

SENATE AMENDMENT NO. _____

Offered by _____ Of _____

Amend SS#2/SCS/Senate Bill No. 313, Page 35, Section 162.1313, Line 9,

2 by inserting after all of said line the following:

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

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

9 (2) "Average daily attendance", the quotient or the sum of
10 the quotients obtained by dividing the total number of hours
11 attended in a term by resident pupils between the ages of five
12 and twenty-one by the actual number of hours school was in
13 session in that term. To the average daily attendance of the
14 following school term shall be added the full-time equivalent
15 average daily attendance of summer school students. "Full-time
16 equivalent average daily attendance of summer school students"
17 shall be computed by dividing the total number of hours, except
18 for physical education hours that do not count as credit toward
19 graduation for students in grades nine, ten, eleven, and twelve,
20 attended by all summer school pupils by the number of hours
21 required in section 160.011 in the school term. For purposes of

determining average daily attendance under this subdivision, the term "resident pupil" shall include all children between the ages of five and twenty-one who are residents of the school district and who are attending kindergarten through grade twelve in such district. If a child is attending school in a district other than the district of residence and the child's parent is teaching in the school district or is a regular employee of the school district which the child is attending, then such child shall be considered a resident pupil of the school district which the child is attending for such period of time when the district of residence is not otherwise liable for tuition. Average daily attendance for students below the age of five years for which a school district may receive state aid based on such attendance shall be computed as regular school term attendance unless otherwise provided by law;

(3) "Current operating expenditures":

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

(b) In every fiscal year subsequent to fiscal year 2007,

1 current operating expenditures shall be the amount in paragraph
2 (a) of this subdivision plus any increases in state funding
3 pursuant to sections 163.031 and 163.043 subsequent to fiscal
4 year 2005, not to exceed five percent, per recalculation, of the
5 state revenue received by a district in the 2004-05 school year
6 from the foundation formula, line 14, gifted, remedial reading,
7 exceptional pupil aid, fair share, and free textbook payments for
8 any district from the first preceding calculation of the state
9 adequacy target. Beginning on July 1, 2017, current operating
10 expenditures shall be the amount in paragraph (a) of this
11 subdivision plus any increases in state funding pursuant to
12 sections 163.031 and 163.043 subsequent to fiscal year 2005
13 received by a district in the 2004-05 school year from the
14 foundation formula, line 14, gifted, remedial reading,
15 exceptional pupil aid, fair share, and free textbook payments for
16 any district from the first preceding calculation of the state
17 adequacy target;

18 (4) "District's tax rate ceiling", the highest tax rate
19 ceiling in effect subsequent to the 1980 tax year or any
20 subsequent year. Such tax rate ceiling shall not contain any tax
21 levy for debt service;

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

27 (a) "County wage per job", the total county wage and salary
28 disbursements divided by the total county wage and salary
29 employment for each county and the City of St. Louis as reported

1 by the Bureau of Economic Analysis of the United States
2 Department of Commerce for the fourth year preceding the payment
3 year;

4 (b) "Regional wage per job":

5 a. The total Missouri wage and salary disbursements of the
6 metropolitan area as defined by the Office of Management and
7 Budget divided by the total Missouri metropolitan wage and salary
8 employment for the metropolitan area for the county signified in
9 the school district number or the City of St. Louis, as reported
10 by the Bureau of Economic Analysis of the United States
11 Department of Commerce for the fourth year preceding the payment
12 year and recalculated upon every decennial census to incorporate
13 counties that are newly added to the description of metropolitan
14 areas; or if no such metropolitan area is established, then:

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

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

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

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

5 (6) "Free and reduced price lunch pupil count", for school
6 districts not eligible for and those that do not choose the USDA
7 Community Eligibility Option, the number of pupils eligible for
8 free and reduced price lunch on the last Wednesday in January for
9 the preceding school year who were enrolled as students of the
10 district, as approved by the department in accordance with
11 applicable federal regulations. For eligible school districts
12 that choose the USDA Community Eligibility Option, the free and
13 reduced price lunch pupil count shall be the percentage of free
14 and reduced price lunch students calculated as eligible on the
15 last Wednesday in January of the most recent school year that
16 included household applications to determine free and reduced
17 price lunch count multiplied by the district's average daily
18 attendance figure;

