

CONFERENCE COMMITTEE SUBSTITUTE NO. 2

FOR

HOUSE COMMITTEE SUBSTITUTE

FOR

SENATE SUBSTITUTE

FOR

SENATE COMMITTEE SUBSTITUTE

FOR

SENATE BILLS NOS. 681 & 662

AN ACT

To repeal sections 160.261, 160.2700, 160.2705, 161.097, 161.700, 162.261, 162.281, 162.291, 162.471, 162.481, 162.491, 162.720, 162.974, 163.016, 167.151, 167.225, 167.268, 167.640, 167.645, 168.021, 168.205, 168.500, 168.515, 170.014, 170.018, 170.047, 170.048, 171.033, 302.010, and 304.060, RSMo, and to enact in lieu thereof fifty new sections relating to elementary and secondary education, with an emergency clause for certain sections and an effective date for a certain section.

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

Section A. Sections 160.261, 160.2700, 160.2705, 161.097,  
2 161.700, 162.261, 162.281, 162.291, 162.471, 162.481, 162.491,  
3 162.720, 162.974, 163.016, 167.151, 167.225, 167.268, 167.640,  
4 167.645, 168.021, 168.205, 168.500, 168.515, 170.014, 170.018,  
5 170.047, 170.048, 171.033, 302.010, and 304.060, RSMo, are  
6 repealed and fifty new sections enacted in lieu thereof, to be  
7 known as sections 160.077, 160.261, 160.560, 160.2700,  
8 160.2705, 161.097, 161.214, 161.241, 161.380, 161.385, 161.700,  
9 162.058, 162.084, 162.261, 162.281, 162.291, 162.471, 162.481,  
10 162.491, 162.563, 162.720, 162.974, 162.1255, 163.016, 167.151,  
11 167.225, 167.268, 167.625, 167.640, 167.645, 167.850, 168.021,

12 168.036, 168.037, 168.205, 168.500, 168.515, 170.014, 170.018,  
13 170.036, 170.047, 170.048, 170.307, 171.033, 173.831, 173.1352,  
14 178.694, 186.080, 302.010, and 304.060, to read as follows:

160.077. 1. This section shall be known and may be  
2 cited as the "Get the Lead Out of School Drinking Water Act".

3 2. As used in this section, the following terms mean:

4 (1) "Department", the Missouri department of health  
5 and senior services;

6 (2) "Disadvantaged school district", any school  
7 district that serves students from a county in which at  
8 least twenty-five percent of the households in such county  
9 are below the federal poverty guidelines updated  
10 periodically in the Federal Register by the U.S. Department  
11 of Health and Human Services under the authority of 42  
12 U.S.C. Section 9902(2), as amended, or any school district  
13 in which more than seventy percent of students in the  
14 district qualify for a free or reduced price lunch under the  
15 federal Richard B. Russell National School Lunch Act, 42  
16 U.S.C. Section 1751 et seq.;

17 (3) "Drinking water outlet", a potable water fixture  
18 that is used for drinking or food preparation. "Drinking  
19 water outlet" includes, but is not limited to:

20 (a) A water fountain, faucet, or tap that is used or  
21 potentially used for drinking or food preparation; and

22 (b) Ice-making and hot drink machines;

23 (4) "First draw", a two-hundred-fifty-milliliter  
24 sample immediately collected from a drinking water outlet  
25 that has been turned on after a stagnation period of at  
26 least eight hours;

27 (5) "Parent", a parent, guardian, or other person  
28 having control or custody of a child;

29 (6) "Private school", the same definition as in  
30 section 166.700;

31 (7) "Public school", the same definition as in section  
32 160.011;

33 (8) "Remediation", decreasing the lead concentration  
34 in water from a drinking water outlet to less than five  
35 parts per billion without relying solely on flushing  
36 practices, or using methods such as the replacement of lead-  
37 containing pipes, solder, fittings, or fixtures with lead-  
38 free components. Flushing as a stand alone action shall not  
39 be considered remediation;

40 (9) "School", any public school, private school, or  
41 provider of an early childhood education program that  
42 receives state funding.

43 3. Beginning in the 2023-24 school year and for each  
44 subsequent school year, each school shall provide drinking  
45 water with a lead concentration level below five parts per  
46 billion in sufficient amounts to meet the drinking water  
47 needs of all students and staff as provided in this section.

48 4. (1) On or before January 1, 2024, each school  
49 shall:

50 (a) Conduct an inventory of all drinking water outlets  
51 and all outlets that are used for dispensing water for  
52 cooking or for cleaning cooking and eating utensils in each  
53 of the school's buildings;

54 (b) Develop a plan for testing each outlet inventoried  
55 under paragraph (a) of this subdivision and make such plan  
56 available to the public; and

57 (c) Upon request, provide general information on the  
58 health effects of lead contamination and additional  
59 informational resources for employees and parents of  
60 children at each school.

61 (2) Each school shall make buildings housing early  
62 childhood education programs, kindergartens, and elementary

63 schools the priority when complying with paragraphs (a) and  
64 (b) of subdivision (1) of this subsection.

65 (3) Before August 1, 2024, or the first day on which  
66 students will be present in the building, whichever is  
67 later, each school shall:

68 (a) Perform all testing as required by subsection 5 of  
69 this section and within two weeks after receiving test  
70 results, make all testing results and any lead remediation  
71 plans available on the school's website;

72 (b) Remove and replace any drinking water coolers or  
73 drinking water outlets that the United States Environmental  
74 Protection Agency has determined are not lead-free under the  
75 federal Lead Contamination Control Act of 1988, as amended;  
76 except the school shall not be required to replace those  
77 drinking water outlets or water coolers that tested under  
78 the requirements of this section and have been determined to  
79 be dispensing drinking water with a lead concentration less  
80 than five part per billion; however, such drinking water  
81 outlet or water cooler shall be subject to all testing  
82 requirements and shall not be excluded from testing under  
83 subsection 10 of this section.

84 (4) If testing indicates that the water source is  
85 causing the contamination and until such time that the  
86 source of the contamination has been remediated, the school  
87 shall:

88 (a) Install a filter at each point at which the water  
89 supply enters the building;

90 (b) Install a filter that reduces lead in drinking  
91 water on each water outlet inventoried under paragraph (a)  
92 of subdivision (1) of this subsection to ensure lead  
93 concentrations are below five parts per billion; or

94 (c) Provide purified water at each water outlet  
95 inventoried under paragraph (a) of subdivision (1) of this  
96 subsection.

97 (5) If testing indicates that the internal building  
98 pipng is causing the contamination and until such time that  
99 the source of the contamination has been remediated, the  
100 school shall:

101 (a) Install a filter that reduces lead in drinking  
102 water on each water outlet inventoried under paragraph (a)  
103 of subdivision (1) of this subsection to ensure lead  
104 concentrations are below five parts per billion; or

105 (b) Provide purified water at each water outlet  
106 inventoried under paragraph (a) of subdivision (1) of this  
107 subsection.

108 (6) If a pipe, solder, fitting, or fixture is replaced  
109 as part of remediation, the replacement shall be lead-free,  
110 as such term is defined in 40 CFR 143.12, as amended.

111 (7) If a test result exceeds five parts per billion,  
112 the affected school shall:

113 (a) Contact parents and staff via written notification  
114 within seven business days after receiving the test result.  
115 The notification shall include at least:

116 a. The test results and a summary that explains such  
117 results;

118 b. A description of any remedial steps taken; and

119 c. A description of general health effects of lead  
120 contamination and community specific resources; and

121 (b) Provide bottled water if there is not enough water  
122 to meet the drinking water needs of the students, teachers,  
123 and staff.

124 (8) School districts shall submit such annual testing  
125 results to the department.

126           (9) This subsection shall not be construed to prevent  
127 a school from conducting more frequent testing than required  
128 under this section.

129           5. (1) Before August 1, 2024, or the first day on  
130 which students will be present in the building, whichever is  
131 later, and annually thereafter, each school shall conduct  
132 testing for lead by first-draw and follow-up flush samples  
133 of a random sampling of at least twenty-five percent of  
134 remediated drinking water outlets until all remediated  
135 sources have been tested as recommended by the 2018 version  
136 of the United States Environmental Protection Agency's  
137 "Training, Testing, and Taking Action" program. The testing  
138 shall be conducted and the results analyzed for both types  
139 of tests by an entity or entities approved by the department.

140           (2) If, in the ten years prior to the 2023-24 school  
141 year, a fixture tested above five parts per billion for  
142 lead, such fixture does not need to be repeat tested for  
143 lead, but instead remediation shall begin on such fixture.

144           6. (1) In addition to the apportionments payable to a  
145 school district under chapter 163, the department of natural  
146 resources, with support from the department of elementary  
147 and secondary education and the department of health and  
148 senior services, is hereby authorized to apportion to any  
149 school additional funding for the filtration, testing, and  
150 other remediation of drinking water systems required under  
151 this section, subject to appropriation.

152           (2) To the extent permitted by federal law, a school  
153 district may seek reimbursement or other funds for  
154 compliance incurred under this section under any applicable  
155 federal law including, but not limited to, the America's  
156 Water Infrastructure Act of 2018 and the Water  
157 Infrastructure Finance and Innovation Act of 2014, 33 U.S.C.  
158 Section 3901 et seq.

159 (3) Disadvantaged school districts shall receive  
160 funding priority under this subsection.

161 7. The department, in conjunction with the department  
162 of elementary and secondary education, shall publish a  
163 report biennially based on the findings from the water  
164 testing conducted under this section. Such report shall be  
165 published on the department of natural resources website.

166 8. For public schools, the department shall ensure  
167 compliance with this section. Each school district shall be  
168 responsible for ensuring compliance within each school  
169 within the school district's jurisdiction.

170 9. No school building constructed after January 4,  
171 2014, as provided in the federal Reduction of Lead in  
172 Drinking Water Act (42 U.S.C. Section 300g-6), as amended,  
173 shall be required to install, maintain, or replace filters  
174 under paragraph (c) of subdivision (1) of subsection 4 of  
175 this section.

176 10. A school that tests and does not find a drinking  
177 water source with a lead concentration above the acceptable  
178 level as described in subsection 3 of this section shall be  
179 required to test only every five years.

