

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 323
101ST GENERAL ASSEMBLY

1585H.02C

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 160.263, 160.2700, 160.2705, 161.097, 162.974, 167.263, 167.268, 167.645, 170.029, 170.047, and 171.033, RSMo, and to enact in lieu thereof seventeen new sections relating to elementary and secondary education.

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

Section A. Sections 160.263, 160.2700, 160.2705, 161.097, 162.974, 167.263, 167.268, 167.645, 170.029, 170.047, and 171.033, RSMo, are repealed and seventeen new sections enacted in lieu thereof, to be known as sections 160.263, 160.565, 160.2700, 160.2705, 160.3005, 161.097, 162.686, 162.974, 167.263, 167.268, 167.645, 170.025, 170.029, 170.047, 170.341, 171.033, and 186.080, to read as follows:

160.263. 1. **As used in this section, the following terms mean:**

- (1) **"Mechanical restraint", the use of any device or equipment to restrict a student's freedom of movement. "Mechanical restraint" shall not include devices implemented by trained personnel or used by a student with a prescription for such devices from an appropriate medical or related services professional and that are used for specific and approved purposes for which such devices were designed, such as the following:**
- (a) **Adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports;**
- (b) **Vehicle safety restraints when used as intended during the transport of a student in a moving vehicle;**
- (c) **Restraints for medical immobilization; or**
- (d) **Orthopedically prescribed devices that permit a student to participate in activities without risk;**

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.

15 (2) "Physical restraint", a personal restriction such as person-to-person physical
16 contact that immobilizes, reduces, or restricts the ability of a student to move the student's
17 torso, arms, legs, or head freely. "Physical restraint" shall not include:

18 (a) A physical escort, which is a temporary touching or holding of the hand, wrist,
19 arm, shoulder, or back for the purpose of inducing a student to walk to a safe location;

20 (b) Comforting or calming a student;

21 (c) Holding a student's hand to transport the student for safety purposes;

22 (d) Intervening in a fight; or

23 (e) Using an assistive or protective device prescribed by an appropriately trained
24 professional or professional team;

25 (3) "Prone restraint", using mechanical or physical restraint or both to restrict a
26 student's movement while the student is lying with the student's front or face downward;

27 (4) "Restraint" includes, but is not limited to, mechanical restraint, physical
28 restraint, and prone restraint;

29 (5) "Seclusion", the involuntary confinement of a student alone in a room or area
30 that the student is physically prevented from leaving and that complies with the building
31 code in effect in the school district. "Seclusion" shall not include the following:

32 (a) A timeout, which is a behavior management technique that is part of an
33 approved program, involves the monitored separation of the student in a nonlocked setting,
34 and is implemented for the purpose of calming;

35 (b) In-school suspension;

36 (c) Detention; or

37 (d) Other appropriate disciplinary measures.

38 2. The school discipline policy under section 160.261 shall ~~prohibit~~ reserve confining
39 a student in ~~[an unattended, locked space except for an emergency situation while awaiting the~~
40 ~~arrival of law enforcement personnel]~~ seclusion for situations or conditions in which there
41 is imminent danger of physical harm to self or others.

42 3. For all school years beginning on or after July 1, 2022, no school district, charter
43 school, or publicly contracted private provider shall use any mechanical, physical, or prone
44 restraint technique that:

45 (1) Obstructs views of the student's face;

46 (2) Obstructs the student's respiratory airway, impairs the student's breathing or
47 respiratory capacity, or restricts the movement required for normal breathing to cause
48 positional or postural asphyxia;

49 (3) Places pressure or weight on or causes the compression of the student's chest,
50 lungs, sternum, diaphragm, back, abdomen, or genitals;

- 51 **(4) Obstructs the student's circulation of blood;**
52 **(5) Involves pushing on or into the student's mouth, nose, eyes, or any part of the**
53 **face or involves covering the face or body with anything including, but not limited to, soft**
54 **objects such as pillows, blankets, or washcloths;**
55 **(6) Endangers the student's life or significantly exacerbates the student's medical**
56 **condition;**
57 **(7) Is purposely designed to inflict pain;**
58 **(8) Restricts the student from communicating. If an employee physically restrains**
59 **a student who uses sign language or an augmentative mode of communication as the**
60 **student's primary mode of communication, the student shall be permitted to have the**
61 **student's hands free of restraint for brief periods unless an employee determines that such**
62 **freedom appears likely to result in harm to self or others.**

63 ~~[2-]~~ **4. (1)** By July 1, 2011, the local board of education of each school district shall
64 adopt a written policy that comprehensively addresses the use of restrictive behavioral
65 interventions as a form of discipline or behavior management technique. The policy shall be
66 consistent with professionally accepted practices and standards of student discipline, behavior
67 management, health and safety, including the safe schools act. The policy shall include but not
68 be limited to:

69 ~~[(1)]~~ **(a)** Definitions of restraint, seclusion, and time-out and any other terminology
70 necessary to describe the continuum of restrictive behavioral interventions available for use or
71 prohibited in the district, **consistent with the provisions of this section;**

72 ~~[(2)]~~ **(b)** Description of circumstances under which a restrictive behavioral intervention
73 is allowed and prohibited, **consistent with the provisions of this section**, and any unique
74 application requirements for specific groups of students such as differences based on age,
75 disability, or environment in which the educational services are provided;

76 ~~[(3)]~~ **(c)** Specific implementation requirements associated with a restrictive behavioral
77 intervention such as time limits, facility specifications, training requirements or supervision
78 requirements; and

79 ~~[(4)]~~ **(d)** Documentation, notice and permission requirements associated with use of a
80 restrictive behavioral intervention.

81 **(2) Before July 1, 2022, each written policy adopted under this subsection shall be**
82 **updated to prohibit the school district, charter school, or publicly contracted private**
83 **provider from using any restraint that employs any technique listed in subsection 3 of this**
84 **section.**

85 **(3) Before July 1, 2022, each written policy adopted under this subsection shall be**
86 **updated to state that the school district, charter school, or publicly contracted private**

87 provider will reserve restraint or seclusion for situations or conditions in which there is
88 imminent danger of physical harm to self or others.