19 (7) "Free and reduced price lunch threshold" shall be
20 calculated by dividing the total free and reduced price lunch
21 pupil count of every performance district that falls entirely
22 above the bottom five percent and entirely below the top five
23 percent of average daily attendance, when such districts are
24 rank-ordered based on their current operating expenditures per
25 average daily attendance, by the total average daily attendance
26 of all included performance districts;

27 (8) "Limited English proficiency pupil count", the number
28 in the preceding school year of pupils aged three through
29 twenty-one enrolled or preparing to enroll in an elementary

1 school or secondary school who were not born in the United States
2 or whose native language is a language other than English or are
3 Native American or Alaskan native, or a native resident of the
4 outlying areas, and come from an environment where a language
5 other than English has had a significant impact on such
6 individuals' level of English language proficiency, or are
7 migratory, whose native language is a language other than
8 English, and who come from an environment where a language other
9 than English is dominant; and have difficulties in speaking,
10 reading, writing, or understanding the English language
11 sufficient to deny such individuals the ability to meet the
12 state's proficient level of achievement on state assessments
13 described in Public Law 107-10, the ability to achieve
14 successfully in classrooms where the language of instruction is
15 English, or the opportunity to participate fully in society;

16 (9) "Limited English proficiency threshold" shall be
17 calculated by dividing the total limited English proficiency
18 pupil count of every performance district that falls entirely
19 above the bottom five percent and entirely below the top five
20 percent of average daily attendance, when such districts are
21 rank-ordered based on their current operating expenditures per
22 average daily attendance, by the total average daily attendance
23 of all included performance districts;

24 (10) "Local effort":

25 (a) For the fiscal year 2007 calculation, "local effort"
26 shall be computed as the equalized assessed valuation of the
27 property of a school district in calendar year 2004 divided by
28 one hundred and multiplied by the performance levy less the
29 percentage retained by the county assessor and collector plus one

1 hundred percent of the amount received in fiscal year 2005 for
2 school purposes from intangible taxes, fines, escheats, payments
3 in lieu of taxes and receipts from state-assessed railroad and
4 utility tax, one hundred percent of the amount received for
5 school purposes pursuant to the merchants' and manufacturers'
6 taxes under sections 150.010 to 150.370, one hundred percent of
7 the amounts received for school purposes from federal properties
8 under sections 12.070 and 12.080 except when such amounts are
9 used in the calculation of federal impact aid pursuant to P.L.
10 81-874, fifty percent of Proposition C revenues received for
11 school purposes from the school district trust fund under section
12 163.087, and one hundred percent of any local earnings or income
13 taxes received by the district for school purposes. Under this
14 paragraph, for a special district established under sections
15 162.815 to 162.940 in a county with a charter form of government
16 and with more than one million inhabitants, a tax levy of zero
17 shall be utilized in lieu of the performance levy for the special
18 school district;

19 (b) In every year subsequent to fiscal year 2007, "local
20 effort" shall be the amount calculated under paragraph (a) of
21 this subdivision plus any increase in the amount received for
22 school purposes from fines. If a district's assessed valuation
23 has decreased subsequent to the calculation outlined in paragraph
24 (a) of this subdivision, the district's local effort shall be
25 calculated using the district's current assessed valuation in
26 lieu of the assessed valuation utilized in the calculation
27 outlined in paragraph (a) of this subdivision. When a change in
28 a school district's boundary lines occurs because of a boundary
29 line change, annexation, attachment, consolidation,

1 reorganization, or dissolution under section 162.071, 162.081,
2 sections 162.171 to 162.201, section 162.221, 162.223, 162.431,
3 162.441, or 162.451, or in the event that a school district
4 assumes any territory from a district that ceases to exist for
5 any reason, the department of elementary and secondary education
6 shall make a proper adjustment to each affected district's local
7 effort, so that each district's local effort figure conforms to
8 the new boundary lines of the district. The department shall
9 compute the local effort figure by applying the calendar year
10 2004 assessed valuation data to the new land areas resulting from
11 the boundary line change, annexation, attachment, consolidation,
12 reorganization, or dissolution and otherwise follow the
13 procedures described in this subdivision;

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

15 (a) The number of resident full-time students and the
16 full-time equivalent number of part-time students who were
17 enrolled in the public schools of the district on the last
18 Wednesday in September of the previous year and who were in
19 attendance one day or more during the preceding ten school days;
20 and

21 (b) The number of resident full-time students and the
22 full-time equivalent number of part-time students who were
23 enrolled in the public schools of the district on the last
24 Wednesday in January of the previous year and who were in
25 attendance one day or more during the preceding ten school days,
26 plus the full-time equivalent number of summer school pupils.