180 11. The department may promulgate all necessary rules  
181 and regulations for the administration of this section. Any  
182 rule or portion of a rule, as that term is defined in  
183 section 536.010, that is created under the authority  
184 delegated in this section shall become effective only if it  
185 complies with and is subject to all of the provisions of  
186 chapter 536 and, if applicable, section 536.028. This  
187 section and chapter 536 are nonseverable and if any of the  
188 powers vested with the general assembly pursuant to chapter  
189 536 to review, to delay the effective date, or to disapprove  
190 and annul a rule are subsequently held unconstitutional,

191 then the grant of rulemaking authority and any rule proposed  
192 or adopted after August 28, 2022, shall be invalid and void.

160.261. 1. The local board of education of each  
2 school district shall clearly establish a written policy of  
3 discipline, including the district's determination on the  
4 use of corporal punishment and the procedures in which  
5 punishment will be applied. A written copy of the  
6 district's discipline policy and corporal punishment  
7 procedures, if applicable, shall be provided to the pupil  
8 and parent or legal guardian of every pupil enrolled in the  
9 district at the beginning of each school year and also made  
10 available in the office of the superintendent of such  
11 district, during normal business hours, for public  
12 inspection. No pupil shall be subject to corporal  
13 punishment procedures outlined in the discipline and  
14 corporal punishment policy without a parent or guardian  
15 being notified and providing written permission for the  
16 corporal punishment. All employees of the district shall  
17 annually receive instruction related to the specific  
18 contents of the policy of discipline and any interpretations  
19 necessary to implement the provisions of the policy in the  
20 course of their duties, including but not limited to  
21 approved methods of dealing with acts of school violence,  
22 disciplining students with disabilities and instruction in  
23 the necessity and requirements for confidentiality.

24 2. The policy shall require school administrators to  
25 report acts of school violence to all teachers at the  
26 attendance center and, in addition, to other school district  
27 employees with a need to know. For the purposes of this  
28 chapter or chapter 167, "need to know" is defined as school  
29 personnel who are directly responsible for the student's  
30 education or who otherwise interact with the student on a  
31 professional basis while acting within the scope of their



32 assigned duties. As used in this section, the phrase "act  
33 of school violence" or "violent behavior" means the exertion  
34 of physical force by a student with the intent to do serious  
35 physical injury as defined in section 556.061 to another  
36 person while on school property, including a school bus in  
37 service on behalf of the district, or while involved in  
38 school activities. The policy shall at a minimum require  
39 school administrators to report, as soon as reasonably  
40 practical, to the appropriate law enforcement agency any of  
41 the following crimes, or any act which if committed by an  
42 adult would be one of the following crimes:

- 43 (1) First degree murder under section 565.020;
- 44 (2) Second degree murder under section 565.021;
- 45 (3) Kidnapping under section 565.110 as it existed  
46 prior to January 1, 2017, or kidnapping in the first degree  
47 under section 565.110;
- 48 (4) First degree assault under section 565.050;
- 49 (5) Rape in the first degree under section 566.030;
- 50 (6) Sodomy in the first degree under section 566.060;
- 51 (7) Burglary in the first degree under section 569.160;
- 52 (8) Burglary in the second degree under section  
53 569.170;
- 54 (9) Robbery in the first degree under section 569.020  
55 as it existed prior to January 1, 2017, or robbery in the  
56 first degree under section 570.023;
- 57 (10) Distribution of drugs under section 195.211 as it  
58 existed prior to January 1, 2017, or manufacture of a  
59 controlled substance under section 579.055;
- 60 (11) Distribution of drugs to a minor under section  
61 195.212 as it existed prior to January 1, 2017, or delivery  
62 of a controlled substance under section 579.020;
- 63 (12) Arson in the first degree under section 569.040;
- 64 (13) Voluntary manslaughter under section 565.023;

65 (14) Involuntary manslaughter under section 565.024 as  
66 it existed prior to January 1, 2017, involuntary  
67 manslaughter in the first degree under section 565.024, or  
68 involuntary manslaughter in the second degree under section  
69 565.027;

70 (15) Second degree assault under section 565.060 as it  
71 existed prior to January 1, 2017, or second degree assault  
72 under section 565.052;

73 (16) Rape in the second degree under section 566.031;

74 (17) Felonious restraint under section 565.120 as it  
75 existed prior to January 1, 2017, or kidnapping in the  
76 second degree under section 565.120;

77 (18) Property damage in the first degree under section  
78 569.100;

79 (19) The possession of a weapon under chapter 571;

80 (20) Child molestation in the first degree pursuant to  
81 section 566.067 as it existed prior to January 1, 2017, or  
82 child molestation in the first, second, or third degree  
83 pursuant to section 566.067, 566.068, or 566.069;

84 (21) Sodomy in the second degree pursuant to section  
85 566.061;

86 (22) Sexual misconduct involving a child pursuant to  
87 section 566.083;

88 (23) Sexual abuse in the first degree pursuant to  
89 section 566.100;

90 (24) Harassment under section 565.090 as it existed  
91 prior to January 1, 2017, or harassment in the first degree  
92 under section 565.090; or

93 (25) Stalking under section 565.225 as it existed  
94 prior to January 1, 2017, or stalking in the first degree  
95 under section 565.225;

96 committed on school property, including but not limited to  
97 actions on any school bus in service on behalf of the

98 district or while involved in school activities. The policy  
99 shall require that any portion of a student's individualized  
100 education program that is related to demonstrated or  
101 potentially violent behavior shall be provided to any  
102 teacher and other school district employees who are directly  
103 responsible for the student's education or who otherwise  
104 interact with the student on an educational basis while  
105 acting within the scope of their assigned duties. The  
106 policy shall also contain the consequences of failure to  
107 obey standards of conduct set by the local board of  
108 education, and the importance of the standards to the  
109 maintenance of an atmosphere where orderly learning is  
110 possible and encouraged.

111 3. The policy shall provide that any student who is on  
112 suspension for any of the offenses listed in subsection 2 of  
113 this section or any act of violence or drug-related activity  
114 defined by school district policy as a serious violation of  
115 school discipline pursuant to subsection 9 of this section  
116 shall have as a condition of his or her suspension the  
117 requirement that such student is not allowed, while on such  
118 suspension, to be within one thousand feet of any school  
119 property in the school district where such student attended  
120 school or any activity of that district, regardless of  
121 whether or not the activity takes place on district property  
122 unless:

123 (1) Such student is under the direct supervision of  
124 the student's parent, legal guardian, or custodian and the  
125 superintendent or the superintendent's designee has  
126 authorized the student to be on school property;

127 (2) Such student is under the direct supervision of  
128 another adult designated by the student's parent, legal  
129 guardian, or custodian, in advance, in writing, to the  
130 principal of the school which suspended the student and the

131 superintendent or the superintendent's designee has  
132 authorized the student to be on school property;

133 (3) Such student is enrolled in and attending an  
134 alternative school that is located within one thousand feet  
135 of a public school in the school district where such student  
136 attended school; or

137 (4) Such student resides within one thousand feet of  
138 any public school in the school district where such student  
139 attended school in which case such student may be on the  
140 property of his or her residence without direct adult  
141 supervision.

142 4. Any student who violates the condition of  
143 suspension required pursuant to subsection 3 of this section  
144 may be subject to expulsion or further suspension pursuant  
145 to the provisions of sections 167.161, 167.164, and  
146 167.171. In making this determination consideration shall  
147 be given to whether the student poses a threat to the safety  
148 of any child or school employee and whether such student's  
149 unsupervised presence within one thousand feet of the school  
150 is disruptive to the educational process or undermines the  
151 effectiveness of the school's disciplinary policy. Removal  
152 of any pupil who is a student with a disability is subject  
153 to state and federal procedural rights. This section shall  
154 not limit a school district's ability to:

155 (1) Prohibit all students who are suspended from being  
156 on school property or attending an activity while on  
157 suspension;

158 (2) Discipline students for off-campus conduct that  
159 negatively affects the educational environment to the extent  
160 allowed by law.

161 5. The policy shall provide for a suspension for a  
162 period of not less than one year, or expulsion, for a  
163 student who is determined to have brought a weapon to

164 school, including but not limited to the school playground  
165 or the school parking lot, brought a weapon on a school bus  
166 or brought a weapon to a school activity whether on or off  
167 of the school property in violation of district policy,  
168 except that:

169 (1) The superintendent or, in a school district with  
170 no high school, the principal of the school which such child  
171 attends may modify such suspension on a case-by-case basis;  
172 and

173 (2) This section shall not prevent the school district  
174 from providing educational services in an alternative  
175 setting to a student suspended under the provisions of this  
176 section.

177 6. For the purpose of this section, the term "weapon"  
178 shall mean a firearm as defined under 18 U.S.C. Section 921  
179 and the following items, as defined in section 571.010: a  
180 blackjack, a concealable firearm, an explosive weapon, a  
181 firearm, a firearm silencer, a gas gun, a knife, knuckles, a  
182 machine gun, a projectile weapon, a rifle, a shotgun, a  
183 spring gun or a switchblade knife; except that this section  
184 shall not be construed to prohibit a school board from  
185 adopting a policy to allow a Civil War reenactor to carry a  
186 Civil War era weapon on school property for educational  
187 purposes so long as the firearm is unloaded. The local  
188 board of education shall define weapon in the discipline  
189 policy. Such definition shall include the weapons defined  
190 in this subsection but may also include other weapons.

191 7. All school district personnel responsible for the  
192 care and supervision of students are authorized to hold  
193 every pupil strictly accountable for any disorderly conduct  
194 in school or on any property of the school, on any school  
195 bus going to or returning from school, during school-

196 sponsored activities, or during intermission or recess  
197 periods.

198 8. Teachers and other authorized district personnel in  
199 public schools responsible for the care, supervision, and  
200 discipline of schoolchildren, including volunteers selected  
201 with reasonable care by the school district, shall not be  
202 civilly liable when acting in conformity with the  
203 established policies developed by each board, including but  
204 not limited to policies of student discipline or when  
205 reporting to his or her supervisor or other person as  
206 mandated by state law acts of school violence or threatened  
207 acts of school violence, within the course and scope of the  
208 duties of the teacher, authorized district personnel or  
209 volunteer, when such individual is acting in conformity with  
210 the established policies developed by the board. Nothing in  
211 this section shall be construed to create a new cause of  
212 action against such school district, or to relieve the  
213 school district from liability for the negligent acts of  
214 such persons.

