

CONFERENCE COMMITTEE SUBSTITUTE

FOR

HOUSE COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 687

AN ACT

To repeal sections 160.530, 302.272, and 304.060, RSMo, and to enact in lieu thereof three new sections relating to student transportation.

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

1           Section A. Sections 160.530, 302.272, and 304.060, RSMo,  
2 are repealed and three new sections enacted in lieu thereof, to  
3 be known as sections 160.530, 302.272, and 304.060, to read as  
4 follows:

5           160.530. 1. Beginning with fiscal year 1994 and for all  
6 fiscal years thereafter, in order to be eligible for state aid  
7 distributed pursuant to section 163.031, a school district shall  
8 allocate one percent of moneys received pursuant to section  
9 163.031, exclusive of categorical add-ons, to the professional  
10 development committee of the district as established in  
11 subdivision (1) of subsection 4 of section 168.400, provided that  
12 in any fiscal year ending with fiscal year 2024 in which the  
13 amount appropriated and expended to the public schools under  
14 section 163.161 for the transportation of pupils is less than  
15 twenty-five percent of the allowable costs of providing pupil  
16 transportation under said section, a school district may, by

1 majority vote of its board, allocate an amount less than one  
2 percent of the moneys received pursuant to section 163.031,  
3 exclusive of categorical add-ons, to the professional development  
4 committee of the district but in no instance shall the district  
5 allocate less than one-half of one percent of the moneys received  
6 pursuant to section 163.031, exclusive of categorical add-ons, to  
7 the professional development committee of the district. Of the  
8 moneys allocated to the professional development committee in any  
9 fiscal year as specified by this subsection, seventy-five percent  
10 of such funds shall be spent in the same fiscal year for purposes  
11 determined by the professional development committee after  
12 consultation with the administrators of the school district and  
13 approved by the local board of education as meeting the  
14 objectives of a school improvement plan of the district that has  
15 been developed by the local board. Moneys expended for staff  
16 training pursuant to any provisions of [this] the outstanding  
17 schools act shall not be considered in determining the  
18 requirements for school districts imposed by this subsection.

19       2. Beginning with fiscal year 1994 and for all fiscal years  
20 thereafter, eighteen million dollars shall be distributed by the  
21 commissioner of education to address statewide areas of critical  
22 need for learning and development, provided that such  
23 disbursements are approved by the joint committee on education as  
24 provided in subsection 5 of this section, and as determined by  
25 rule and regulation of the state board of education with the  
26 advice of the advisory council provided by subsection 1 of  
27 section 168.015. The moneys described in this subsection may be  
28 distributed by the commissioner of education to colleges,

1 universities, private associations, professional education  
2 associations, statewide associations organized for the benefit of  
3 members of boards of education, public elementary and secondary  
4 schools, and other associations and organizations that provide  
5 professional development opportunities for teachers,  
6 administrators, family literacy personnel and boards of education  
7 for the purpose of addressing statewide areas of critical need,  
8 provided that subdivisions (1), (2) and (3) of this subsection  
9 shall constitute priority uses for such moneys. "Statewide areas  
10 of critical need for learning and development" shall include:

11 (1) Funding the operation of state management teams in  
12 districts with academically deficient schools and providing  
13 resources specified by the management team as needed in such  
14 districts;

15 (2) Funding for grants to districts, upon application to  
16 the department of elementary and secondary education, for  
17 resources identified as necessary by the district, for those  
18 districts which are failing to achieve assessment standards;

19 (3) Funding for family literacy programs;

20 (4) Ensuring that all children, especially children at  
21 risk, children with special needs, and gifted students are  
22 successful in school;

23 (5) Increasing parental involvement in the education of  
24 their children;

25 (6) Providing information which will assist public school  
26 administrators and teachers in understanding the process of  
27 site-based decision making;

28 (7) Implementing recommended curriculum frameworks as

1 outlined in section 160.514;

2 (8) Training in new assessment techniques for students;

3 (9) Cooperating with law enforcement authorities to expand  
4 successful antidrug programs for students;

5 (10) Strengthening existing curricula of local school  
6 districts to stress drug and alcohol prevention;

7 (11) Implementing and promoting programs to combat gang  
8 activity in urban areas of the state;

9 (12) Establishing family schools, whereby such schools  
10 adopt proven models of one-stop state services for children and  
11 families;

12 (13) Expanding adult literacy services; and

13 (14) Training of members of boards of education in the  
14 areas deemed important for the training of effective board  
15 members as determined by the state board of education.

16 3. Beginning with fiscal year 1994 and for all fiscal years  
17 thereafter, two million dollars of the moneys appropriated to the  
18 department of elementary and secondary education otherwise  
19 distributed to the public schools of the state pursuant to the  
20 provisions of section 163.031, exclusive of categorical add-ons,  
21 shall be distributed in grant awards by the state board of  
22 education, by rule and regulation, for the "Success Leads to  
23 Success" grant program, which is hereby created. The purpose of  
24 the success leads to success grant program shall be to recognize,  
25 disseminate and exchange information about the best professional  
26 teaching practices and programs in the state that address student  
27 needs, and to encourage the staffs of schools with these  
28 practices and programs to develop school-to-school networks to

1 share these practices and programs.

2 4. The department shall include a listing of all  
3 expenditures under this section in the annual budget  
4 documentation presented to the governor and general assembly.

5 5. Prior to distributing any funds under subsection 2 of  
6 this section, the commissioner of education shall appear before  
7 the joint committee on education and present a proposed  
8 delineation of the programs to be funded under the provisions of  
9 subsection 2 of this section. The joint committee shall review  
10 all proposed spending under subsection 2 of this section and  
11 shall affirm, by a majority vote of all members serving on the  
12 committee, the spending proposal of the commissioner prior to any  
13 disbursement of funds under subsection 2 of this section.