89 **5. Before July 1, 2022, each school district, charter school, and publicly contracted**
90 **private provider shall ensure that the policy adopted under subsection 4 of this section**
91 **requires the following:**

92 **(1) Any student placed in seclusion or restraint shall be removed from such**
93 **seclusion or restraint as soon as the school district, charter school, or publicly contracted**
94 **private provider determines that the student is no longer an imminent danger of physical**
95 **harm to self or others;**

96 **(2) All school district, charter school, and publicly contracted private provider**
97 **personnel shall annually review the policy and procedures involving the use of seclusion**
98 **and restraint. Personnel who use seclusion or restraint shall annually complete mandatory**
99 **training in the specific seclusion and restraint techniques the school district, charter school,**
100 **or publicly contracted private provider uses under this section;**

101 **(3) (a) Each time seclusion or restraint is used for a student, the incident shall be**
102 **monitored by a member of the school district, charter school, or publicly contracted private**
103 **provider personnel, and a report shall be completed by the school district, charter school,**
104 **or publicly contracted private provider that contains, at a minimum, the following:**

105 **a. The date, time of day, location, duration, and description of the incident and**
106 **interventions;**

107 **b. Any event leading to the incident and the reason for using seclusion or restraint;**

108 **c. A description of the methods of seclusion or restraint used;**

109 **d. The nature and extent of any injury to the student;**

110 **e. The names, roles, and certifications of each employee involved in the use of**
111 **seclusion or restraint;**

112 **f. The name, role, and signature of the person who prepared the report;**

113 **g. The name of an employee whom the parent or guardian can contact regarding**
114 **the incident and use of seclusion or restraint;**

115 **h. The name of an employee to contact if the parent or guardian wishes to file a**
116 **complaint; and**

117 **i. A statement directing parents and legal guardians to a sociological, emotional,**
118 **or behavioral support organization and a hotline number to report child abuse and**
119 **neglect;**

120 **(b) The school district, charter school, or publicly contracted private provider shall**
121 **maintain the report as an education record of the student, provide a copy to the parent or**

122 legal guardian within five school days, and a copy of each incident report shall be given to
123 the department of elementary and secondary education within thirty days of the incident;

124 (4) The school district, charter school, or publicly contracted private provider shall
125 attempt to notify the parents or legal guardians as soon as possible but no later than one
126 hour after the end of the school day on which the use of seclusion or restraint occurred.
127 Notification shall be oral or electronic and shall include a statement indicating that the
128 school district, charter school, or publicly contracted private provider will provide the
129 parents or legal guardians a copy of the report described in subdivision (3) of this
130 subsection within five school days;

131 (5) An officer, administrator, or employee of a public school district or charter
132 school shall not retaliate against any person for having:

133 (a) Reported a violation of any policy established under this section or failure of a
134 district or charter school to follow any provisions of this section in relation to incidents of
135 seclusion and restraint; or

136 (b) Provided information regarding a violation of this section by a public school
137 district or charter school or a member of the staff of the public school district or charter
138 school.

139 6. The department of elementary and secondary education shall compile and
140 maintain all incidents reported under this section in the department's core data system and
141 make such data available on the Missouri comprehensive data system. No personally
142 identifiable data shall be accessible on the database.

143 [3-] 7. The department of elementary and secondary education shall, in cooperation with
144 appropriate associations, organizations, agencies and individuals with specialized expertise in
145 behavior management, develop a model policy that satisfies the requirements of subsection 2 of
146 this section as it existed on August 28, 2009, by July 1, 2010, and shall update such model
147 policy to include the requirements of subdivisions (2) and (3) of subsection 4 and subsection
148 5 of this section by July 1, 2022.

2 160.565. 1. This act shall be known and may be cited as the "Extended Learning
2 Opportunities Act".

3 2. For the purposes of the provisions of this section, the following terms shall mean:

4 (1) "Extended learning opportunity", an out-of-classroom learning experience,
5 approved by the state board of education, a local school board, or a charter school, that
6 provides a student with:

7 (a) Enrichment opportunities;

8 (b) Career readiness or employability skills opportunities, including internships,
9 pre-apprenticeships, and apprenticeships; or

10 (c) Any other approved educational opportunity;

11 (2) "Student", any child attending an elementary or secondary public school or
12 charter school in kindergarten through the twelfth grade.

13 3. Beginning with the 2022-23 school year, the state board of education and each
14 local school board shall routinely inform students and their parents of the ability to earn
15 credit for participating in extended learning opportunities. Employees of the state board
16 of education, public schools, and charter schools may assist students and their parents in
17 completing enrollment processes required for participating in approved extended learning
18 opportunities. No student or parent shall be required to obtain permission from the
19 student's school district or charter school to enroll in an extended learning opportunity,
20 provided that, prior to participating in any extended learning opportunity, the student and
21 at least one parent shall sign an agreement detailing all program requirements in a form
22 developed by the state board of education.

23 4. An extended learning opportunity shall count as a credit toward graduation
24 requirements and the achievement of applicable state standards for students. To receive
25 credit, a student shall submit a written request for credit and proof of successful
26 completion of the extended learning opportunity to a designated administrator of the
27 school the student attends.

28 5. The state board of education shall adopt, and each local school district shall
29 distribute and implement, extended learning opportunities policies that provide all of the
30 following:

31 (1) An application process for accepting and approving extended learning
32 opportunities offered for credit from outside entities;

33 (2) A list of entities that are eligible to submit applications to offer extended
34 learning opportunities, including:

35 (a) Nonprofit organizations;

36 (b) Businesses with established locations;

37 (c) Trade associations; and

38 (d) The Armed Forces of the United States, subject to applicable age requirements;

39 (3) A process for students or their parents to request credit;

40 (4) Criteria school districts and charter schools shall use to determine whether a
41 proposed extended learning opportunity shall be approved;

42 (5) Criteria school districts and charter schools shall use to award a certificate of
43 completion and credit for completing an extended learning opportunity, including allowing
44 a student to demonstrate competencies through performance-based assessments and other
45 methods independent of instructional time and credit hours.

46 **6. An entity approved by the state board of education to offer an extended learning**
47 **opportunity shall be automatically qualified to offer that extended learning opportunity**
48 **for all school districts and charter schools.**

49 **7. A student who successfully completes an approved extended learning**
50 **opportunity and satisfies criteria for the award of a certification of completion and credit**
51 **pursuant to subdivision (5) of subsection 5 of this section shall be considered to have**
52 **completed all required course work for the particular course. In an extended learning**
53 **opportunity that satisfies all required course work for a high school course, the student**
54 **shall also be considered to have satisfied the equivalent number of credits toward the**
55 **student's graduation requirements.**

56 **8. Any policy or procedure adopted by the state board of education, a school board,**
57 **or a charter school for participating in an extended learning opportunity shall provide**
58 **every student an equal opportunity to participate and shall satisfy established timelines**
59 **and requirements for purposes of transcribing credits and state reporting.**

60 **9. The state board of education may promulgate rules to implement the provisions**
61 **of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that**
62 **is created under the authority delegated in this section shall become effective only if it**
63 **complies with and is subject to all of the provisions of chapter 536 and, if applicable,**
64 **section 536.028. This section and chapter 536 are nonseverable, and if any of the powers**
65 **vested with the general assembly pursuant to chapter 536 to review, to delay the effective**
66 **date, or to disapprove and annul a rule are subsequently held unconstitutional, then the**
67 **grant of rulemaking authority and any rule proposed or adopted after August 28, 2021,**
68 **shall be invalid and void.**

 160.2700. For purposes of sections 160.2700 to 160.2725, "adult high school" means a
2 school that:

3 (1) Is for individuals who do not have a high school diploma and who are twenty-one
4 years of age or older;

5 (2) Offers an industry certification program or programs and a high school diploma in
6 a manner that allows students to earn a diploma at the same time that they earn an industry
7 certification;

8 (3) Offers [~~on-site~~] child care for children of enrolled students attending the school; and

9 (4) Is not eligible to receive funding under section 160.415 or 163.031.