215 9. Each school board shall define in its discipline  
216 policy acts of violence and any other acts that constitute a  
217 serious violation of that policy. "Acts of violence" as  
218 defined by school boards shall include but not be limited to  
219 exertion of physical force by a student with the intent to  
220 do serious bodily harm to another person while on school  
221 property, including a school bus in service on behalf of the  
222 district, or while involved in school activities. School  
223 districts shall for each student enrolled in the school  
224 district compile and maintain records of any serious  
225 violation of the district's discipline policy. Such records  
226 shall be made available to teachers and other school  
227 district employees with a need to know while acting within  
228 the scope of their assigned duties, and shall be provided as

229 required in section 167.020 to any school district in which  
230 the student subsequently attempts to enroll.

231 10. Spanking, when administered by certificated  
232 personnel and in the presence of a witness who is an  
233 employee of the school district, or the use of reasonable  
234 force to protect persons or property, when administered by  
235 personnel of a school district in a reasonable manner in  
236 accordance with the local board of education's written  
237 policy of discipline, is not abuse within the meaning of  
238 chapter 210. [The provisions of sections 210.110 to 210.165  
239 notwithstanding, the children's division shall not have  
240 jurisdiction over or investigate any report of alleged child  
241 abuse arising out of or related to the use of reasonable  
242 force to protect persons or property when administered by  
243 personnel of a school district or any spanking administered  
244 in a reasonable manner by any certificated school personnel  
245 in the presence of a witness who is an employee of the  
246 school district pursuant to a written policy of discipline  
247 established by the board of education of the school  
248 district, as long as no allegation of sexual misconduct  
249 arises from the spanking or use of force.

250 11. If a student reports alleged sexual misconduct on  
251 the part of a teacher or other school employee to a person  
252 employed in a school facility who is required to report such  
253 misconduct to the children's division under section 210.115,  
254 such person and the superintendent of the school district  
255 shall report the allegation to the children's division as  
256 set forth in section 210.115. Reports made to the  
257 children's division under this subsection shall be  
258 investigated by the division in accordance with the  
259 provisions of sections 210.145 to 210.153 and shall not be  
260 investigated by the school district under subsections 12 to  
261 20 of this section for purposes of determining whether the

262 allegations should or should not be substantiated. The  
263 district may investigate the allegations for the purpose of  
264 making any decision regarding the employment of the accused  
265 employee.

266 [12.] 11. Upon receipt of any reports of child abuse by  
267 the children's division [other than reports provided under  
268 subsection 11 of this section,] pursuant to sections 210.110  
269 to 210.165 which allegedly involve personnel of a school  
270 district, the children's division shall notify the  
271 superintendent of schools of the district or, if the person  
272 named in the alleged incident is the superintendent of  
273 schools, the president of the school board of the school  
274 district where the alleged incident occurred.

275 [13. If, after an initial investigation, the  
276 superintendent of schools or the president of the school  
277 board finds that the report involves an alleged incident of  
278 child abuse other than the administration of a spanking by  
279 certificated school personnel or the use of reasonable force  
280 to protect persons or property when administered by school  
281 personnel pursuant to a written policy of discipline or that  
282 the report was made for the sole purpose of harassing a  
283 public school employee, the superintendent of schools or the  
284 president of the school board shall immediately refer the  
285 matter back to the children's division and take no further  
286 action. In all matters referred back to the children's  
287 division, the division shall treat the report in the same  
288 manner as other reports of alleged child abuse received by  
289 the division.

290 14. If the report pertains to an alleged incident  
291 which arose out of or is related to a spanking administered  
292 by certificated personnel or the use of reasonable force to  
293 protect persons or property when administered by personnel  
294 of a school district pursuant to a written policy of



295 discipline or a report made for the sole purpose of  
296 harassing a public school employee, a notification of the  
297 reported child abuse shall be sent by the superintendent of  
298 schools or the president of the school board to the law  
299 enforcement in the county in which the alleged incident  
300 occurred.

301 15. The report shall be jointly investigated by the  
302 law enforcement officer and the superintendent of schools  
303 or, if the subject of the report is the superintendent of  
304 schools, by a law enforcement officer and the president of  
305 the school board or such president's designee.

306 16. The investigation shall begin no later than forty-  
307 eight hours after notification from the children's division  
308 is received, and shall consist of, but need not be limited  
309 to, interviewing and recording statements of the child and  
310 the child's parents or guardian within two working days  
311 after the start of the investigation, of the school district  
312 personnel allegedly involved in the report, and of any  
313 witnesses to the alleged incident.

314 17. The law enforcement officer and the investigating  
315 school district personnel shall issue separate reports of  
316 their findings and recommendations after the conclusion of  
317 the investigation to the school board of the school district  
318 within seven days after receiving notice from the children's  
319 division.

320 18. The reports shall contain a statement of  
321 conclusion as to whether the report of alleged child abuse  
322 is substantiated or is unsubstantiated.

323 19. The school board shall consider the separate  
324 reports referred to in subsection 17 of this section and  
325 shall issue its findings and conclusions and the action to  
326 be taken, if any, within seven days after receiving the last

327 of the two reports. The findings and conclusions shall be  
328 made in substantially the following form:

329 (1) The report of the alleged child abuse is  
330 unsubstantiated. The law enforcement officer and the  
331 investigating school board personnel agree that there was  
332 not a preponderance of evidence to substantiate that abuse  
333 occurred;

334 (2) The report of the alleged child abuse is  
335 substantiated. The law enforcement officer and the  
336 investigating school district personnel agree that the  
337 preponderance of evidence is sufficient to support a finding  
338 that the alleged incident of child abuse did occur;

339 (3) The issue involved in the alleged incident of  
340 child abuse is unresolved. The law enforcement officer and  
341 the investigating school personnel are unable to agree on  
342 their findings and conclusions on the alleged incident.

343 20. The findings and conclusions of the school board  
344 under subsection 19 of this section shall be sent to the  
345 children's division. If the findings and conclusions of the  
346 school board are that the report of the alleged child abuse  
347 is unsubstantiated, the investigation shall be terminated,  
348 the case closed, and no record shall be entered in the  
349 children's division central registry. If the findings and  
350 conclusions of the school board are that the report of the  
351 alleged child abuse is substantiated, the children's  
352 division shall report the incident to the prosecuting  
353 attorney of the appropriate county along with the findings  
354 and conclusions of the school district and shall include the  
355 information in the division's central registry. If the  
356 findings and conclusions of the school board are that the  
357 issue involved in the alleged incident of child abuse is  
358 unresolved, the children's division shall report the  
359 incident to the prosecuting attorney of the appropriate

360 county along with the findings and conclusions of the school  
361 board, however, the incident and the names of the parties  
362 allegedly involved shall not be entered into the central  
363 registry of the children's division unless and until the  
364 alleged child abuse is substantiated by a court of competent  
365 jurisdiction.

366 21. Any superintendent of schools, president of a  
367 school board or such person's designee or law enforcement  
368 officer who knowingly falsifies any report of any matter  
369 pursuant to this section or who knowingly withholds any  
370 information relative to any investigation or report pursuant  
371 to this section is guilty of a class A misdemeanor.

372 22.] 12. In order to ensure the safety of all  
373 students, should a student be expelled for bringing a weapon  
374 to school, violent behavior, or for an act of school  
375 violence, that student shall not, for the purposes of the  
376 accreditation process of the Missouri school improvement  
377 plan, be considered a dropout or be included in the  
378 calculation of that district's educational persistence ratio.

160.560. 1. The department of elementary and  
2 secondary education shall establish the "Show-Me Success  
3 Diploma Program".

4 2. Under the show-me success diploma program, the  
5 department of elementary and secondary education shall  
6 develop the "Show-Me Success Diploma" as an alternative  
7 pathway to graduation for high school students that may be  
8 earned at any point between the end of a student's tenth  
9 grade year and the conclusion of the student's twelfth grade  
10 year.

11 3. Before July 1, 2023, the department of elementary  
12 and secondary education shall develop detailed requirements  
13 for students to become eligible for the show-me success  
14 diploma that include at least the following:

15           (1) Demonstrated skills and knowledge in English,  
16 science, and mathematical literacy to be successful in  
17 college-level courses offered by the community colleges in  
18 this state that count toward a degree or certificate without  
19 taking remedial or developmental coursework; and

20           (2) Satisfactory grades on approved examinations in  
21 subjects determined to be necessary to prepare a student to  
22 enter postsecondary education without taking remedial or  
23 developmental coursework.

24           4. School districts and charter schools may offer a  
25 course of study designed to meet the requirements to obtain  
26 a show-me success diploma to students entering the ninth  
27 grade. Students who elect to pursue a show-me success  
28 diploma shall participate in a course of study designed by  
29 the school district to meet the requirements established  
30 under subsection 3 of this section. The show-me success  
31 diploma shall be available to any such student until the end  
32 of that student's twelfth grade year.

33           5. Students who earn a show-me success diploma may  
34 remain in high school and participate in programs of study  
35 available through the school district or charter school  
36 until that student would otherwise have graduated at the end  
37 of grade twelve. For purposes of calculation and  
38 distribution of state aid, the school district or charter  
39 school of a pupil having earned a show-me success diploma  
40 who remains enrolled in the school district or charter  
41 school shall continue to include the pupil in the pupil  
42 enrollment of each such school district or charter school  
43 and shall continue to receive funding for a pupil who earns  
44 a show-me success diploma until that pupil would otherwise  
45 have graduated at the end of grade twelve. Students who  
46 elect to remain in high school under this subsection shall  
47 be eligible to participate in extracurricular activities,

48 including interscholastic sports, through the end of grade  
49 twelve.

50 6. Students who pursue but do not meet the eligibility  
51 requirements for a show-me success diploma at the end of  
52 grade ten or eleven shall receive a customized program of  
53 assistance during the next school year that addresses areas  
54 in which the student demonstrated deficiencies in the course  
55 requirements. Students may choose to return to a  
56 traditional academic program without completing the show-me  
57 success diploma.

58 7. The department of elementary and secondary  
59 education shall provide training, guidance, and assistance  
60 to teachers and administrators of the schools offering the  
61 show-me success diploma and shall closely monitor the  
62 progress of the schools in the development of the program.

