary education shall revise its scoring guide  
7 under the Missouri school improvement program to provide additional points to districts that  
8 create and enter into a partnership with area career centers, comprehensive high schools,  
9 industry, and business to develop and implement a pathway for students to:

10           (1) Enroll in a program of career and technical education while in high school;

11           (2) Participate and complete an internship or apprenticeship during their final year of  
12 high school; and

13           (3) Obtain the industry certification or credentials applicable to their program or career  
14 and technical education and internship or apprenticeship.

15           3. Each school district shall be authorized to create and enter into a partnership with area  
16 career centers, comprehensive high schools, industry, and business to develop and implement  
17 a pathway for students to:

18           (1) Enroll in a program of career and technical education while in high school;

19           (2) Participate and complete an internship or apprenticeship during their final year of  
20 high school; and

21           (3) Obtain the industry certification or credentials applicable to their program or career  
22 and technical education and internship or apprenticeship.

23           **4. In establishing career and technical education offerings, each school district may**  
24 **rely on technical coursework and skills assessments developed for industry-recognized**  
25 **certificates and credentials.**

26           **5.** The department of elementary and secondary education shall permit student scores,  
27 that are from a nationally recognized examination that demonstrates achievement of workplace  
28 employability skills, to count towards credit for college and career readiness standards on the  
29 Missouri school improvement program or any subsequent school accreditation or improvement  
30 program.

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

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

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

10           (a) For the 2008-09 school year, the state revenue per weighted average daily attendance  
11 received by a district from the state aid calculation under subsections 1 and 4 of [this] section

12 **163.031 as such section existed on July 1, 2008**, as applicable, and the classroom trust fund  
13 under section 163.043 shall not be less than the state revenue received by a district in the 2005-  
14 06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil  
15 aid, fair share, and free textbook payment amounts multiplied by the dollar value modifier, and  
16 dividing this product by the weighted average daily attendance computed for the 2005-06 school  
17 year;

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

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

24 (a) For the 2008-09 school year, the state revenue received by a district from the state  
25 aid calculation under subsections 1 and 4 of [this] section **163.031 as such section existed on**  
26 **July 1, 2008**, as applicable, and the classroom trust fund under section 163.043 shall not be less  
27 than the greater of state revenue received by a district in the 2004-05 or 2005-06 school year  
28 from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share,  
29 and free textbook payment amounts multiplied by the dollar value modifier;

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

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

35 3. School districts that meet the requirements of section 163.021 shall receive categorical  
36 add-on revenue as provided in this subsection. The categorical add-on for the district shall be  
37 the sum of: seventy-five percent of the district allowable transportation costs under section  
38 163.161; the career ladder entitlement for the district, as provided for in sections 168.500 to  
39 168.515; the vocational education entitlement for the district, as provided for in section 167.332;  
40 and the district educational and screening program entitlements as provided for in sections  
41 178.691 to 178.699. The categorical add-on revenue amounts may be adjusted to accommodate  
42 available appropriations.

43 4. For any school district meeting the eligibility criteria for state aid as established in  
44 section 163.021, but which is considered an option district under section 163.042 and therefore  
45 receives no state aid, the commissioner of education shall present a plan to the superintendent  
46 of the school district for the waiver of rules and the duration of said waivers, in order to promote

47 flexibility in the operations of the district and to enhance and encourage efficiency in the delivery  
48 of instructional services as provided in section 163.042.

49 5. (1) No less than seventy-five percent of the state revenue received under the  
50 provisions of subsections 1 and 2 of this section shall be placed in the teachers' fund, and the  
51 remaining percent of such moneys shall be placed in the incidental fund. No less than seventy-  
52 five percent of one-half of the funds received from the school district trust fund distributed under  
53 section 163.087 shall be placed in the teachers' fund. One hundred percent of revenue received  
54 under the provisions of section 163.161 shall be placed in the incidental fund. One hundred  
55 percent of revenue received under the provisions of sections 168.500 to 168.515 shall be placed  
56 in the teachers' fund.

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

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

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

64 (c) Beginning in fiscal year 2008, as much as was spent per the second preceding year's  
65 weighted average daily attendance for certificated compensation and tuition expenditures the  
66 previous year from revenue produced by local and county tax sources in the teachers' fund, plus  
67 the amount of the incidental fund to teachers' fund transfer calculated to be local and county tax  
68 sources by dividing local and county tax sources in the incidental fund by total revenue in the  
69 incidental fund.