 160.2705. 1. The department of elementary and secondary education shall authorize
2 before January 1, 2018, a Missouri-based nonprofit organization meeting the criteria under
3 subsection 2 of this section to establish and operate four adult high schools, with:

4 (1) One adult high school to be located in a city not within a county;

5 (2) One adult high school to be located in a county of the third classification without a
6 township form of government and with more than forty-one thousand but fewer than forty-five
7 thousand inhabitants or a county contiguous to that county;

8 (3) One adult high school to be located in a county of the first classification with more
9 than two hundred sixty thousand but fewer than three hundred thousand inhabitants or a county
10 contiguous to that county; and

11 (4) One adult high school to be located in a county of the first classification with more
12 than one hundred fifty thousand but fewer than two hundred thousand inhabitants.

13 2. The department of elementary and secondary education shall grant the authorization
14 described under subsection 1 of this section based on a bid process conducted in accordance with
15 the rules and regulations governing purchasing through the office of administration. The
16 successful bidder shall:

17 (1) Demonstrate the ability to establish, within twenty-one months of the receipt of the
18 authorization, four adult high schools offering high school diplomas, an industry certification
19 program or programs, and [~~on-site~~] child care for children of the students attending the high
20 schools;

21 (2) Commit at least two million dollars in investment for the purpose of establishing the
22 necessary infrastructure to operate four adult high schools;

23 (3) Demonstrate substantial and positive experience in providing services, including
24 industry certifications and job placement services, to adults twenty-one years of age or older
25 whose educational and training opportunities have been limited by educational disadvantages,
26 disabilities, homelessness, criminal history, or similar circumstances;

27 (4) Establish a partnership with a state-supported postsecondary education institution or
28 more than one such partnership, if a partnership or partnerships are necessary in order to meet
29 the requirements for an adult high school;

30 (5) Establish a comprehensive plan that sets forth how the adult high schools will help
31 address the need for a sufficiently trained workforce in the surrounding region for each adult high
32 school;

33 (6) Establish partnerships and strategies for engaging the community and business
34 leaders in carrying out the goals of each adult high school;

35 (7) Establish the ability to meet quality standards through certified teachers and programs
36 that support each student in his or her goal to find a more rewarding job;

37 (8) Establish a plan for assisting students in overcoming barriers to educational success
38 including, but not limited to, educational disadvantages, homelessness, criminal history,
39 disability, including learning disability such as dyslexia, and similar circumstances;

40 (9) Establish a process for determining outcomes of the adult high school, including
41 outcomes related to a student's ability to find a more rewarding job through the attainment of a
42 high school diploma and job training and certification; and

43 (10) Bids shall not include an administrative fee greater than ten percent.

44 3. (1) The department of elementary and secondary education shall establish academic
45 requirements for students to obtain high school diplomas.

46 (2) Requirements for a high school diploma shall be based on an adult student's prior
47 high school achievement and the remaining credits and coursework that would be necessary for
48 the student to receive a high school diploma if he or she were in a traditional high school setting.
49 The adult student shall meet the requirements with the same level of academic rigor as would
50 otherwise be necessary to attain such credits.

51 (3) The adult high school authorized under this section shall award high school diplomas
52 to students who successfully meet the established academic requirements. The adult high school
53 authorized under this section shall confer the diploma as though the student earned the diploma
54 at a traditional high school. The diploma shall have no differentiating marks, titles, or other
55 symbols.

56 (4) Students at adult high schools may complete required coursework at their own pace
57 and as available through the adult high school. They shall not be required to satisfy any specific
58 number of class minutes. The adult high school may also make classes available to students
59 online as may be appropriate. However, students shall not complete the majority of instruction
60 of the school's curriculum online or through remote instruction. **For the purposes of this**
61 **subsection, synchronous instruction connecting students to a live class conducted in a**
62 **Missouri adult high school shall be treated the same as in-person instruction.**

63 (5) The department of elementary and secondary education shall not create additional
64 regulations or burdens on the adult high school or the students attending the adult high schools
65 beyond certifying necessary credits and ensuring that students have sufficiently mastered the
66 subject matter to make them eligible for credit.

67 **4. An adult high school shall be deemed a "secondary school system" for the**
68 **purposes of subdivision (15) of subsection 1 of section 210.211.**

160.3005. 1. Before July 1, 2022, the local board of education of each school district
2 **shall adopt a written policy that requires the administration of each public school building**
3 **within the district to provide accommodations to lactating employees, teachers, and**
4 **students to express breast milk, breast-feed a child, or address other needs relating to**
5 **breast-feeding. The policy shall include provisions that require the district to provide a**
6 **minimum of three opportunities during a school day, at two-hour intervals, to**
7 **accommodate an employee's, teacher's, or student's need to express breast milk or breast-**

8 feed a child. The policy shall include provisions that require such accommodations to be
9 available to each lactating employee, teacher, or student for at least one year following the
10 birth of the employee's, teacher's, or student's child, and that permit such accommodations
11 to be available for longer than one year as determined by each local school board.

12 2. District policies shall require each school building to contain suitable
13 accommodation in the form of a room, other than a restroom, for the exclusive use of
14 employees, teachers, or students to express breast milk or breast-feed a child. Such
15 accommodation shall be located in close proximity to a sink with running water and a
16 refrigerator for breast milk storage and have, at a minimum, the following features:

17 (1) Ventilation and a door that may be locked for privacy;

18 (2) A work surface and a chair; and

19 (3) Conveniently placed electrical outlets.

20 3. The department of elementary and secondary education shall develop a model
21 policy that satisfies the requirements of subsections 1 and 2 of this section before January
22 1, 2022.

23 4. The department of elementary and secondary education may promulgate all
24 necessary rules and regulations for the administration of this section. Any rule or portion
25 of a rule, as that term is defined in section 536.010, that is created under the authority
26 delegated in this section shall become effective only if it complies with and is subject to all
27 of the provisions of chapter 536 and, if applicable, section 536.028. This section and
28 chapter 536 are nonseverable, and if any of the powers vested with the general assembly
29 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul
30 a rule are subsequently held unconstitutional, then the grant of rulemaking authority and
31 any rule proposed or adopted after August 28, 2021, shall be invalid and void.

161.097. 1. The state board of education shall establish standards and procedures by
2 which it will evaluate all teacher training institutions in this state for the approval of teacher
3 education programs. The state board of education shall not require teacher training institutions
4 to meet national or regional accreditation as a part of its standards and procedures in making
5 those evaluations, but it may accept such accreditations in lieu of such approval if standards and
6 procedures set thereby are at least as stringent as those set by the board. The state board of
7 education's standards and procedures for evaluating teacher training institutions shall equal or
8 exceed those of national or regional accrediting associations.