63 8. Pupils who earn a show-me success diploma and do  
64 not remain enrolled in the district or charter school and  
65 instead enroll, or show proof that they will enroll, in a  
66 postsecondary educational institution eligible to  
67 participate in a student aid program administered by the  
68 U.S. Department of Education shall be included in the  
69 district's or charter school's state aid calculation under  
70 section 163.031, until such time that the pupil would have  
71 completed the pupil's twelfth grade year had the pupil not  
72 earned a show-me success diploma. The funding assigned to a  
73 pupil under this subsection shall be calculated as if the  
74 pupil's attendance percentage equaled the district's or  
75 charter school's prior year average attendance percentage.  
76 For a pupil who, as provided in this subsection, is included  
77 in the district's or charter school's state aid calculation  
78 but who is not enrolled in the district or charter school,  
79 an amount equal to ninety percent of the pupil's  
80 proportionate share of the state, local, and federal aid

81 that the district or charter school receives for the pupil  
82 under this subsection shall be deposited into an account  
83 established under sections 166.400 to 166.455 that lists the  
84 pupil as the beneficiary. The state treasurer shall provide  
85 guidance and assist school districts, charter schools,  
86 pupils, and parents or guardians of pupils with the  
87 creation, maintenance, and use of an account that has been  
88 established under sections 166.400 to 166.455.

89 9. The department of elementary and secondary  
90 education shall promulgate all necessary rules and  
91 regulations for the administration of this section. Any  
92 rule or portion of a rule, as that term is defined in  
93 section 536.010, that is created under the authority  
94 delegated in this section shall become effective only if it  
95 complies with and is subject to all of the provisions of  
96 chapter 536 and, if applicable, section 536.028. This  
97 section and chapter 536 are nonseverable, and if any of the  
98 powers vested with the general assembly pursuant to chapter  
99 536 to review, to delay the effective date, or to disapprove  
100 and annul a rule are subsequently held unconstitutional,  
101 then the grant of rulemaking authority and any rule proposed  
102 or adopted after August 28, 2022, shall be invalid and void.

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

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

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

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

11 (4) Is not eligible to receive funding under section  
12 160.415 or 163.031.

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

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

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

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

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

20 2. The department of elementary and secondary  
21 education shall grant the authorization described under  
22 subsection 1 of this section based on a bid process  
23 conducted in accordance with the rules and regulations  
24 governing purchasing through the office of administration.  
25 The successful bidder shall:

26 (1) Demonstrate the ability to establish, within  
27 twenty-one months of the receipt of the authorization, four  
28 adult high schools offering high school diplomas, an  
29 industry certification program or programs, and [on-site]  
30 child care for children of the students attending the high  
31 schools;

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

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

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

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

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

52           (7) Establish the ability to meet quality standards  
53 through certified teachers and programs that support each  
54 student in [his or her] such student's goal to find a more  
55 rewarding job;

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

61           (9) Establish a process for determining outcomes of  
62 the adult high school, including outcomes related to a  
63 student's ability to find a more rewarding job through the



64 attainment of a high school diploma and job training and  
65 certification; and

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

68 3. (1) The department of elementary and secondary  
69 education shall establish academic requirements for students  
70 to obtain high school diplomas.

71 (2) Requirements for a high school diploma shall be  
72 based on an adult student's prior high school achievement  
73 and the remaining credits and coursework that would be  
74 necessary for the student to receive a high school diploma  
75 if [he or she] such student were in a traditional high  
76 school setting. The adult student shall meet the  
77 requirements with the same level of academic rigor as would  
78 otherwise be necessary to attain such credits.

79 (3) The adult high school authorized under this  
80 section shall award high school diplomas to students who  
81 successfully meet the established academic requirements.  
82 The adult high school authorized under this section shall  
83 confer the diploma as though the student earned the diploma  
84 at a traditional high school. The diploma shall have no  
85 differentiating marks, titles, or other symbols.

86 (4) Students at adult high schools may complete  
87 required coursework at their own pace and as available  
88 through the adult high school. They shall not be required  
89 to satisfy any specific number of class minutes. The adult  
90 high school may also make classes available to students  
91 online as may be appropriate. However, students shall not  
92 complete the majority of instruction of the school's  
93 curriculum online or through remote instruction. For the  
94 purposes of this subsection, synchronous instruction  
95 connecting students to a live class conducted in a Missouri

96 adult high school shall be treated the same as in-person  
97 instruction.

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

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

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

14 2. There is hereby established within the department  
15 of elementary and secondary education the "Missouri Advisory  
16 Board for Educator Preparation", hereinafter referred to as  
17 "MABEP". The MABEP shall advise the state board of  
18 education and the coordinating board for higher education  
19 regarding matters of mutual interest in the area of quality  
20 educator preparation programs in Missouri. The advisory  
21 board shall include at least three active elementary or  
22 secondary classroom teachers and at least three faculty

23 members within approved educator preparation programs. The  
24 classroom teacher members shall be selected to represent  
25 various regions of the state and districts of different  
26 sizes. The faculty representatives shall represent  
27 institutions from various regions of the state and sizes of  
28 programs. The advisory board shall hold regular meetings  
29 that allow members to share needs and concerns and plan  
30 strategies to enhance teacher preparation.

31 3. Upon approval by the state board of education of  
32 the teacher education program at a particular teacher  
33 training institution, any person who graduates from that  
34 program, and who meets other requirements which the state  
35 board of education shall prescribe by rule, regulation and  
36 statute shall be granted a certificate or license to teach  
37 in the public schools of this state. However, no such rule  
38 or regulation shall require that the program from which the  
39 person graduates be accredited by any national or regional  
40 accreditation association.

41 4. The state board of education shall, in consultation  
42 with MABEP, align literacy and reading instruction  
43 coursework for teacher education programs in early  
44 childhood, kindergarten to fifth grade elementary teacher  
45 certification, middle school communication arts, high school  
46 communication arts, and all reading and special education  
47 certificates to include the following:

48 (1) Teacher candidates shall receive classroom and  
49 clinical training in:

50 (a) The core components of reading, including phonemic  
51 awareness, phonics, fluency, comprehension, morphology,  
52 syntax, and vocabulary;

53 (b) Oral and written language development; and

54 (c) Identification of reading deficiencies, dyslexia,  
55 and other language difficulties;

- 56           (2) Teacher candidates shall also have training on:  
57           (a) The selection and use of reading curricula and  
58 instructional materials;  
59           (b) The administration and interpretation of  
60 assessments;  
61           (c) How to translate assessment results into effective  
62 practice in the classroom specific to the needs of students;  
63 and  
64           (d) Additional best practices in the field of literacy  
65 instruction as recommended by the literacy advisory council  
66 pursuant to section 186.080.

67           5. Any rule or portion of a rule, as that term is  
68 defined in section 536.010, that is created under the  
69 authority delegated in this section shall become effective  
70 only if it complies with and is subject to all of the  
71 provisions of chapter 536 and, if applicable, section  
72 536.028. This section and chapter 536 are nonseverable and  
73 if any of the powers vested with the general assembly  
74 pursuant to chapter 536 to review, to delay the effective  
75 date, or to disapprove and annul a rule are subsequently  
76 held unconstitutional, then the grant of rulemaking  
77 authority and any rule proposed or adopted after August 28,  
78 2014, shall be invalid and void.

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

- 3           (1) "Board", the state board of education;  
4           (2) "Department", the department of elementary and  
5 secondary education;  
6           (3) "School innovation team", a group of natural  
7 persons officially authorized by:  
8           (a) A single elementary or secondary school;  
9           (b) A group of two or more elementary or secondary  
10 schools within the same school district that share common

11 interests, such as geographical location or educational  
12 focus, or that sequentially serve classes of students as  
13 they progress through elementary and secondary education;

14 (c) A group of two or more elementary or secondary  
15 schools not within the same school district that share  
16 common interests, such as geographical location or  
17 educational focus, or that sequentially serve classes of  
18 students as they progress through elementary and secondary  
19 education;

20 (d) A single school district; or

21 (e) A group of two or more school districts that share  
22 common interests, such as geographical location or  
23 educational focus, or that sequentially serve classes of  
24 students as they progress through elementary and secondary  
25 education;

26 (4) "School innovation waiver", a waiver granted by  
27 the board to a single school, group of schools, single  
28 school district, or group of school districts pursuant to  
29 this section, in which the school, group of schools, school  
30 district, or group of school districts is exempt from a  
31 specific requirement imposed by chapter 160, chapter 161,  
32 chapter 162, chapter 167, chapter 170, or chapter 171, or  
33 any regulations promulgated thereunder by the board or the  
34 department. Any school innovation waiver granted to a  
35 school district or group of school districts shall be  
36 applicable to every elementary and secondary school within  
37 the school district or group of school districts unless the  
38 plan specifically provides otherwise.

39 2. Any school innovation team seeking a school  
40 innovation waiver may submit a plan to the board for one or  
41 more of the following purposes:

42 (1) Improving student readiness for employment, higher  
43 education, vocational training, technical training, or any  
44 other form of career and job training;

45 (2) Increasing the compensation of teachers; or

46 (3) Improving the recruitment, retention, training,  
47 preparation, or professional development of teachers.

48 3. Any plan for a school innovation waiver shall:

49 (1) Identify the specific provision of law for which a  
50 waiver is being requested and provide an explanation for why  
51 the specific provision of law inhibits the ability of the  
52 school or school district to accomplish the goal stated in  
53 the plan;

54 (2) Demonstrate that the intent of the specific  
55 provision of law can be addressed in a more effective,  
56 efficient, or economical manner and that the waiver or  
57 modification is necessary to implement the plan;

58 (3) Include measurable annual performance targets and  
59 goals for the implementation of the plan;

60 (4) Specify the innovations to be pursued in meeting  
61 one or more of the goals listed in subsection 2 of this  
62 section;

63 (5) Demonstrate parental, school employee, and  
64 community and business support for, and engagement with, the  
65 plan; and

66 (6) Be approved by at least the minimum number of  
67 people required to be on the school innovation team prior to  
68 submitting the plan for approval.

69 4. (1) In evaluating a plan submitted by a school  
70 innovation team under subsection 2 of this section, the  
71 board shall consider whether the plan will:

72 (a) Improve the preparation, counseling, and overall  
73 readiness of students for postsecondary life;

74           (b) Increase teacher salaries in a financially  
75 sustainable and prudent manner; or

76           (c) Increase the attractiveness of the teaching  
77 profession for prospective teachers and active teachers  
78 alike.