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71 In the event a district fails to comply with this provision, the amount by which the district fails  
72 to spend funds as provided herein shall be deducted from the district's state revenue received  
73 under the provisions of subsections 1 and 2 of this section for the following year, provided that  
74 the state board of education may exempt a school district from this provision if the state board  
75 of education determines that circumstances warrant such exemption.

76 6. (1) If a school district's annual audit discloses that students were inappropriately  
77 identified as eligible for free and reduced **price** lunch, special education, or limited English  
78 proficiency and the district does not resolve the audit finding, the department of elementary and  
79 secondary education shall require that the amount of aid paid pursuant to the weighting for free  
80 and reduced **price** lunch, special education, or limited English proficiency in the weighted  
81 average daily attendance on the inappropriately identified pupils be repaid by the district in the  
82 next school year and shall additionally impose a penalty of one hundred percent of such aid paid

83 on such pupils, which penalty shall also be paid within the next school year. Such amounts may  
84 be repaid by the district through the withholding of the amount of state aid.

85 **(2) In the 2017-18 school year and in each subsequent school year, if a district**  
86 **experiences a decrease in its gifted program enrollment of twenty percent or more from the**  
87 **previous school year, an amount equal to the product of the difference between the number**  
88 **of students enrolled in the gifted program in the current school year and the number of**  
89 **students enrolled in the gifted program in the previous school year multiplied by six**  
90 **hundred eighty dollars shall be subtracted from the district's current year payment**  
91 **amount. The provisions of this subdivision shall apply to districts entitled to receive state**  
92 **aid payments under both subsections 1 and 2 of this section but shall not apply to any**  
93 **school district with an average daily attendance of three hundred fifty or less.**

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

**170.047. 1. Beginning in the 2017-18 school year, any licensed educator may**  
2 **annually complete up to two hours of training or professional development in youth suicide**  
3 **awareness and prevention as part of the professional development hours required for state**  
4 **board of education certification.**

5 **2. The department of elementary and secondary education shall develop guidelines**  
6 **suitable for training or professional development in youth suicide awareness and**  
7 **prevention. The department shall develop materials that may be used for such training or**  
8 **professional development.**

9 **3. For purposes of this section, the term "licensed educator" shall refer to any**  
10 **teacher with a certificate of license to teach issued by the state board of education or any**  
11 **other educator or administrator required to maintain a professional license issued by the**  
12 **state board of education.**

13 **4. The department of elementary and secondary education may promulgate rules**  
14 **and regulations to implement this section.**

15 **5. Any rule or portion of a rule, as that term is defined in section 536.010, that is**  
16 **created under the authority delegated in this section shall become effective only if it**  
17 **complies with and is subject to all of the provisions of chapter 536 and, if applicable,**  
18 **section 536.028. This section and chapter 536 are nonseverable, and if any of the powers**  
19 **vested with the general assembly pursuant to chapter 536 to review, to delay the effective**

20 **date, or to disapprove and annul a rule are subsequently held unconstitutional, then the**  
21 **grant of rulemaking authority and any rule proposed or adopted after August 28, 2016,**  
22 **shall be invalid and void.**

**170.048. 1. By July 1, 2018, each district shall adopt a policy for youth suicide**  
2 **awareness and prevention, including plans for how the district will provide for the training**  
3 **and education of its district employees.**

4 **2. Each district's policy shall include, but not be limited to, the following:**

5 **(1) Strategies that can help identify students who are at possible risk of suicide;**

6 **(2) Strategies and protocols for helping students at possible risk of suicide; and**

7 **(3) Protocols for responding to a suicide death.**

8 **3. By July 1, 2017, the department of elementary and secondary education shall**  
9 **develop a model policy that districts may adopt. When developing the model policy, the**  
10 **department shall cooperate, consult with, and seek input from organizations that have**  
11 **expertise in youth suicide awareness and prevention. By July 1, 2021, and at least every**  
12 **three years thereafter, the department shall request information and seek feedback from**  
13 **districts on their experience with the policy for youth suicide awareness and prevention.**  
14 **The department shall review this information and may use it to adjust the department's**  
15 **model policy. The department shall post any information on its website that it has received**  
16 **from districts that it deems relevant. The department shall not post any confidential**  
17 **information or any information that personally identifies any student or school employee.**

**633.420. 1. For the purposes of this section, the term "dyslexia" means a disorder**  
2 **that is neurological in origin, characterized by difficulties with accurate and fluent word**  
3 **recognition, and poor spelling and decoding abilities that typically result from a deficit in**  
4 **the phonological component of language, often unexpected in relation to other cognitive**  
5 **abilities and the provision of effective classroom instruction, and of which secondary**  
6 **consequences may include problems in reading comprehension and reduced reading**  
7 **experience that can impede growth of vocabulary and background knowledge. Nothing**  
8 **in this section shall prohibit a district from assessing students for dyslexia and offering**  
9 **students specialized reading instruction if a determination is made that a student suffers**  
10 **from dyslexia. Unless required by federal law, nothing in this definition shall require a**  
11 **student with dyslexia to be automatically determined eligible as a student with a disability.**