9 2. There is hereby established within the department of elementary and secondary
10 education the "Missouri Advisory Board for Educator Preparation", hereinafter referred to as
11 "MABEP". The MABEP shall advise the state board of education and the coordinating board

12 for higher education regarding matters of mutual interest in the area of quality educator
13 preparation programs in Missouri.

14 3. Upon approval by the state board of education of the teacher education program at a
15 particular teacher training institution, any person who graduates from that program, and who
16 meets other requirements ~~[which]~~ **that** the state board of education shall prescribe by rule,
17 regulation, and statute shall be granted a certificate or license to teach in the public schools of
18 this state. However, no such rule or regulation shall require that the program from which the
19 person graduates be accredited by any national or regional accreditation association.

20 4. **The state board of education shall require literacy and reading instruction course**
21 **work for teacher education programs aligned to certification in early childhood education,**
22 **elementary education, middle school education with subject area certification in language**
23 **arts, secondary education with subject area certification in English, special reading, and**
24 **special education to include training in:**

25 (1) **The core components of reading, such as phonemic awareness, phonics, fluency,**
26 **comprehension, morphology, syntax, and vocabulary;**

27 (2) **Oral and written language development;**

28 (3) **Identification of reading deficiencies, dyslexia, and other language difficulties;**
29 **and**

30 (4) **The administration and interpretation of assessments and how to translate**
31 **assessment results into effective practice in the classroom specific to the needs of students.**

32 5. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
33 under the authority delegated in this section shall become effective only if it complies with and
34 is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section
35 and chapter 536 are nonseverable, and if any of the powers vested with the general assembly
36 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule
37 are subsequently held unconstitutional, then the grant of rulemaking authority and any rule
38 proposed or adopted after August 28, 2014, shall be invalid and void.

162.686. 1. No school district or charter school shall prohibit a parent or legal
2 **guardian of a student from recording by audio any meeting held under the federal**
3 **Individuals with Disabilities Education Act (IDEA) (20 U.S.C. Section 1400 et seq.), as**
4 **amended, or Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Section 794),**
5 **as amended.**

6 2. **Any recording made by a parent or legal guardian under this section shall be the**
7 **property of the parent or legal guardian creating the recording. No recording made under**
8 **this section shall be construed to be a public record made by or prepared for any public**
9 **governmental body under chapter 610.**

10 **3. No school district or charter school shall impose pre-meeting notification**
11 **requirements of recording by a parent or legal guardian of more than twenty-four hours.**

12 **4. No school district or charter school employee who reports any violations under**
13 **this section shall be subject to discharge, retaliation, or any other adverse employment**
14 **action for making such report.**

162.974. 1. The state department of elementary and secondary education shall reimburse
2 school districts, including special school districts, for the **special** educational costs of high-need
3 children with an individualized education program exceeding three times the current expenditure
4 per average daily attendance as calculated on the district annual secretary of the board report for
5 the year in which expenditures are claimed. **For any school district with an average daily**
6 **attendance of five hundred students or fewer, the calculation of three times the current**
7 **expenditure per average daily attendance shall not include any money reimbursed to a**
8 **school district under this section.**

9 2. A school district shall submit, through timely application, as determined by the state
10 department of elementary and secondary education, the cost of serving any **high-needs** student
11 **with an individualized education program**, as provided in subsection 1 of this section.

167.263. 1. A program to provide teacher assistants in regular classrooms in grades
2 kindergarten through three is established. For the purposes of this section a "teacher assistant"
3 is defined as a qualified person employed by a school district to assist a certificated teacher in
4 classroom instruction and management. No teacher assistant shall be counted as a teacher for
5 the purposes of establishing ratios of teachers to pupils in a classroom, school, or school district.
6 Any public elementary school containing such grades ~~[which]~~ **that** meets the criteria pursuant
7 to this section shall be eligible for a state financial supplement to employ teacher assistants.
8 Eligibility criteria are that the school shall have a breakfast program, the school shall serve at
9 least forty percent of its lunches to pupils who are eligible for free or reduced price meals
10 according to federal guidelines, and the school shall have a reading ~~[intervention]~~ **success** plan
11 **for any student who requires such a plan** pursuant to section 167.268.

12 2. A school district ~~[which]~~ **that** contains such eligible schools may apply to the
13 department of elementary and secondary education for a state financial supplement to employ
14 teacher assistants in those schools named in the application and in no other schools of the
15 district. The state full-time equivalent financial supplement shall be three thousand dollars per
16 teacher assistant. No more than one assistant per classroom shall be supplemented by the state
17 pursuant to this section. Teacher assistants thus employed pursuant to this section shall assist
18 teachers in grades kindergarten through three and in no other grades. School districts shall not
19 apply for or assign teacher assistants employed pursuant to this section in classrooms designated
20 as special education or compensatory education classrooms.

21 3. The state board of education shall promulgate rules and regulations for the
22 implementation of this section. Such rules shall include identifying minimum qualifications for
23 teacher assistants which may include teacher education students, determining the minimum
24 number of pupils per classroom to be eligible for a teacher assistant, establishing application
25 procedures for school districts, and determining a method of awarding state financial
26 supplements in the event that the number of applications exceeds the amounts appropriated
27 therefor. No rule or portion of a rule promulgated under the authority of this chapter shall
28 become effective unless it has been promulgated pursuant to the provisions of section 536.024.

167.268. 1. **The state board of education, in collaboration with the coordinating
2 board for higher education and the literacy advisory council established under section
3 186.080, shall develop a plan to establish a comprehensive system of services for reading
4 instruction.**

5 2. Each local school district **and charter school** shall have on file a policy for reading
6 ~~[intervention]~~ **success** plans for any pupils of the district **or charter school** in grades
7 kindergarten through ~~[three]~~ **four** pursuant to the provisions of this section. Such plans shall
8 identify strategies to be followed by the district **or charter school** teachers to raise a pupil
9 identified as reading below grade level by recognized methods to reading at grade level by the
10 end of the ~~[third]~~ **fourth** grade. Recognized methods of identification may include but need not
11 be limited to the scores of the pupil obtained through any established standardized testing
12 program currently administered by the district **or charter school**, observations of classroom
13 teachers, and documented classroom performance. **The local policy shall be aligned with the
14 guidelines developed by the department of elementary and secondary education for reading
15 success plans.**

16 ~~[2-]~~ 3. The ~~[state board of]~~ **department of elementary and secondary** education shall
17 develop guidelines to assist **school districts and charter schools** in formulating policies for
18 reading ~~[intervention]~~ **success** plans. Such guidelines may include, but are not limited to,
19 **measures of reading proficiency, strategies for addressing reading deficiencies and
20 disorders**, timelines for measuring pupil improvement in reading, **and** information on screening
21 for and treatment of ~~[auditory dyslexia, and information on the Lindamood Auditory
22 Conceptualization Test and the Auditory Discrimination in Depth Program]~~ **dyslexia and other
23 reading deficiencies. In addition, any guidelines for instruction shall meet the needs of the
24 students by ensuring that instruction is explicit, systematic, and diagnostic and based on
25 phonological awareness, phonics, fluency, vocabulary, comprehension, morphology,
26 syntax, and semantics.** Such guidelines may also identify performance levels for pupils
27 identified as handicapped or severely handicapped and conditions under which such pupils ~~[are]~~
28 **may be** exempt from the provisions of this section.