79           (2) The board may approve any plan submitted under  
80 subsection 2 of this section if it determines that:

81           (a) The plan successfully demonstrates the ability to  
82 address the intent of the provision of law to be waived in a  
83 more effective, efficient, or economical manner;

84           (b) The waivers or modifications are demonstrated to  
85 be necessary to stimulate improved student readiness for  
86 postsecondary life, increase teacher salaries, or increase  
87 the attractiveness of the teaching profession for  
88 prospective teachers and active teachers;

89           (c) The plan has demonstrated sufficient participation  
90 from among the teachers, principals, superintendent,  
91 faculty, school board, parents, and the community at large;  
92 and

93           (d) The plan is based upon sound educational  
94 practices, does not endanger the health and safety of  
95 students or staff, and does not compromise equal opportunity  
96 for learning.

97           (3) The board may propose modifications to the plan in  
98 cooperation with the school innovation team.

99           5. Any waiver granted under this section shall be  
100 effective for a period of no longer than three school years  
101 beginning the school year following the school year in which  
102 the waiver is approved. Any waiver may be renewed. No more  
103 than one school innovation waiver shall be in effect with  
104 respect to any one elementary or secondary school at one  
105 time.

106           6. This section shall not be construed to allow the  
107 state board of education to authorize the waiver of any  
108 statutory requirements relating to teacher certification,  
109 teacher tenure, or any requirement imposed by federal law.

110           7. The department shall publish an annual report based  
111 on the school innovation waivers considered by the state  
112 board. The report shall document the waivers submitted and  
113 wavers approved, at the statewide, district, and school  
114 building levels, and provide data at the statewide,  
115 district, and school building levels of sufficient detail to  
116 allow analysis of trends regarding the purposes for waiver  
117 requests, the statutes waived or requested to be waived, any  
118 modifications approved by the state board, and the state  
119 board's actions to approve or deny waiver requests.

120           8. The board may promulgate rules implementing the  
121 provisions of this section. Any rule or portion of a rule,  
122 as that term is defined in section 536.010, that is created  
123 under the authority delegated in this section shall become  
124 effective only if it complies with and is subject to all of  
125 the provisions of chapter 536 and, if applicable, section  
126 536.028. This section and chapter 536 are nonseverable and  
127 if any of the powers vested with the general assembly  
128 pursuant to chapter 536 to review, to delay the effective  
129 date, or to disapprove and annul a rule are subsequently  
130 held unconstitutional, then the grant of rulemaking  
131 authority and any rule proposed or adopted after August 28,  
132 2022, shall be invalid and void.

161.241. 1. The state board of education, in  
2 collaboration with the coordinating board for higher  
3 education and the commissioner's advisory council under  
4 section 186.080, shall develop a plan to establish a  
5 comprehensive system of services for reading instruction.



6           2. The state board of education shall establish and  
7 periodically update a statewide literacy plan that supports  
8 high quality, evidence-based reading instruction for all  
9 students.

10           3. The state board of education shall create an office  
11 of literacy. The commissioner of education shall coordinate  
12 staff with roles relating to literacy and align staff work  
13 around supporting best practices in reading instruction.

14           4. The state board of education shall align literacy  
15 and reading instruction coursework for teacher education  
16 programs as required under subsection 4 of section 161.097.

17           5. Subject to appropriation, the department of  
18 elementary and secondary education shall recruit and employ  
19 quality teacher trainers with expertise in reading  
20 instruction and provide opportunities for evidence-based  
21 professional development in reading instruction available  
22 for all active teachers.

23           6. The department shall maintain and publish data on  
24 reading outcomes, provided that the report shall not include  
25 individually identifiable student data.

26           7. The department shall publish criteria and examples  
27 to help districts and schools select and use evidence-based  
28 reading curricula and instructional materials.  
29 Additionally, the department shall publish a list of  
30 curricula that ensure instruction is explicit, systematic,  
31 diagnostic, and based on phonological awareness, phonics,  
32 fluency, vocabulary, comprehension, morphology, syntax, and  
33 semantics. This shall be a resource to districts.

34           8. The department shall provide online tools and  
35 training for active teachers on evidence-based reading  
36 instruction.

37           9. There is hereby created in the state treasury the  
38 "Evidence-based Reading Instruction Program Fund". The fund

39 shall be administered by the department and used to  
40 reimburse school districts and charter schools for efforts  
41 to improve student literacy, including, but not limited to:  
42 initiatives that provide optional training and materials to  
43 teachers regarding best practices in reading pedagogies;  
44 resources for parents and guardians to assist them in  
45 teaching their children to read; funding for reading  
46 tutoring programs outside of regular school hours; stipends  
47 for teachers who undergo additional training in reading  
48 instruction, which may also count toward professional  
49 development requirements; and funding for summer reading  
50 programs. The fund shall consist of moneys appropriated  
51 annually by the general assembly from general revenue to  
52 such fund, any moneys paid into the state treasury and  
53 required by law to be credited to such fund, and any gifts,  
54 bequests, or donations to such fund. The fund shall be kept  
55 separate and apart from all other moneys in the state  
56 treasury and shall be paid out by the state treasurer  
57 pursuant to chapter 33. Notwithstanding the provisions of  
58 section 33.080 to the contrary, moneys in the fund at the  
59 end of the biennium shall not be transferred to the credit  
60 of the general revenue fund. All interest and moneys earned  
61 on the fund shall be credited to the fund.

161.380. 1. Subject to appropriations, the department  
2 of elementary and secondary education shall establish the  
3 "Competency-Based Education Grant Program".

4 2. (1) There is hereby created in the state treasury  
5 the "Competency-Based Education Grant Program Fund". The  
6 fund shall consist of any appropriations to such fund and  
7 any gifts, contributions, grants, or bequests received from  
8 private or other sources for the purpose of providing  
9 competency-based education programs. The state treasurer  
10 shall be custodian of the fund. In accordance with sections

11 30.170 and 30.180, the state treasurer may approve  
12 disbursements of public moneys in accordance with  
13 distribution requirements and procedures developed by the  
14 department of elementary and secondary education. The fund  
15 shall be a dedicated fund and, upon appropriation, moneys in  
16 the fund shall be used solely for the administration of this  
17 section.

18 (2) Notwithstanding the provisions of section 33.080  
19 to the contrary, any moneys remaining in the fund at the end  
20 of the biennium shall not revert to the credit of the  
21 general revenue fund.

22 (3) The state treasurer shall invest moneys in the  
23 fund in the same manner as other funds are invested. Any  
24 interest and moneys earned on such investments shall be  
25 credited to the fund.

26 3. The department of elementary and secondary  
27 education shall award grants from the competency-based  
28 education grant program fund to eligible school districts  
29 for the purpose of providing competency-based education  
30 programs. A school district wishing to receive such a grant  
31 shall submit an application to the department of elementary  
32 and secondary education addressing:

33 (1) A core mission that competency-based education  
34 courses will help achieve;

35 (2) A plan that outlines competency-based education  
36 courses and key metrics that will show success;

37 (3) Resources available to the school and in the  
38 community that will assist in creating successful competency-  
39 based outcomes; and

40 (4) Resources and support needed to help the school  
41 succeed in implementing competency-based education courses.

42 4. The department of elementary and secondary  
43 education shall facilitate the creation, sharing, and

44 development of course assessments; curriculum; training and  
45 guidance for teachers; and best practices for the school  
46 districts that offer competency-based education courses.

47 5. For purposes of this section, the term "competency-  
48 based education program" means an educational program that:

49 (1) Affords students flexibility to progress and earn  
50 course credit upon demonstration of mastery, including  
51 through early high school graduation;

52 (2) Provides individual learning and assessment  
53 options, including through experiential and project-based  
54 learning, online or blended learning, additional remedial  
55 education time, and accelerated-pace curricula;

56 (3) Assesses student proficiency based on graduate  
57 profiles describing meaningful and critical knowledge and  
58 skills that students should have upon graduation; or

59 (4) Assesses student proficiency through tasks  
60 developed both locally and at the state level, performance  
61 of which demonstrates mastery.

62 6. The department of elementary and secondary  
63 education shall promulgate all necessary rules and  
64 regulations for the administration of this section. Any  
65 rule or portion of a rule, as that term is defined in  
66 section 536.010, that is created under the authority  
67 delegated in this section shall become effective only if it  
68 complies with and is subject to all of the provisions of  
69 chapter 536 and, if applicable, section 536.028. This  
70 section and chapter 536 are nonseverable, and if any of the  
71 powers vested with the general assembly pursuant to chapter  
72 536 to review, to delay the effective date, or to disapprove  
73 and annul a rule are subsequently held unconstitutional,  
74 then the grant of rulemaking authority and any rule proposed  
75 or adopted after August 28, 2022, shall be invalid and void.

161.385. 1. There is hereby established the  
2 "Competency-Based Education Task Force" to study and develop  
3 competency-based education programs in public schools. Task  
4 force members shall be chosen to represent the geographic  
5 diversity of the state. Task force members shall be  
6 appointed for a term of two years and may be reappointed.  
7 All task force members shall be appointed before December  
8 31, 2022, and every other year thereafter by December thirty-  
9 first of that year. The task force members shall be  
10 appointed as follows:

11 (1) Two members of the house of representatives  
12 appointed by the speaker of the house of representatives;

13 (2) Two members of the senate appointed by the  
14 president pro tempore of the senate;

15 (3) The commissioner of the department of elementary  
16 and secondary education or the commissioner's designee; and

17 (4) Four members appointed by the governor. Two  
18 members shall each represent a separate school district that  
19 offers competency-based education courses.

20 2. The members of the task force established under  
21 subsection 1 of this section shall elect a chair from among  
22 the membership of the task force. The task force shall meet  
23 as needed to complete its consideration of its objectives as  
24 established in subsections 4 and 5 of this section. Any  
25 vacancy on the task force shall be filled in the same manner  
26 as the original appointment. Members of the task force  
27 shall serve without compensation, but shall be entitled to  
28 reimbursement for actual and necessary expenses incurred in  
29 the performance of official duties.

30 3. The department of elementary and secondary  
31 education shall provide such legal, research, clerical, and  
32 technical services as the task force may require in the  
33 performance of official duties.