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

1 "Full-time equivalent number of summer school pupils" is
2 determined by dividing the total number of hours for which all
3 summer school pupils were enrolled by the number of hours
4 required pursuant to section 160.011 in the school term. Only
5 students eligible to be counted for average daily attendance
6 shall be counted for membership;

7 (12) "Operating levy for school purposes", the sum of tax
8 rates levied for teachers' and incidental funds plus the
9 operating levy or sales tax equivalent pursuant to section
10 162.1100 of any transitional school district containing the
11 school district, in the payment year, not including any equalized
12 operating levy for school purposes levied by a special school
13 district in which the district is located;

14 (13) "Performance district", any district that has met
15 performance standards and indicators as established by the
16 department of elementary and secondary education for purposes of
17 accreditation under section 161.092 and as reported on the final
18 annual performance report for that district each year; for
19 calculations to be utilized for payments in fiscal years
20 subsequent to fiscal year 2018, the number of performance
21 districts shall not exceed twenty-five percent of all public
22 school districts;

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

25 (15) "School purposes" pertains to teachers' and incidental
26 funds;

27 (16) "Special education pupil count", the number of public
28 school students with a current individualized education program
29 or services plan and receiving services from the resident

1 district as of December first of the preceding school year,
2 except for special education services provided through a school
3 district established under sections 162.815 to 162.940 in a
4 county with a charter form of government and with more than one
5 million inhabitants, in which case the sum of the students in
6 each district within the county exceeding the special education
7 threshold of each respective district within the county shall be
8 counted within the special district and not in the district of
9 residence for purposes of distributing the state aid derived from
10 the special education pupil count;

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

19 (18) "State adequacy target", the sum of the current
20 operating expenditures of every performance district that falls
21 entirely above the bottom five percent and entirely below the top
22 five percent of average daily attendance, when such districts are
23 rank-ordered based on their current operating expenditures per
24 average daily attendance, divided by the total average daily
25 attendance of all included performance districts. The department
26 of elementary and secondary education shall first calculate the
27 state adequacy target for fiscal year 2007 and recalculate the
28 state adequacy target every two years using the most current
29 available data. The recalculation shall never result in a

1 decrease from the state adequacy target as calculated for fiscal
2 years 2017 and 2018 and any state adequacy target figure
3 calculated subsequent to fiscal year 2018. Should a
4 recalculation result in an increase in the state adequacy target
5 amount, fifty percent of that increase shall be included in the
6 state adequacy target amount in the year of recalculation, and
7 fifty percent of that increase shall be included in the state
8 adequacy target amount in the subsequent year. The state
9 adequacy target may be adjusted to accommodate available
10 appropriations as provided in subsection 7 of section 163.031;

11 (19) "Teacher", any teacher, teacher-secretary, substitute
12 teacher, supervisor, principal, supervising principal,
13 superintendent or assistant superintendent, school nurse, social
14 worker, counselor or librarian who shall, regularly, teach or be
15 employed for no higher than grade twelve more than one-half time
16 in the public schools and who is certified under the laws
17 governing the certification of teachers in Missouri;

18 (20) "Weighted average daily attendance", the average daily
19 attendance plus the product of twenty-five hundredths multiplied
20 by the free and reduced price lunch pupil count that exceeds the
21 free and reduced price lunch threshold, plus the product of
22 seventy-five hundredths multiplied by the number of special
23 education pupil count that exceeds the special education
24 threshold, plus the product of six-tenths multiplied by the
25 number of limited English proficiency pupil count that exceeds
26 the limited English proficiency threshold. For special districts
27 established under sections 162.815 to 162.940 in a county with a
28 charter form of government and with more than one million
29 inhabitants, weighted average daily attendance shall be the

1 average daily attendance plus the product of twenty-five
2 hundredths multiplied by the free and reduced price lunch pupil
3 count that exceeds the free and reduced price lunch threshold,
4 plus the product of seventy-five hundredths multiplied by the sum
5 of the special education pupil count that exceeds the threshold
6 for each county district, plus the product of six-tenths
7 multiplied by the limited English proficiency pupil count that
8 exceeds the limited English proficiency threshold. None of the
9 districts comprising a special district established under
10 sections 162.815 to 162.940 in a county with a charter form of
11 government and with more than one million inhabitants, shall use
12 any special education pupil count in calculating their weighted
13 average daily attendance."; and

14 Further amend the title and enacting clause accordingly.