29 ~~[3-]~~ 4. Each local school district ~~[enrolling a pupil identified as reading below grade level~~
30 ~~shall develop an individual plan of reading intervention for such pupil. The individual pupil's~~
31 ~~plan may include individual or group reading development activities. The plan may be~~
32 ~~developed after consultation with the pupil's parent or legal guardian]~~ **and charter school shall**
33 **provide supplemental reading instruction under a reading success plan created under**
34 **section 167.645 to any enrolled student who exhibits a reading deficiency.**

35 **5. Professional development and training on reading instruction and reading**
36 **interventions required by reading success plans created under section 167.645 shall be**
37 **provided to teachers without cost to the teacher and shall apply toward satisfying any**
38 **professional development requirements established under state law pertaining to teacher**
39 **certification and to any district or school-level professional development requirements.**

167.645. 1. For purposes of this section, the following terms mean:

- 2 (1) **"Dyslexia", the same meaning given to the term in section 633.420;**
- 3 (2) **"Evidence-based reading instruction", scientific, research-based interventions**
4 **that have been peer reviewed with substantial evidence of their effectiveness through**
5 **multiple outcome evaluation;**
- 6 (3) **"Reading assessment", a recognized method of judging a student's reading ability,**
7 **with results expressed as reading at a particular grade level. The term reading assessment shall**
8 **include, but is not limited to, standard checklists designed for use as a student reads out loud,**
9 **paper-and-pencil tests or tests electronically provided via computer or other electronic**
10 **means and promulgated by nationally recognized organizations and other recognized methods**
11 **of determining a student's reading accuracy, expression, fluency and comprehension in order to**
12 **make a determination of the student's grade-level reading ability. Assessments [which] that do**
13 **not give a grade-level result may be used in combination with other assessments to reach a grade-**
14 **level determination. Districts and charter schools are encouraged but not required to select**
15 **assessment methods identified pursuant to section 167.346. Districts and charter schools are**
16 **[also] encouraged to use multiple methods of assessment;**
- 17 ~~(2)~~ (4) **"Structured literacy", an evidence-based reading instruction that**
18 **addresses phonology, sound-symbol association, syllable instruction, morphology, syntax,**
19 **and semantics when such instruction is taught through systematic, cumulative, explicit, and**
20 **diagnostic methods;**
- 21 (5) **"Summer school", for reading instruction purposes, a minimum of forty hours of**
22 **reading instruction and practice. A school district or charter school may arrange the hours and**
23 **days of instruction to coordinate with its regular program of summer school.**

24 2. For purposes of this section, methods of reading assessment shall be determined by
25 each school district **and charter school. Each school district and charter school shall**

26 **provide training on the administration of reading assessments to all kindergarten through**
27 **fifth grade teachers and any other personnel who provide literacy instruction.** Unless a
28 student has been determined in the ~~[current]~~ **previous** school year to be reading at grade level
29 or above, each school district **and charter school** shall administer a reading assessment or set
30 of assessments to each student within ~~[forty-five days of the end of the third-grade year]~~ **the first**
31 **thirty calendar days of school for grades one through four, and by January thirty-first for**
32 **kindergarten**, except that the provisions of this subsection shall not apply to students receiving
33 special education services under an individualized education plan pursuant to sections 162.670
34 to 162.999, to students receiving services pursuant to Section 504 of the Rehabilitation Act of
35 1973 whose services plan includes an element addressing reading or to students determined to
36 have limited English proficiency or to students who have been determined, prior to the beginning
37 of any school year, to have a cognitive ability insufficient to meet the reading requirement set
38 out in this section, provided that districts **and charter schools** shall provide reading
39 ~~[improvement]~~ **success plans for students with an individualized education plan that have a**
40 **reading deficiency, for students receiving services under Section 504 of the Rehabilitation**
41 **Act of 1973 whose service plan includes an element addressing reading, and to students**
42 **determined to have such insufficient cognitive ability.** The assessment required by this
43 subsection shall also be required for students who enter a school district **or charter school** in
44 grades four, five, or six unless such student has been determined in the current school year to be
45 reading at grade level or above.

46 3. ~~[Beginning with school year 2002-03, for each student whose third-grade reading~~
47 ~~assessment determines that such student is reading below second-grade level, the school district~~
48 ~~shall design a reading improvement plan for the student's fourth-grade year. Such reading~~
49 ~~improvement plan shall include, at a minimum, thirty hours of additional reading instruction or~~
50 ~~practice outside the regular school day during the fourth-grade year.]~~ (1) **School districts and**
51 **charter schools shall offer a reading success plan to each student in grades kindergarten**
52 **through four who exhibits a reading deficiency, has been identified as being at risk for**
53 **dyslexia in the statewide dyslexia screening requirement, or has a formal diagnosis of**
54 **dyslexia to ensure students can read at or above grade level by the end of the fourth grade.**
55 **School districts and charter schools shall consider the input of teachers and other building-**
56 **level staff when identifying students for reading success plans. The reading success plan**
57 **shall be provided in addition to core reading instruction that is provided to all students in**
58 **the general education classroom. The reading success plan shall:**

59 (a) **Include, at a minimum, thirty hours of additional reading instruction or**
60 **practice outside the regular school day during the fourth-grade year;**

61 **(b) Be provided to all students in grades kindergarten through four identified with**
62 **a reading deficiency as determined by the school district or charter school using local or**
63 **statewide screening assessments administered within the first thirty days of school for**
64 **grades one through four, and by January thirty-first for kindergarten;**

65 **(c) Provide explicit and systematic multisensory instruction in phonological**
66 **awareness, phonics, fluency, vocabulary, and comprehension as applicable to each student;**

67 **(d) Monitor the reading progress of each student's reading skills throughout the**
68 **school year and adjust instruction according to the student's needs; and**

69 **(e) Be implemented during regular school hours.**

70 **(2) A structured literacy reading program shall be provided to any student with a**
71 **formal diagnosis of dyslexia or for a student who was found to be at risk for dyslexia in the**
72 **statewide dyslexia screening.**

73 **(3) If a student who is provided a reading success plan is determined to not be**
74 **reading at or above grade level by the end of second grade, the student shall receive**
75 **structured literacy instruction as well as additional support and services including, but not**
76 **limited to:**

77 **(a) Frequent, targeted reading intervention based on the student's needs and**
78 **provided in a small-group or one-on-one setting;**