34           4. The task force shall:

35           (1) Work toward implementing competency-based  
36 education courses statewide and devising a plan for Missouri  
37 to lead the way in competency-based education courses;

38           (2) Solicit input from individuals and organizations  
39 with information or expertise relevant to the task force's  
40 objective, including experts and educators with experience  
41 related to competency-based education programs;

42           (3) Hold at least three public hearings to provide an  
43 opportunity to receive public testimony including, but not  
44 limited to, testimony from educators, local school boards,  
45 parents, representatives from business and industry, labor  
46 and community leaders, members of the general assembly, and  
47 the general public;

48           (4) Identify promising competency-based education  
49 programs, including programs that:

50           (a) Afford students flexibility to progress and earn  
51 course credit upon demonstration of mastery, including  
52 through early high school graduation;

53           (b) Provide individual learning and assessment  
54 options, including through experiential and project-based  
55 learning, online or blended learning, additional remedial  
56 education time, and accelerated-pace curricula; or

57           (c) Assess student proficiency through tasks developed  
58 both locally and at the state level, performance of which  
59 demonstrates mastery;

60           (5) Identify obstacles to implementing competency-  
61 based education programs in Missouri public schools;

62           (6) Develop comprehensive graduate profiles that  
63 describe meaningful and critical knowledge skills that  
64 students should have upon graduation that can be implemented  
65 into a diploma designation;

66           (7) Develop findings and recommendations for  
67 implementing competency-based education models and practices  
68 in Missouri public schools, including recommending changes  
69 to existing legislation, rules, and regulations; and  
70           (8) Develop findings and recommendations for  
71 implementing a competency-based performance assessment that:  
72           (a) Is consistent with the most effective competency-  
73 based education programs identified by the task force under  
74 subdivision (4) of this subsection;  
75           (b) Assesses students based on both locally developed  
76 and common statewide performance tasks tied to grade and  
77 course competencies aligned with state content standards; and  
78           (c) Complies with all applicable federal law,  
79 including 20 U.S.C. Section 6311(b) (1) (B), as amended. To  
80 the extent that implementing a competency-based performance  
81 assessment would require the department of elementary and  
82 secondary education to obtain innovative assessment and  
83 accountability demonstration authority under 20 U.S.C.  
84 Section 6364, as amended, the task force shall develop  
85 findings and recommendations for obtaining such authority.  
86           5. Beginning in 2023, the task force shall present its  
87 findings and recommendations to the speaker of the house of  
88 representatives, the president pro tempore of the senate,  
89 the joint committee on education, and the state board of  
90 education by December first annually.

161.700. 1. This section shall be known as the  
2 "Holocaust Education and Awareness Commission Act".  
3           2. There is hereby created a permanent state  
4 commission known as the "Holocaust Education and Awareness  
5 Commission". The commission shall be housed in the  
6 department of elementary and secondary education and shall  
7 promote implementation of **[holocaust]** Holocaust education  
8 and awareness programs in Missouri in order to encourage

9 understanding of the [holocaust] Holocaust and discourage  
10 bigotry.

11 3. The commission shall be composed of twelve members  
12 to be appointed by the governor with advice and consent of  
13 the senate. The makeup of the commission shall be:

14 (1) The commissioner of higher education;

15 (2) The commissioner of elementary and secondary  
16 education;

17 (3) The president of the University of Missouri  
18 system; and

19 (4) Nine members of the public, representative of the  
20 diverse religious and ethnic heritage groups populating  
21 Missouri.

22 4. The [holocaust] Holocaust education and awareness  
23 commission may receive such funds as appropriated from  
24 public moneys or contributed to it by private sources. [It]  
25 The commission may sponsor programs or publications to  
26 educate the public about the crimes of genocide in an effort  
27 to deter indifference to crimes against humanity and human  
28 suffering wherever they occur.

29 5. The term ["holocaust"] "Holocaust" shall be defined  
30 as the [period from 1933 through 1945 when] systematic,  
31 state-sponsored persecution and murder of six million Jews  
32 [and millions of others were murdered] by the Nazi [Germany]  
33 regime and its allies and collaborators [as part of a  
34 structured, state-sanctioned program of genocide] during the  
35 period from 1933 through 1945.

36 6. The commission may employ an executive director and  
37 such other persons to carry out its functions.

38 7. (1) To educate students about the Holocaust and  
39 inspire in students a sense of responsibility to recognize  
40 and uphold human value and to prevent future atrocities, the



41 second week in April shall be designated as "Holocaust  
42 Education Week".

43 (2) Holocaust education shall be taught during a week  
44 as determined by each school district and shall include age-  
45 appropriate instruction to elementary school students not  
46 lower than the sixth grade and high school students as  
47 determined by each school district. Such instruction shall  
48 include, but not be limited to:

49 (a) Information providing a historical understanding  
50 of the Holocaust to offer context for the discussion of how  
51 and why the Holocaust happened;

52 (b) Participation, in person or using technology, in  
53 learning projects about the Holocaust; and

54 (c) The use of materials developed or supported by the  
55 Holocaust education and awareness commission, the United  
56 States Holocaust Memorial Museum, or the St. Louis Kaplan  
57 Feldman Holocaust Museum.

58 (3) Based on the instructional materials provided  
59 under paragraph (c) of subdivision (2) of this subsection,  
60 the department of elementary and secondary education shall  
61 develop a curriculum framework of instruction for studying  
62 the Holocaust. The department shall make such curriculum  
63 framework available to up to twenty-five school districts or  
64 schools within a district, with at least one district or  
65 school within each of the nine regional professional  
66 development centers, as defined by the department, as a  
67 pilot program in consultation with the Holocaust education  
68 and awareness commission beginning in the 2023-24 school  
69 year.

70 (4) Each school district participating in the pilot  
71 program shall adopt the curriculum framework provided by the  
72 department under subdivision (3) of this subsection in the  
73 2023-24 school year. Each school district shall determine

74 the minimum amount of instruction time that qualifies as a  
75 unit of instruction satisfying the requirements of this  
76 subsection.

77 (5) Each participating school district shall provide a  
78 plan of professional development for teachers to ensure such  
79 teachers are adequately prepared to provide the instruction  
80 required under this subsection.

81 (6) This subsection shall apply to schools  
82 participating in the pilot program starting in the 2023-24  
83 school year and the program shall be expanded in all  
84 subsequent school years, with all school districts  
85 participating by the 2025-26 school year.

86 (7) The department shall provide for a program  
87 evaluation regarding the success and impact of the pilot  
88 program upon completion of the first year of the pilot  
89 program and shall report the results of such evaluation to  
90 the general assembly. The department may consult with  
91 organizations including, but not limited to, the Holocaust  
92 education and awareness commission, the United States  
93 Holocaust Museum, or the St. Louis Kaplan Feldman Holocaust  
94 Museum to develop the evaluation.

162.058. 1. Before July 1, 2023, each school district  
2 and charter school shall, after receiving community input,  
3 implement a community engagement policy that provides  
4 residents of the school district methods of communicating  
5 with the school board or the governing board of a charter  
6 school located in the school district and with the  
7 administration of the school district or charter school.

8 2. The community engagement policy shall create a  
9 process allowing any resident of a school district to have  
10 an item placed on the agenda of a school board meeting, or a  
11 meeting of the governing board of a charter school located  
12 in the school district, if the resident follows the process

13 described in the policy. Such policy shall contain at least  
14 the following components:

15 (1) No item shall be placed on a meeting agenda under  
16 this section unless the item is directly related to the  
17 governance or operation of the school district or charter  
18 school;

19 (2) The school district or charter school may require  
20 the resident to first meet with the superintendent or the  
21 superintendent's designee to attempt a resolution of the  
22 issue. The superintendent or the superintendent's designee  
23 shall meet with the resident within twenty business days of  
24 a written request to meet. After such meeting, or if the  
25 superintendent or the superintendent's designee does not  
26 meet with the resident within twenty business days, the  
27 resident may submit a written request to the board secretary  
28 to have the issue brought before the school board or the  
29 governing board as a meeting agenda item. If the secretary  
30 receives the request at least five business days prior to  
31 the next regularly scheduled board meeting, the issue shall  
32 be placed as an item on the agenda for such meeting. If the  
33 secretary receives the request less than five days before  
34 the next regularly scheduled board meeting, the issue shall  
35 be placed as an item on the agenda for the next subsequent  
36 regular board meeting. An agenda item may be moved to a  
37 different board meeting with the consent of the resident  
38 requesting the agenda item;

39 (3) The school board or governing board may establish  
40 reasonable rules governing agenda items including, but not  
41 limited to, time limits for presentation or discussion of  
42 the agenda item and limits on the number of speakers to a  
43 single individual or to individuals who met with the  
44 superintendent or the superintendent's designee before the  
45 issue was brought before the board as a meeting agenda item;

46           (4) The school board or governing board may refuse to  
47 hear or delay hearing an agenda item if the school board or  
48 governing board has heard an identical or substantially  
49 similar issue in the previous three calendar months or if  
50 the resident has previously violated district rules  
51 regarding conduct at meetings or on school property; and

52           (5) The school board or governing board may delay  
53 hearing an agenda item if more than three resident-initiated  
54 agenda items are scheduled for the same board meeting. If  
55 the hearing of a resident's agenda item is delayed, the  
56 school board or governing board shall provide the resident  
57 with an alternate method of communicating to the school  
58 board or governing board regarding the agenda item.

162.084. 1. If any individual public elementary or  
2 secondary school, any charter school, or any school district  
3 is determined to be in the bottom five percent of scores on  
4 the annual performance report, such school, charter school,  
5 or district shall mail a letter to the parents and guardians  
6 of each student in such school, charter school, or district  
7 informing such parents and guardians:

8           (1) That the individual public elementary or secondary  
9 school, charter school, or school district has been  
10 determined to be in the bottom five percent of scores on the  
11 annual performance report; and

12           (2) What options are available to such students as a  
13 result of the school's, charter school's, or district's  
14 current status.

15           2. (1) Rules relating to the annual performance  
16 report rating shall require the department of elementary and  
17 secondary education to display, in a clear and easily  
18 accessible manner on the department's website, the annual  
19 performance report rating and ranking percentage for each  
20 local education agency and each attendance center within the

21 local education agency, the accreditation status for each  
22 school district, and a list of the bottom five percent of  
23 scores for all schools and for all local education agencies.

24 (2) Each local education agency shall display the same  
25 information outlined in subdivision (1) of this subsection  
26 for the local education agency and each attendance center  
27 within the local education agency in a clear and easily  
28 accessible manner on the local education agency's website.  
29 Information required to be posted on websites under this  
30 subdivision shall be included in the annual school  
31 accountability report card information required under  
32 section 160.522.

