

SENATE BILL NO. 167

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR ARTHUR.

0406S.01I

ADRIANE D. CROUSE, Secretary

AN ACT

To repeal section 163.018, RSMo, and to enact in lieu thereof one new section relating to calculation of average daily attendance for early childhood education programs.

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

Section A. Section 163.018, RSMo, is repealed and one new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

163.018. 1. **For purposes of this section, the**
2 **following terms shall mean:**

3 (1) "Eligible program", an early childhood education
4 program that is either:

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

10 (b) Under contract with a school district or charter
11 school that has declared itself as a local educational
12 agency and that meets standards established by the state
13 board of education and this section;

14 (2) "Qualifying pupil", a pupil ages three, four, or
15 five who is eligible for free and reduced price lunch and
16 attends an eligible program.

17 2. (1) Notwithstanding the definition of average
18 daily attendance in subdivision (2) of section 163.011 to

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

19 the contrary, **qualifying** pupils [between the ages of three
20 and five who are eligible for free and reduced price lunch
21 and attend an early childhood education program:

22 (a) That is operated by and in a district or by a
23 charter school that has declared itself as a local
24 educational agency providing full-day kindergarten and that
25 meets standards established by the state board of education;
26 or

27 (b) That is under contract with a district or charter
28 school that has declared itself as a local educational
29 agency and that meets standards established by the state
30 board of education;] **who attend eligible programs** shall be
31 included in the district's or charter school's calculation
32 of average daily attendance. **For the 2021-2022 school year,**
33 **the total number of [such] qualifying pupils included in the**
34 **district's or charter school's calculation of average daily**
35 **attendance shall not exceed four percent of the total number**
36 **of non-qualifying pupils ages five through eighteen who are**
37 **eligible for free and reduced price lunch [between the ages**
38 **of five and eighteen] and who are included in the district's**
39 **or charter school's calculation of average daily**
40 **attendance. For the 2022-2023 school year, the total number**
41 **of qualifying pupils included in the district's or charter**
42 **school's calculation of average daily attendance shall not**
43 **exceed six percent of the total number of non-qualifying**
44 **pupils ages five through eighteen who are eligible for free**
45 **and reduced price lunch and who are included in the**
46 **district's or charter school's calculation of average daily**
47 **attendance. For the 2022-2023 school year, the total number**
48 **of qualifying pupils included in the district's or charter**
49 **school's calculation of average daily attendance shall not**
50 **exceed eight percent of the total number of non-qualifying**

51 pupils ages five through eighteen who are eligible for free
52 and reduced price lunch and who are included in the
53 district's or charter school's calculation of average daily
54 attendance. For the 2024-2025 school year, and each school
55 year thereafter, the total number of qualifying pupils
56 included in the district's or charter school's calculation
57 of average daily attendance shall not exceed ten percent of
58 the total number of non-qualifying pupils ages five through
59 eighteen who are eligible for free and reduced price lunch
60 and who are included in the district's or charter school's
61 calculation of average daily attendance.

62 (2) If a **qualifying** pupil [described under subdivision
63 (1) of this subsection] leaves an [early childhood
64 education] **eligible** program during the school year, a
65 district or charter school shall be allowed to fill the
66 vacant enrollment spot with another **qualifying** pupil
67 [between the ages of three and five who is eligible for free
68 and reduced price lunch] without affecting the district's or
69 charter school's calculation of average daily attendance.

70 [2.] 3. In establishing standards for any early
71 childhood education program that is under contract with a
72 district or charter school that has declared itself as a
73 local educational agency, the state board of education shall
74 consider:

75 (1) Whether a program offers full-day and full-year
76 programming;

77 (2) Whether a program has teacher-to-child ratios
78 consistent with reasonable standards set by early childhood
79 education program accrediting agencies;

80 (3) Whether a program offers professional development
81 supports for educators and the type of supports offered;

82 (4) Whether a program uses appropriately credentialed
83 educators;

84 (5) Whether a program uses an early childhood
85 education curriculum that has been approved by the
86 department of elementary and secondary education and whether
87 the curriculum is developmentally appropriate; and

88 (6) Any other factor that the state board of education
89 determines to be significant in ensuring that children
90 achieve high levels of kindergarten readiness.

91 The state board of education shall require that staff
92 members of any early childhood education program that is
93 under contract with a district or charter school that has
94 declared itself as a local educational agency undergo
95 background checks as described in section 168.133.

96 **[3.] 4.** This section shall not require school
97 attendance beyond that mandated under section 167.031 and
98 shall not change or amend the provisions of sections
99 160.051, 160.053, 160.054, and 160.055 relating to
100 kindergarten attendance.

✓