79 **(b) Frequent monitoring of the student's reading skills throughout the school year;**
80 **and**

81 **(c) Adjustment of the structured literacy instruction and reading interventions**
82 **according to the student's needs.**

83 **(4) For students in grades six through twelve, school districts and charter schools**
84 **shall continue to address the reading deficiencies of any student for whom the deficiency**
85 **creates a barrier to success in school.**

86 **4. A reading success plan shall be created for a student within forty-five days**
87 **following the identification of a reading deficiency by such student's teacher and other**
88 **pertinent school personnel, after consultation with the student's parent or legal guardian,**
89 **and shall describe the evidence-based reading intervention services the student shall**
90 **receive to remedy the deficiency. The reading success plan shall specify whether the**
91 **student was found to be at risk for dyslexia in the local or statewide dyslexia screening**
92 **requirement or whether the student has a formal diagnosis of dyslexia. Each student shall**
93 **receive appropriate reading intervention until the student no longer has a deficiency in**
94 **reading.**

95 **5. The school district or charter school shall determine the [method of reading**
96 **instruction] specific structured literacy curriculum necessary to enforce this [subsection]**

97 **section.** The school district **or charter school** may also require the student to attend summer
98 school for reading instruction as a condition of promotion to fourth grade. The department of
99 elementary and secondary education may, from funds appropriated for the purpose, reimburse
100 school districts **and charter schools** for additional instructional personnel costs incurred in the
101 implementation and execution of the thirty hours of additional reading instruction minus the
102 revenue generated by the school district **or charter school** through the foundation formula for
103 the additional reading instruction average daily attendance.

104 ~~[4-] 6.~~ Each student for whom a reading ~~[improvement]~~ **success** plan has been designed
105 pursuant to subsection 3 of this section shall be given another reading assessment, to be
106 administered within forty-five days of the end of such student's fourth-grade year. If such student
107 is determined to be reading below third-grade level **at the end of the third grade**, the student
108 shall be ~~[required to attend summer school to receive reading instruction. At the end of such~~
109 ~~summer school instruction, such student shall be given another reading assessment. If such~~
110 ~~student is determined to be reading below third-grade level, the district shall notify the student's~~
111 ~~parents or guardians, and the student shall not be promoted to fifth grade. No student shall be~~
112 ~~denied promotion more than once solely for inability to meet the reading standards set out in this~~
113 ~~section.~~

114 ~~5.~~ The process described in subsections 3 and 4 of this section shall be repeated as
115 necessary through the end of the sixth grade, with the target grade level rising accordingly.
116 Mandatory retention in grade shall not apply to grades subsequent to fourth grade.

117 ~~6.~~ The mandatory process of additional reading instruction pursuant to this section shall
118 cease at the end of the sixth grade. The permanent record of students who are determined to be
119 reading below the fifth-grade level at the end of sixth grade shall carry a notation advising that
120 such student has not met minimal reading standards. The notation shall stay on the student's
121 record until such time as the district determines that a student has met minimal reading
122 standards] **referred for an evaluation for an individualized education plan (IEP) and the**
123 **district shall provide appropriate intensive structured literacy instruction on a one-to-one**
124 **individualized basis. If the student does not qualify for an IEP under the state guidelines**
125 **for qualification, the student shall continue to receive appropriate intensive structured**
126 **literacy instruction on a one-to-one individualized basis until the student is reading at**
127 **grade level.**

128 7. Each school district **and charter school** shall be required to offer summer school
129 reading instruction to any student with a reading ~~[improvement]~~ **success** plan. Districts **and**
130 **charter schools** may fulfill the requirement of this section through cooperative arrangements
131 with neighboring districts~~], provided that such districts shall timely make all payments provided~~
132 ~~pursuant to such cooperative agreements].~~

133 8. A school district **or charter school** may adopt a policy that requires retention in grade
134 of any student who has been determined to require summer school instruction in reading and who
135 does not fulfill the summer school attendance requirement.

136 9. Nothing in this section shall preclude a school district **or charter school** from
137 retaining any student in grade when a determination is made in accordance with district **or**
138 **charter school** policy that retention is in the best interests of the student.

139 10. **The state board of education shall evaluate and give weight to district and**
140 **charter school reading interventions and compliance with the provisions of this section**
141 **within the Missouri school improvement program.**

142 11. The state board of education shall not incorporate information about the number of
143 students receiving additional instruction pursuant to this section into any element of any standard
144 of the Missouri school improvement program or its successor accreditation program; provided,
145 however, each district **or charter school** shall make available, upon the request of any parent,
146 patron, **advocacy group**, or media outlet [~~within the district~~], the number and percentage of
147 students receiving remediation pursuant to this section. The information shall be presented in
148 a way that does not permit personal identification of any student or educational personnel.

149 ~~[11.]~~ **12.** Each school district **and charter school** shall make a systematic effort to
150 inform parents of the methods and materials used to teach reading in kindergarten through
151 ~~[fourth]~~ **fifth** grade, in terms understandable to a layperson [~~and shall similarly inform parents~~
152 ~~of students for whom a reading improvement plan is required pursuant to this section~~]. **Notice**
153 **to the parent or legal guardian of any student for whom a reading success plan is required**
154 **shall be provided within thirty days. Such communication may be through electronic or**
155 **other means; however, effort shall be made to ensure a parent received such**
156 **communication. The notice shall state that the student has been identified as having a**
157 **deficiency in reading identified through a screening or other method. The communication**
158 **shall also note if the student screened positive for the characteristics of dyslexia.**
159 **Additionally, the communication shall include the following information:**

160 (1) **That a reading success plan for the student shall be developed by the teacher**
161 **and other personnel;**

162 (2) **A description of the current services and proposed, evidence-based structured**
163 **literacy interventions and supplemental services;**

164 (3) **That the parent or guardian shall have the opportunity for input regarding the**
165 **reading success plan;**

166 (4) **The timing for periodic updates on student progress, which shall be aligned with**
167 **other normal interim student progress updates to the extent practicable; and**

168 (5) **Suggested strategies for use at home to help the student succeed in reading.**

169 **13. The department of elementary and secondary education may promulgate rules**
170 **to implement the provisions of this section. Any rule or portion of a rule, as that term is**
171 **defined in section 536.010, that is created under the authority delegated in this section shall**
172 **become effective only if it complies with and is subject to all of the provisions of chapter**
173 **536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and**
174 **if any of the powers vested with the general assembly pursuant to chapter 536 to review,**
175 **to delay the effective date, or to disapprove and annul a rule are subsequently held**
176 **unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted**
177 **after August 28, 2021, shall be invalid and void.**

170.025. 1. Each school district shall ensure that:

2 **(1) Its elementary school or schools provide instruction in cursive writing so that**
3 **students create readable documents through legible cursive handwriting by the end of the**
4 **fifth grade; and**

5 **(2) Each student passes with proficiency a teacher-constructed test demonstrating**
6 **competency in both reading and writing cursive.**