33 3. The requirements to mail a letter under subsection  
34 1 of this section and display information on the local  
35 education agency's website under subdivision (2) of  
36 subsection 2 of this section shall not apply to any special  
37 school district or state operated school in which all of the  
38 students enrolled are students with disabilities.

162.261. 1. The government and control of a seven-  
2 director school district, other than an urban district, is  
3 vested in a board of education of seven members, who hold  
4 their office for three years, except as provided in  
5 **[section]** sections 162.241 and 162.563, and until their  
6 successors are duly elected and qualified. Any vacancy  
7 occurring in the board shall be filled by the remaining  
8 members of the board; except that if there are more than two  
9 vacancies at any one time, the county commission upon  
10 receiving written notice of the vacancies shall fill the  
11 vacancies by appointment. If there are more than two  
12 vacancies at any one time in a county without a county  
13 commission, the county executive upon receiving written  
14 notice of the vacancies shall fill the vacancies, with the  
15 advice and consent of the county council, by appointment.

16 The person appointed shall hold office until the next  
17 municipal election, when a director shall be elected for the  
18 unexpired term.

19 2. No seven-director, urban, or metropolitan school  
20 district board of education shall hire a spouse of any  
21 member of such board for a vacant or newly created position  
22 unless the position has been advertised pursuant to board  
23 policy and the superintendent of schools submits a written  
24 recommendation for the employment of the spouse to the board  
25 of education. The names of all applicants as well as the  
26 name of the applicant hired for the position [are to] shall  
27 be included in the board minutes.

28 3. The provisions of Article VII, Section 6 of the  
29 Missouri Constitution apply to school districts.

162.281. Except as provided in section 162.563, in all  
2 seven-director districts, including urban districts, when  
3 directors are to be elected for terms of different lengths,  
4 each candidate shall declare for a term of a specific number  
5 of years and the different terms shall be voted upon as  
6 separate propositions.

162.291. Except as provided in section 162.563, the  
2 voters of each seven-director district other than urban  
3 districts shall, at municipal elections, elect two directors  
4 who are citizens of the United States and resident taxpayers  
5 of the district, who have resided in [this state] the  
6 district for one year next preceding their election or  
7 appointment, and who are at least twenty-four years of age.

162.471. 1. The government and control of an urban  
2 school district is vested in a board of seven directors.

2. Except as provided in section 162.563, each  
4 director shall be a voter of the district who has resided  
5 within this state for one year next preceding [his] the  
6 director's election or appointment and who is at least

7 twenty-four years of age. All directors, except as  
8 otherwise provided in [section] sections 162.481 [and  
9 section], 162.492, and 162.563, shall hold their offices for  
10 six years and until their successors are duly elected and  
11 qualified. All vacancies occurring in the board, except as  
12 provided in section 162.492, shall be filled by appointment  
13 by the board as soon as practicable, and the person  
14 appointed shall hold [his] office until the next school  
15 board election, when [his] a successor shall be elected for  
16 the remainder of the unexpired term. The power of the board  
17 to perform any official duty during the existence of a  
18 vacancy continues unimpaired thereby.

162.481. 1. Except as otherwise provided in this  
2 section and [in section] sections 162.492 and 162.563, all  
3 elections of school directors in urban school districts  
4 shall be held biennially at the same times and places as  
5 municipal elections.

6 2. Except as otherwise provided in subsections 3, 4,  
7 and 5 of this section, hereafter when a seven-director  
8 district becomes an urban school district, the directors of  
9 the prior seven-director district shall continue as  
10 directors of the urban school district until the expiration  
11 of the terms for which they were elected and until their  
12 successors are elected as provided in this subsection. The  
13 first biennial school election for directors shall be held  
14 in the urban school district at the time provided in  
15 subsection 1 which is on the date of or subsequent to the  
16 expiration of the terms of the directors of the prior  
17 district which are first to expire, and directors shall be  
18 elected to succeed the directors of the prior district whose  
19 terms have expired. If the terms of two directors only have  
20 expired, the directors elected at the first biennial school  
21 election in the urban school district shall be elected for

22 terms of six years. If the terms of four directors have  
23 expired, two directors shall be elected for terms of six  
24 years and two shall be elected for terms of four years. At  
25 the next succeeding biennial election held in the urban  
26 school district, successors for the remaining directors of  
27 the prior seven-director district shall be elected. If only  
28 two directors are to be elected they shall be elected for  
29 terms of six years each. If four directors are to be  
30 elected, two shall be elected for terms of six years and two  
31 shall be elected for terms of two years. After seven  
32 directors of the urban school district have been elected  
33 under this subsection, their successors shall be elected for  
34 terms of six years.

35 3. In any school district in which a majority of the  
36 district is located in any home rule city with more than one  
37 hundred fifty-five thousand but fewer than two hundred  
38 thousand inhabitants, elections shall be held annually at  
39 the same times and places as general municipal elections for  
40 all years where one or more terms expire, and the terms  
41 shall be for three years and until their successors are duly  
42 elected and qualified for all directors elected on and after  
43 August 28, 1998.

44 4. For any school district which becomes an urban  
45 school district by reason of the 2000 federal decennial  
46 census, elections shall be held annually at the same times  
47 and places as general municipal elections for all years  
48 where one or more terms expire, and the terms shall be for  
49 three years and until their successors are duly elected and  
50 qualified for all directors elected on and after August 28,  
51 2001.

52 5. In any school district in any county with a charter  
53 form of government and with more than three hundred thousand  
54 but fewer than four hundred fifty thousand inhabitants which



55 becomes an urban school district by reason of the 2010  
56 federal decennial census, elections shall be held annually  
57 at the same times and places as general municipal elections  
58 for all years where one or more terms expire, and the terms  
59 shall be for three years and until their successors are duly  
60 elected and qualified for all directors elected on and after  
61 April 2, 2012.

62         6. In any urban school district in a county of the  
63 first classification with more than eighty-three thousand  
64 but fewer than ninety-two thousand inhabitants and with a  
65 home rule city with more than seventy-six thousand but fewer  
66 than ninety-one thousand inhabitants as the county seat,  
67 elections shall be held annually at the same times and  
68 places as general municipal elections for all years where  
69 one or more terms expire, and upon expiration of any term  
70 after August 28, 2015, the term of office shall be for three  
71 years and until their successors are duly elected and  
72 qualified.

162.491. 1. Directors for urban school districts,  
2 other than those districts containing the greater part of a  
3 city of over one hundred thirty thousand inhabitants, may be  
4 nominated by petition to be filed with the secretary of the  
5 board and signed by a number of voters in the district equal  
6 to ten percent of the total number of votes cast for the  
7 director receiving the highest number of votes cast at the  
8 next preceding biennial election, except as provided in  
9 subsection 4 of this section.

10         2. This section shall not be construed as providing  
11 the sole method of nominating candidates for the office of  
12 school director in urban school districts [which] that do  
13 not contain the greater part of a city of over three hundred  
14 thousand inhabitants.

15           3. A director for any urban school district containing  
16 a city of greater than one hundred thirty thousand  
17 inhabitants and less than three hundred thousand inhabitants  
18 may be nominated as an independent candidate by filing with  
19 the secretary of the board a petition signed by five hundred  
20 registered voters of such school district.

21           4. In any urban school district located in a county of  
22 the first classification with more than eighty-three  
23 thousand but fewer than ninety-two thousand inhabitants and  
24 with a home rule city with more than seventy-six thousand  
25 but fewer than ninety-one thousand inhabitants as the county  
26 seat, a candidate for director shall file a declaration of  
27 candidacy with the secretary of the board and shall not be  
28 required to submit a petition.

29           5. No candidate for election as a school board  
30 director representing a subdistrict as provided in section  
31 162.563 shall be required to file a declaration of candidacy  
32 as provided in this section as the sole method of filing for  
33 candidacy.

162.563. 1. As used in this section, the following  
2 terms mean:

3           (1) "School board", the board vested with the  
4 government and control of a school district as described in  
5 section 162.261 or section 162.471;

6           (2) "School district", a seven-director school  
7 district or an urban school district established in this  
8 chapter.

9           2. A school board may divide the school district into  
10 seven subdistricts or a combination of subdistricts and at-  
11 large districts and establish the election of school board  
12 members as provided in this section.

13           3. (1) A school board desiring to divide a school  
14 district as provided in this section shall vote on the

15 question of dividing the district as provided in this  
16 section. Upon the approval of the question by at least four  
17 members of the school board, the school board shall develop  
18 a proposed plan as described in subdivision (2) of this  
19 subsection.

20 (2) A school board dividing a school district as  
21 provided in this section shall develop and adopt a proposed  
22 plan for the division of the school district. Such proposed  
23 plan shall be adopted upon the approval of at least four  
24 members of the school board and shall contain at least the  
25 following information:

26 (a) A summary of the proposed plan for dividing the  
27 school district;

28 (b) A statement indicating whether the school district  
29 will be divided into seven subdistricts or a combination of  
30 subdistricts and at-large districts;

31 (c) A description of the areas of the school district  
32 each newly elected school board member will represent, with  
33 each subdistrict and at-large district represented by a  
34 number;

35 (d) A statement indicating whether the existing school  
36 board members will be replaced by the newly elected school  
37 board members at one election or in succeeding elections to  
38 provide for staggered terms of the members; and

39 (e) Any other information deemed necessary by the  
40 school board.

41 (3) After the school board develops such proposed  
42 plan, the school board shall immediately notify the election  
43 authority of the county in which the school district is  
44 located. Upon receiving such notification, the election  
45 authority shall submit the question of whether to divide the  
46 school district as described in the proposed plan to the  
47 voters of the school district on the next available day for

48 any municipal election. If a majority of the registered  
49 voters of the school district voting on the question approve  
50 the division of the school district, the school board shall  
51 follow the procedures described in subsection 4 of this  
52 section. If a majority of the registered voters of the  
53 school district voting on the question reject the division  
54 of the school district, no division, as described in this  
55 section shall occur.

56 4. (1) After approval of a question submitted under  
57 subdivision (3) of subsection 3 of this section, a school  
58 board dividing a school district as provided in this section  
59 shall adopt a final plan for the division of the school  
60 district based on the proposed plan developed under  
61 subsection 3 of this section. Such final plan shall contain  
62 at least the following information:

63 (a) A summary of the proposed plan for dividing the  
64 school district;

65 (b) The time and place of at least two public hearings  
66 to be held to consider the proposed plan;

67 (c) A statement indicating whether the school district  
68 will be divided into seven subdistricts or a combination of  
69 subdistricts and at-large districts;

70 (d) A description of the areas of the school district  
71 each newly elected school board member will represent, with  
72 each subdistrict and at-large district represented by a  
73 number;

74 (e) A statement indicating whether the existing school  
75 board members will be replaced by the newly elected school  
76 board members at one election or in succeeding elections to  
77 provide for staggered terms of the members; and

78 (f) Any other information deemed necessary by the  
79 school board.