12 **2. There is hereby created the "Legislative Task Force on Dyslexia". The joint**  
13 **committee on education shall provide technical and administrative support as required by**  
14 **the task force to fulfill its duties; any such support involving monetary expenses shall first**  
15 **be approved by the chairman of the joint committee on education. The task force shall**  
16 **meet at least quarterly and may hold meetings by telephone or video conference. The task**

17 force shall advise and make recommendations to the governor, joint committee on  
18 education, and relevant state agencies regarding matters concerning individuals with  
19 dyslexia, including education and other adult and adolescent services.

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

21 (1) Two members of the senate appointed by the president pro tempore of the  
22 senate, with one member appointed from the minority party and one member appointed  
23 from the majority party;

24 (2) Two members of the house of representatives appointed by the speaker of the  
25 house of representatives, with one member appointed from the minority party and one  
26 member appointed from the majority party;

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

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

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

32 (6) A representative from the International Dyslexia Association of Missouri;

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

34 (8) A representative from the Missouri Association of Elementary School  
35 Principals;

36 (9) A representative from the Missouri Council of Administrators of Special  
37 Education;

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

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

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

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

49 (14) An assistive technology specialist with expertise in accessible print materials  
50 and assistive technology used by individuals with dyslexia recommended by the Missouri  
51 assistive technology council;

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

53           **(16) One private citizen who has been diagnosed with dyslexia;**

54           **(17) A representative of the Missouri State Council of the International Reading**  
55 **Association; and**

56           **(18) A pediatrician with knowledge of dyslexia.**

57           **4. The members of the task force, other than the members from the general**  
58 **assembly and ex officio members, shall be appointed by the president pro tempore of the**  
59 **senate or the speaker of the house of representatives by September 1, 2016, by alternating**  
60 **appointments beginning with the president pro tempore of the senate. A chairperson shall**  
61 **be selected by the members of the task force. Any vacancy on the task force shall be filled**  
62 **in the same manner as the original appointment. Members shall serve on the task force**  
63 **without compensation.**

64           **5. The task force shall make recommendations for a statewide system for**  
65 **identification, intervention, and delivery of supports for students with dyslexia, including**  
66 **the development of resource materials and professional development activities. These**  
67 **recommendations shall be included in a report to the governor and joint committee on**  
68 **education and shall include findings and proposed legislation and shall be made available**  
69 **no longer than twelve months from the task force's first meeting.**

70           **6. The recommendations and resource materials developed by the task force shall:**

71           **(1) Identify valid and reliable screening and evaluation assessments and protocols**  
72 **that can be used and the appropriate personnel to administer such assessments in order**  
73 **to identify children with dyslexia or the characteristics of dyslexia as part of an ongoing**  
74 **reading progress monitoring system, multi-tiered system of supports, and special education**  
75 **eligibility determinations in schools;**

76           **(2) Recommend an evidence-based reading instruction, with consideration of the**  
77 **National Reading Panel Report and Orton-Gillingham methodology principles for use in**  
78 **all Missouri schools, and intervention system, including a list of effective dyslexia**  
79 **intervention programs, to address dyslexia or characteristics of dyslexia for use by schools**  
80 **in multi-tiered systems of support and for services as appropriate for special education**  
81 **eligible students;**

82           **(3) Develop and implement preservice and inservice professional development**  
83 **activities to address dyslexia identification and intervention, including utilization of**  
84 **accessible print materials and assistive technology, within degree programs such as**  
85 **education, reading, special education, speech-language pathology, and psychology;**

86           **(4) Review teacher certification and professional development requirements as they**  
87 **relate to the needs of students with dyslexia;**



88           **(5) Examine the barriers to accurate information on the prevalence of students with**  
89 **dyslexia across the state and recommend a process for accurate reporting of demographic**  
90 **data; and**

91           **(6) Study and evaluate current practices for diagnosing, treating, and educating**  
92 **children in this state and examine how current laws and regulations affect students with**  
93 **dyslexia in order to present recommendations to the governor and joint committee on**  
94 **education.**

95           **7. The task force shall hire or contract for hire specialist services to support the**  
96 **work of the task force as necessary with appropriations made by the general assembly for**  
97 **that purpose or from other available funding.**

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

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