7 **2. The department of elementary and secondary education may promulgate rules**
8 **to implement the provisions of this section. Any rule or portion of a rule, as that term is**
9 **defined in section 536.010, that is created under the authority delegated in this section shall**
10 **become effective only if it complies with and is subject to all of the provisions of chapter**
11 **536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and**
12 **if any of the powers vested with the general assembly pursuant to chapter 536 to review,**
13 **to delay the effective date, or to disapprove and annul a rule are subsequently held**
14 **unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted**
15 **after August 28, 2021, shall be invalid and void.**

170.029. 1. The state board of education shall develop a statewide plan for career
2 **and technical education (CTE) that ensures sustainability, viability, and relevance by**
3 **matching workforce needs with appropriate educational resources.**

4 **2. The state board of education, in consultation with the career and technical education**
5 **advisory council as established in section 178.550, shall establish minimum requirements for a**
6 **[career and technical education (CTE)] CTE certificate that a student can earn in addition to [his**
7 **or her] the student's high school graduation diploma. Students entering high school in school**
8 **year 2017-18 and thereafter shall be eligible to earn a CTE certificate.**

9 **[2.] 3. The [state board of education] statewide plan shall establish CTE requirements**
10 **intended to provide students with the necessary technical employability skills to be prepared for**
11 **an entry-level career in a technical field or additional training in a technical field. The provisions**
12 **of this section shall not be considered a means for tracking students in order to impel students**

13 to particular vocational, career, or college paths. The state board of education shall work with
14 local school districts to ensure that tracking does not occur. For purposes of this section,
15 "tracking" means separating pupils by academic ability into groups for all subjects or certain
16 classes and curriculum.

17 ~~[3-]~~ 4. Each local school district shall determine the curriculum, programs of study, and
18 course offerings based on the needs and interests of the students in the district **and meeting the**
19 **requirements of the statewide plan.** As required by Missouri's state plan for career education
20 and the Missouri school improvement program, the state board of education shall work in
21 cooperation with individual school districts to stipulate the minimum number of CTE offerings.
22 Each local school district shall strive to offer programs of study that are economically feasible
23 for students in the district. In establishing CTE offerings, the district may rely on standards,
24 technical coursework, and skills assessments developed for industry-recognized certificates or
25 credentials.

26 **5. To enable school districts to offer CTE programs of study that are current with**
27 **business and industry standards, the department of elementary and secondary education**
28 **shall as needed convene work groups from each program area to develop and recommend**
29 **rigorous and relevant performance standards or course competencies for each program**
30 **of study. The work groups shall include, but not be limited to, educators providing**
31 **instruction in each CTE program area, advisors from each CTE program area from the**
32 **department of elementary and secondary education, the department of higher education**
33 **and workforce development, business and industry, and institutions of higher education.**
34 **The department of elementary and secondary education shall develop written model**
35 **curriculum frameworks relating to CTE program areas that may be used by school**
36 **districts. The requirements of section 160.514 shall not apply to this section.**

37 ~~[4-]~~ 6. No later than January 1, 2017, the department of elementary and secondary
38 education shall develop a process for recognition of a school district's career and technical
39 education program that offers a career and technical education certificate.

40 ~~[5-]~~ 7. The department of elementary and secondary education shall promulgate all
41 necessary rules and regulations for the administration of this section. Any rule or portion of a
42 rule, as that term is defined in section 536.010, that is created under the authority delegated in
43 this section shall become effective only if it complies with and is subject to all of the provisions
44 of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are
45 nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536
46 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held
47 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
48 August 28, 2016, shall be invalid and void.

170.047. 1. Beginning in the 2017-18 school year, any licensed educator may annually complete up to two hours of training or professional development in youth suicide awareness and prevention as part of the professional development hours required for state board of education certification. **Beginning in the 2021-22 school year and continuing in subsequent school years, such training or professional development in youth suicide awareness and prevention shall contain at least one unit relating to stress management strategies for students and faculty members.**

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

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

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

5. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.

170.341. 1. Any school district may offer students:

(1) An elective social studies course on the Hebrew Scriptures, the Old Testament of the Bible;

(2) An elective social studies course on the New Testament of the Bible; or

(3) An elective social studies course on the Hebrew Scriptures and the New Testament of the Bible.

2. The purpose of a course under this section is to:

(1) Teach students knowledge of biblical content, characters, poetry, and narratives that are prerequisites to understanding contemporary society and culture, including literature, art, music, mores, oratory, and public policy; and

(2) Familiarize students with, as applicable:

(a) The contents of the Hebrew Scriptures or New Testament;

- 13 **(b) The history of the Hebrew Scriptures or New Testament;**
14 **(c) The literary style and structure of the Hebrew Scriptures or New Testament;**
15 **and**
16 **(d) The influence of the Hebrew Scriptures or New Testament on law, history,**
17 **government, literature, art, music, customs, morals, values, and culture.**
- 18 **3. A student shall not be required to use a specific translation as the sole text of the**
19 **Hebrew Scriptures or New Testament and may use as the basic textbook a different**
20 **translation of the Hebrew Scriptures or New Testament from that chosen by the school**
21 **district.**
- 22 **4. A course offered under this section shall follow applicable law and all federal and**
23 **state guidelines in maintaining religious neutrality and accommodating the diverse**
24 **religious views, traditions, and perspectives of students in the school. A course offered**
25 **under this section shall not endorse, favor, or promote, or disfavor or show hostility**
26 **toward, any particular religion or nonreligious faith or religious perspective.**
- 27 **5. School districts, in complying with this section, shall not violate any provision**
28 **of the Constitution of the United States or federal law, the Constitution of Missouri or any**
29 **state law, or any administrative regulations of the department of elementary and secondary**
30 **education or the United States Department of Education.**

171.033. 1. "Inclement weather", for purposes of this section, shall be defined as ice,
2 snow, extreme cold, excessive heat, flooding, or a tornado.

3 2. (1) A district shall be required to make up the first six days of school lost or cancelled
4 due to inclement weather and half the number of days lost or cancelled in excess of six days if
5 the makeup of the days is necessary to ensure that the district's students will attend a minimum
6 of one hundred forty-two days and a minimum of one thousand forty-four hours for the school
7 year except as otherwise provided in this section. Schools with a four-day school week may
8 schedule such make-up days on Fridays.

9 (2) Notwithstanding subdivision (1) of this subsection, in school year 2019-20 and
10 subsequent years, a district shall be required to make up the first thirty-six hours of school lost
11 or cancelled due to inclement weather and half the number of hours lost or cancelled in excess
12 of thirty-six if the makeup of the hours is necessary to ensure that the district's students attend
13 a minimum of one thousand forty-four hours for the school year, except as otherwise provided
14 under subsections 3 and 4 of this section.

15 3. (1) In the 2009-10 school year and subsequent years, a school district may be exempt
16 from the requirement to make up days of school lost or cancelled due to inclement weather in
17 the school district when the school district has made up the six days required under subsection

18 2 of this section and half the number of additional lost or cancelled days up to eight days,
19 resulting in no more than ten total make-up days required by this section.

