

FIRST REGULAR SESSION

SENATE BILL NO. 461

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR O'LAUGHLIN.

Read 1st time February 27, 2019, and ordered printed.

ADRIANE D. CROUSE, Secretary.

2270S.011

AN ACT

To repeal section 162.431, RSMo, and to enact in lieu thereof one new section relating to school district boundary changes.

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

Section A. Section 162.431, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 162.431, to read as follows:

162.431. 1. When it is necessary to change the boundary lines between
2 seven-director school districts, in each district affected, **[ten] thirty** percent of
3 the voters by number of those voting for school board members in the last annual
4 school election in each district may petition the district boards of education in the
5 districts affected, regardless of county lines, for a change in boundaries. The
6 question shall be submitted at the next election, as the term election is referenced
7 and defined in section 115.123.

8 2. The voters shall decide the question by a majority vote of those who
9 vote upon the question. If assent to the change is given by each of the various
10 districts voting, each voting separately, the boundaries are changed from that
11 date.

12 3. If one of the districts votes against the change and the other votes for
13 the change, the matter may be appealed to the state board of education, in
14 writing, within fifteen days of the submission of the question by either one of the
15 districts affected, or in the above event by a majority of the signers of the petition
16 requesting a vote on the proposal. At the first meeting of the state board
17 following the appeal, a board of arbitration composed of three members, none of
18 whom shall be a resident of any district affected, shall be appointed. In
19 determining whether it is necessary to change the boundary line between

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

20 seven-director districts, the board of arbitration shall base its decision upon the
21 following:

22 (1) The presence of school-aged children in the affected area;

23 (2) The presence of actual educational harm to school-aged children, either
24 due to a significant difference in the time involved in transporting students or
25 educational deficiencies in the district which would have its boundary adversely
26 affected; and

27 (3) The presence of an educational necessity, not of a commercial benefit
28 to landowners or to the district benefitting for the proposed boundary adjustment.

29 For purposes of subdivision (2) of this subsection, "significant difference in the
30 time involved in transporting students" shall mean a difference of forty-five
31 minutes or more per trip in travel time. "Travel time" is the period of time
32 required to transport a pupil from the pupil's place of residence or other
33 designated pick-up point to the site of the pupil's educational placement.

34 4. Within twenty days after notification of appointment, the board of
35 arbitration shall meet and consider the necessity for the proposed changes and
36 shall decide whether the boundaries shall be changed as requested in the petition
37 or be left unchanged, which decision shall be final. The decision by the board of
38 arbitration shall be rendered not more than thirty days after the matter is
39 referred to the board. The chairman of the board of arbitration shall transmit the
40 decision to the secretary of each district affected who shall enter the same upon
41 the records of his district and the boundaries shall thereafter be in accordance
42 with the decision of the board of arbitration. The members of the board of
43 arbitration shall be allowed a fee of fifty dollars each, to be paid at the time the
44 appeal is made by the district taking the appeal or by the petitioners should they
45 institute the appeal.

46 5. If the board of arbitration decides that the boundaries shall be left
47 unchanged, no new petition for the same, or substantially the same, boundary
48 change between the same districts shall be filed until after the expiration of two
49 years from the date of the municipal election at which the question was submitted
50 to the voters of the districts.

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