14 6. If any provision of subdivision (11) of subsection 4 of  
15 section 160.254 or any provision of subsection 2 or 5 of this  
16 section regarding approval of disbursements by the joint  
17 committee on education is held to be invalid for any reason, then  
18 such decision shall invalidate subsection 2 of this section in  
19 its entirety.

20 302.272. 1. No person shall operate any school bus owned  
21 by or under contract with a public school or the state board of  
22 education unless such driver has qualified for a school bus  
23 endorsement under this section and complied with the pertinent  
24 rules and regulations of the department of revenue and any final  
25 rule issued by the secretary of the United States Department of  
26 Transportation or has a valid school bus endorsement on a valid  
27 commercial driver's license issued by another state. A school  
28 bus endorsement shall be issued to any applicant who meets the

1 following qualifications:

2 (1) The applicant has a valid state license issued under  
3 this chapter;

4 (2) The applicant is at least twenty-one years of age; and

5 (3) The applicant has successfully passed an examination  
6 for the operation of a school bus as prescribed by the director  
7 of revenue. The examination shall include any examinations  
8 prescribed by the secretary of the United States Department of  
9 Transportation, and a driving test in the type of vehicle to be  
10 operated. The test shall be completed in the appropriate class  
11 of vehicle to be driven. For purposes of this section classes of  
12 school buses shall comply with the Commercial Motor Vehicle  
13 Safety Act of 1986 (Title XII of Pub. Law 99-570). For drivers  
14 who are at least seventy years of age, such examination,  
15 excluding the pre-trip inspection portion of the commercial  
16 driver's license skills test, shall be completed annually to  
17 retain the school bus endorsement.

18 2. The director of revenue, to the best of the director's  
19 knowledge, shall not issue or renew a school bus endorsement to  
20 any applicant whose driving record shows that such applicant's  
21 privilege to operate a motor vehicle has been suspended, revoked  
22 or disqualified or whose driving record shows a history of moving  
23 vehicle violations.

24 3. The director may adopt any rules and regulations  
25 necessary to carry out the provisions of this section. Any rule  
26 or portion of a rule, as that term is defined in section 536.010,  
27 that is created under the authority delegated in this section  
28 shall become effective only if it complies with and is subject to

1 all of the provisions of chapter 536 and, if applicable, section  
2 536.028. This section and chapter 536 are nonseverable and if  
3 any of the powers vested with the general assembly pursuant to  
4 chapter 536 to review, to delay the effective date, or to  
5 disapprove and annul a rule are subsequently held  
6 unconstitutional, then the grant of rulemaking authority and any  
7 rule proposed or adopted after August 28, 2004, shall be invalid  
8 and void.

9 4. Notwithstanding the requirements of this section, an  
10 applicant who resides in another state and possesses a valid  
11 driver's license from his or her state of residence with a valid  
12 school bus endorsement for the type of vehicle being operated  
13 shall not be required to obtain a Missouri driver's license with  
14 a school bus endorsement.

15 304.060. 1. The state board of education shall adopt and  
16 enforce regulations not inconsistent with law to cover the design  
17 and operation of all school buses used for the transportation of  
18 school children when owned and operated by any school district or  
19 privately owned and operated under contract with any school  
20 district in this state, and such regulations shall by reference  
21 be made a part of any such contract with a school district. The  
22 state board of education may adopt rules and regulations  
23 governing the use of other vehicles owned by a district or  
24 operated under contract with any school district in this state  
25 and used for the purpose of transporting school children. The  
26 operator of such vehicle shall be licensed in accordance with  
27 section 302.272, and such vehicle shall transport no more  
28 children than the manufacturer suggests as appropriate for such

1 vehicle. The state board of education may also adopt rules and  
2 regulations governing the use of authorized common carriers for  
3 the transportation of students on field trips or other special  
4 trips for educational purposes. Every school district, its  
5 officers and employees, and every person employed under contract  
6 by a school district shall be subject to such regulations. The  
7 state board of education shall cooperate with the state  
8 transportation department and the state highway patrol in placing  
9 suitable warning signs at intervals on the highways of the state.

10 2. Notwithstanding the provisions of subsection 1 of this  
11 section, any school board in the state of Missouri in an urban  
12 district containing the greater part of the population of a city  
13 which has more than three hundred thousand inhabitants may  
14 contract with any municipality, bi-state agency, or other  
15 governmental entity for the purpose of transporting school  
16 children attending a grade or grades not lower than the ninth nor  
17 higher than the twelfth grade, provided that such contract shall  
18 be for additional transportation services, and shall not replace  
19 or fulfill any of the school district's obligations pursuant to  
20 section 167.231. The school district may notify students of the  
21 option to use district contracted transportation services.

22 3. Any officer or employee of any school district who  
23 violates any of the regulations or fails to include obligation to  
24 comply with such regulations in any contract executed by him on  
25 behalf of a school district shall be guilty of misconduct and  
26 subject to removal from office or employment. Any person  
27 operating a school bus under contract with a school district who  
28 fails to comply with any such regulations shall be guilty of

1 breach of contract and such contract shall be cancelled after  
2 notice and hearing by the responsible officers of such school  
3 district.

4 [3.] 4. Any other provision of the law to the contrary  
5 notwithstanding, in any county of the first class with a charter  
6 form of government adjoining a city not within a county, school  
7 buses may bear the word "special".

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15 David Sater

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Lyle Rowland (155)