20 (2) In school year 2019-20 and subsequent years, a school district may be exempt from
21 the requirement to make up school lost or cancelled due to inclement weather in the school
22 district when the school district has made up the thirty-six hours required under subsection 2 of
23 this section and half the number of additional lost or cancelled hours up to forty-eight, resulting
24 in no more than sixty total make-up hours required by this section.

25 4. The commissioner of education may provide, for any school district that cannot meet
26 the minimum school calendar requirement of at least one hundred seventy-four days for schools
27 with a five-day school week or one hundred forty-two days for schools with a four-day school
28 week and one thousand forty-four hours of actual pupil attendance or, in school year 2019-20 and
29 subsequent years, one thousand forty-four hours of actual pupil attendance, upon request, a
30 waiver to be excused from such requirement. This waiver shall be requested from the
31 commissioner of education and may be granted if the school was closed due to circumstances
32 beyond school district control, including inclement weather or fire.

33 5. (1) Except as otherwise provided in this subsection, in school year 2020-21 and
34 subsequent years, a district shall not be required to make up any hours of school lost or cancelled
35 due to exceptional or emergency circumstances during a school year if the district has an
36 alternative methods of instruction plan approved by the department of elementary and secondary
37 education for such school year. Exceptional or emergency circumstances shall include, but not
38 be limited to, inclement weather, a utility outage, or an outbreak of a contagious disease. The
39 department of elementary and secondary education shall not approve any such plan unless the
40 district demonstrates that the plan will not negatively impact teaching and learning in the district.

41 (2) If school is closed due to exceptional or emergency circumstances and the district has
42 an approved alternative methods of instruction plan, the district shall notify students and parents
43 on each day of the closure whether the alternative methods of instruction plan is to be
44 implemented for that day. If the plan is to be implemented on any day of the closure, the district
45 shall ensure that each student receives assignments for that day in hard copy form or receives
46 instruction through virtual learning or another method of instruction.

47 (3) A district with an approved alternative methods of instruction plan shall not use
48 alternative methods of instruction as provided for in the plan for more than thirty-six hours
49 during a school year. A district that has used such alternative methods of instruction for thirty-
50 six hours during a school year shall be required, notwithstanding subsections 2 and 3 of this
51 section, to make up any subsequent hours of school lost or cancelled due to exceptional or
52 emergency circumstances during such school year.

53 (4) The department of elementary and secondary education shall give districts with
54 approved alternative methods of instruction plans credit for the hours in which they use
55 alternative methods of instruction by considering such hours as hours in which school was
56 actually in session.

57 (5) Any district wishing to use alternative methods of instruction under this subsection
58 shall submit an application to the department of elementary and secondary education. The
59 application shall describe:

60 (a) The manner in which the district intends to strengthen and reinforce instructional
61 content while supporting student learning outside the classroom environment;

62 (b) The process the district intends to use to communicate to students and parents the
63 decision to implement alternative methods of instruction on any day of a closure;

64 (c) The manner in which the district intends to communicate the purpose and
65 expectations for a day in which alternative methods of instruction will be implemented to
66 students and parents;

67 (d) The assignments and materials to be used within the district for days in which
68 alternative methods of instruction will be implemented to effectively facilitate teaching and
69 support learning for the benefit of the students;

70 (e) The manner in which student attendance will be determined for a day in which
71 alternative methods of instruction will be implemented. The method chosen shall be linked to
72 completion of lessons and activities;

73 (f) The instructional methods, which shall include instruction through electronic means
74 and instruction through other means for students who have no access to internet services or a
75 computer;

76 (g) Instructional plans for students with individualized education programs; and

77 (h) The role and responsibility of certified personnel to be available to communicate with
78 students.

79 6. ~~[For the 2018-19 school year, a district shall be exempt from the requirements of~~
80 ~~subsections 2 and 3 of this section, and only be required to make up the first six days of school~~
81 ~~lost or cancelled due to inclement weather.] In the 2021-22 school year and subsequent years,~~
82 **a school district's one-half-day education programs shall be subject to the following**
83 **provisions in proportions appropriate for a one-half-day education program, as applicable:**

84 (1) **Requirements in subsection 2 of this section to make up days or hours of school**
85 **lost or cancelled because of inclement weather;**

86 (2) **Exemptions in subsection 3 of this section;**

87 (3) **Waiver provisions in subsection 4 of this section; and**

88 (4) Approved alternative methods of instruction provisions in subsection 5 of this
89 section.

186.080. 1. There is hereby established within the department of elementary and
2 secondary education the "Literacy Advisory Council", which shall be composed of at least
3 fifteen and no more than twenty members to be appointed by the commissioner of
4 education. The members of the council shall include at least:

- 5 (1) One public school board member;
- 6 (2) One charter school representative;
- 7 (3) One public school district superintendent;
- 8 (4) One elementary or secondary school principal;
- 9 (5) Three teachers with expertise in reading instruction, including at least one
10 teacher selected by each of the three largest statewide teacher organizations, and each of
11 whom shall either be certified by the Center for Effective Reading Instruction or have
12 completed all levels of the Language Essentials for Teachers of Reading and Spelling
13 training program;
- 14 (6) One special education teacher;
- 15 (7) One parent of an elementary or secondary school student who has been
16 diagnosed with dyslexia;
- 17 (8) One representative from Decoding Dyslexia Missouri;
- 18 (9) One representative from an institution of postsecondary education that offers
19 approved teacher preparation programs;
- 20 (10) One representative from an independent private provider or nonprofit
21 organization serving individuals with dyslexia;
- 22 (11) One representative from the Missouri branch of the International Dyslexia
23 Association;
- 24 (12) One certified academic language therapist recommended by the Academic
25 Language Therapy Association who is a resident of this state;
- 26 (13) One professional with experience diagnosing dyslexia, such as a school
27 psychologist or neuropsychologist, who is licensed under chapter 337; and
- 28 (14) One dyslexia specialist from the department of elementary and secondary
29 education.

30 2. The advisory council shall meet biannually to review best practices in literacy
31 instruction and related policies.

32 3. The advisory council shall periodically provide recommendations to the
33 commissioner and the state board of education regarding any identified improvements to
34 literacy instruction and policy for elementary and secondary students. The

35 recommendations may include recommendations for changes to state law, and the
36 commissioner shall furnish any such recommendations to the joint committee on education.

37 4. The department of elementary and secondary education, in conjunction with the
38 advisory council, shall identify and create a list of approved materials, resources, and
39 curriculum programs for public school districts and charter schools. A school district or
40 charter school may use materials, resources, or curriculum programs from such list.
41 However, a school district or charter school may use alternative materials, resources, or
42 curriculum programs, which may not be on the department's list, as long as such materials,
43 resources, or curriculum programs comply with the requirements set forth in sections
44 167.268 and 167.645.

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