

SECOND REGULAR SESSION

# SENATE BILL NO. 728

99TH GENERAL ASSEMBLY

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INTRODUCED BY SENATOR WALLINGFORD.

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Pre-filed December 1, 2017, and ordered printed.

ADRIANE D. CROUSE, Secretary.

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## AN ACT

To repeal section 163.018, RSMo, and to enact in lieu thereof one new section relating to early childhood education, with an emergency clause.

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

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Section A. Section 163.018, RSMo, is repealed and one new section  
2 enacted in lieu thereof, to be known as section 163.018, to read as follows:

163.018. 1. Notwithstanding the definition of "average daily attendance"  
2 in subdivision (2) of section 163.011 to the contrary, pupils between the ages of  
3 three and five who are eligible for free and reduced price lunch and attend an  
4 early childhood education program:

5       **(1)** That is operated by and in a district or by a charter school that has  
6 declared itself as a local educational agency providing full-day kindergarten and  
7 that meets standards established by the state board of education; **or**

8       **(2) That is under contract with a district or charter school that**  
9 **has declared itself as a local educational agency and that meets**  
10 **standards established by the state board of education;**

11 shall be included in the district's or charter school's calculation of average daily  
12 attendance. The total number of such pupils included in the district's or charter  
13 school's calculation of average daily attendance shall not exceed four percent of  
14 the total number of pupils who are eligible for free and reduced price lunch  
15 between the ages of five and eighteen who are included in the district's or charter  
16 school's calculation of average daily attendance.

17       2. (1) For any district that has been declared unaccredited by the state  
18 board of education and remains unaccredited as of July 1, 2015, and for any  
19 charter school located in said district, the provisions of subsection 1 of this  
20 section shall become applicable during the 2015-16 school year.

21           (2) For any district that is declared unaccredited by the state board of  
22 education after July 1, 2015, and for any charter school located in said district,  
23 the provisions of subsection 1 of this section shall become applicable immediately  
24 upon such declaration.

25           (3) For any district that has been declared provisionally accredited by the  
26 state board of education and remains provisionally accredited as of July 1, 2016,  
27 and for any charter school located in said district, the provisions of subsection 1  
28 of this section shall become applicable beginning in the 2016-17 school year.

29           (4) For any district that is declared provisionally accredited by the state  
30 board of education after July 1, 2016, and for any charter school located in said  
31 district, the provisions of this section shall become applicable beginning in the  
32 2016-17 school year or immediately upon such declaration, whichever is later.

33           (5) For all other districts and charter schools, the provisions of subsection  
34 1 of this section shall become effective in any school year subsequent to a school  
35 year in which the amount appropriated for subsections 1 and 2 of section 163.031  
36 is equal to or exceeds the amount necessary to fund the entire entitlement  
37 calculation determined by subsections 1 and 2 of section 163.031, and shall  
38 remain effective in all school years thereafter, irrespective of the amount  
39 appropriated for subsections 1 and 2 of section 163.031 in any succeeding year.

40           3. This section shall not require school attendance beyond that mandated  
41 under section 167.031 and shall not change or amend the provisions of sections  
42 160.051, 160.053, 160.054, and 160.055 relating to kindergarten attendance.

          Section B. Because of the importance of funding early childhood education  
2 programs, section A of this act is deemed necessary for the immediate  
3 preservation of the public health, welfare, peace, and safety, and is hereby  
4 declared to be an emergency act within the meaning of the constitution, and  
5 section A of this act shall be in full force and effect on July 1, 2018, or upon its  
6 passage and approval, whichever occurs later.

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