80           (2) For each hearing held as provided in this  
81 subsection, the school board shall:

82           (a) Publish notice of the hearing, the proposed plan,  
83 and any amendments to the proposed plan adopted at a  
84 previous hearing on the school district's website and by any  
85 other method allowed by law, with the first publication to  
86 occur no more than thirty days before the hearing and the  
87 second publication to occur no earlier than fifteen days and  
88 no later than ten days before the hearing;

89           (b) Hear all alternate proposals for division of the  
90 school district and receive evidence for or against such  
91 alternate proposals;

92           (c) Hear all protests and receive evidence for or  
93 against such proposed division;

94           (d) Vote on each alternate proposal and protest, which  
95 vote shall be the final determination of such alternate  
96 proposal or protest;

97           (e) Adopt any amendments to the proposed plan; and  
98           (f) Perform any other actions related to the proposed  
99 plan deemed necessary by the school board.

100           (3) (a) After the conclusion of the final hearing  
101 proceedings but before adjourning such hearing, the school  
102 board shall adopt the final plan to divide the school  
103 district developed as a result of the hearings.

104           (b) After the school board adopts the final plan, the  
105 school board shall present the final plan to the election  
106 authority of the county in which the school district is  
107 located for actions required under subdivision (4) of this  
108 subsection and publish the final plan in the same manner as  
109 the initial proposed plan was published under paragraph (a)  
110 of subdivision (2) of this subsection. The final plan shall  
111 contain at least the following information:

112        a. A summary of the final plan for dividing the school  
113 district;

114        b. A statement indicating whether the school district  
115 will be divided into seven subdistricts or a combination of  
116 subdistricts and at-large districts;

117        c. A description of the areas of the school district  
118 each newly elected school board member will represent, with  
119 each subdistrict and at-large district represented by a  
120 number;

121        d. The date of the election of each new school board  
122 member as provided in the final plan;

123        e. A statement indicating whether the existing school  
124 board members will be replaced by the newly elected school  
125 board members at one election or in succeeding elections to  
126 provide for staggered terms of the members; and

127        f. Any other information deemed necessary by the  
128 school board.

129        (4) (a) After a final plan is adopted as provided in  
130 subdivision (3) of this subsection, before December first of  
131 the calendar year immediately preceding the general  
132 municipal election day in the calendar year in which the  
133 residents of the school district will vote to elect new  
134 school board members as provided in the final plan, the  
135 school board shall divide the school district into seven  
136 subdistricts or a combination of subdistricts and at-large  
137 districts as directed in the final plan. All subdistricts  
138 required by the final plan shall be of contiguous and  
139 compact territory and as nearly equal in population as  
140 practicable in accordance with the final plan. Within six  
141 months after each decennial census is reported to the  
142 President of the United States, the school board shall  
143 reapportion the subdistricts to be as nearly equal in  
144 population as practicable. After the school board divides

145 the school district or reapportions the subdistricts, the  
146 school board shall notify the residents of the school  
147 district as provided by law.

148 (b) Any resident of the school district who believes  
149 the school board has divided the school district or  
150 reapportioned subdistricts in violation of paragraph (a) of  
151 this subdivision may petition the circuit court of the  
152 county in which the school district exists for an order  
153 directing the school board to divide the school district or  
154 reapportion the subdistricts as provided in paragraph (a) of  
155 this subdivision. The petition shall be submitted to the  
156 circuit court within ten business days of the school board's  
157 notice required in paragraph (a) of this subdivision.

158 (5) On the first day available for candidate filing  
159 for the first general municipal election occurring after the  
160 school district is divided as provided in this subsection,  
161 any qualified resident who has or will have resided in a  
162 subdistrict or at-large district for the year immediately  
163 preceding the general municipal election day may file as a  
164 candidate for election to the school board as a member  
165 representing such subdistrict or at-large district. At the  
166 end of the time available for candidate filing, if no  
167 qualified resident of a subdistrict has filed as a candidate  
168 in that subdistrict, the election authority shall extend the  
169 time for candidate filing by seven additional days, and any  
170 qualified resident of the school district who has or will  
171 have resided in the school district for the year immediately  
172 preceding the general municipal election day may file as a  
173 candidate for election to the school board as a member  
174 representing that subdistrict. No school district shall  
175 require a candidate to submit a petition signed by the  
176 registered voters of the school district as a method of  
177 filing a declaration of candidacy. The election authority

178 shall determine the validity of all declarations of  
179 candidacy.

180 (6) When the election is held on the general municipal  
181 election day, the seven candidates, one from each of the  
182 subdistricts or at-large districts, who receive a plurality  
183 of the votes cast by the voters of that subdistrict or at-  
184 large district shall be elected. Any candidate who is not a  
185 subdistrict resident but qualifies as a candidate as a  
186 school district resident as provided in subdivision (5) of  
187 this subsection shall be elected by the voters of the school  
188 district. Each member shall be elected to a term as  
189 provided in the final plan adopted as provided in  
190 subdivision (3) of this subsection.

191 (7) Each member shall serve until a successor is  
192 elected or the member vacates the office. Any vacancy that  
193 occurs before the end of the member's term shall be filled  
194 as provided in section 162.261 or 162.471.

195 (8) Except for a member who is not a subdistrict  
196 resident but is elected as a school district resident to  
197 represent a subdistrict as provided in subdivision (5) of  
198 this subsection, each member shall reside in the subdistrict  
199 the member represents during the member's term.

200 (9) All other provisions applicable to school  
201 districts that are not in conflict with this subsection  
202 shall apply to school districts divided as provided in this  
203 subsection.

204 5. (1) If any school district receives a petition,  
205 signed by at least ten percent of the number of registered  
206 voters of the school district voting in the last school  
207 board election, calling for the school district to divide  
208 into seven subdistricts or a combination of subdistricts and  
209 at-large districts and establish the election of school  
210 board members as provided in this subsection, the school



211 district shall immediately notify the election authority of  
212 the county in which the school district is located. Upon  
213 receiving such notification, the election authority shall  
214 submit the question of whether to divide the school district  
215 as provided by the petition to the voters of the school  
216 district on the next available day for any municipal  
217 election. If a majority of the registered voters of the  
218 school district voting on the question approve the division  
219 of the school district, the school board shall begin the  
220 process of adopting the plan as described in this  
221 subsection. If a majority of the registered voters of the  
222 school district voting on the question reject the division  
223 of the school district, no division as described in the  
224 petition shall occur.

225 (2) (a) Any such petition submitted to the school  
226 district as provided in this subsection shall contain a  
227 proposed plan for the division of the school district. Such  
228 proposed plan shall contain at least the following  
229 information:

230 a. A summary of the proposed plan for dividing the  
231 school district;

232 b. A statement indicating whether the school district  
233 will be divided into seven subdistricts or a combination of  
234 subdistricts and at-large districts;

235 c. A description of the areas of the school district  
236 each newly elected school board member will represent, with  
237 each subdistrict and at-large district represented by a  
238 number;

239 d. The proposed date of the election of each new  
240 school board member as provided in the proposed plan;

241 e. A statement indicating whether the existing school  
242 board members will be replaced by the newly elected school

243 board members at one election or in succeeding elections to  
244 provide for staggered terms of the members; and

245 f. Any other information deemed necessary by the  
246 school board.

247 (b) If a division of the school district is approved  
248 by the voters as provided in subdivision (1) of this  
249 subsection, the school board shall create a school district  
250 division commission to develop a final plan for division of  
251 the school district. The commission shall:

252 a. Be composed of nine members as follows:

253 (i) Three members appointed by the superintendent of  
254 the school district;

255 (ii) Three members appointed by the county commission;  
256 and

257 (iii) Three members appointed by the organizers of the  
258 petition to divide the school district; and

259 b. Set the time and place of at least two hearings to  
260 be held to consider the proposed plan. For each hearing  
261 held, the commission shall:

262 (i) Publish notice of the hearing, the proposed plan,  
263 and any amendments to the proposed plan adopted at a  
264 previous hearing on the school district's website and by any  
265 other method allowed by law, with the first publication to  
266 occur no more than thirty days before the hearing and the  
267 second publication to occur no earlier than fifteen days and  
268 no later than ten days before the hearing;

269 (ii) Conduct the hearing on the proposal for division  
270 of the district on behalf of the petitioners;

271 (iii) Hear all protests and receive evidence for or  
272 against such proposed division; and

273 (iv) Vote to adopt any proposed plan amendments agreed  
274 to by the petitioners as a result of the hearings.

275 (c) Within ninety days after the adjournment of the  
276 final hearing conducted as provided in this subdivision, the  
277 commission shall submit the final plan to the election  
278 authority of the county in which the school district is  
279 located for actions required in subdivision (3) of this  
280 subsection and publish the final plan in the same manner as  
281 the initial proposed plan was published as provided in item  
282 (i) of subparagraph b. of paragraph (b) of this  
283 subdivision. The final plan shall contain at least the  
284 following information:

285 a. A summary of the final plan for dividing the school  
286 district;

287 b. A statement indicating whether the school district  
288 will be divided into seven subdistricts or a combination of  
289 subdistricts and at-large districts;

290 c. A description of the areas of the school district  
291 each newly elected school board member will represent, with  
292 each subdistrict and at-large district represented by a  
293 number;

294 d. The date of the election of each new school board  
295 member as provided in the final plan;

296 e. A statement indicating whether the existing school  
297 board members will be replaced by the newly elected school  
298 board members at one election or in succeeding elections to  
299 provide for staggered terms of the members; and

300 f. Any other information deemed necessary by the  
301 commission.

302 (3) (a) After a final plan is submitted to the  
303 election authority as provided in subdivision (2) of this  
304 subsection, before December first of the calendar year  
305 immediately preceding the general municipal election day in  
306 the calendar year in which the residents of the school  
307 district will vote to elect new school board members as

308 provided in the final plan, the school district division  
309 commission shall divide the school district into seven  
310 subdistricts or a combination of subdistricts and at-large  
311 districts as directed in the final plan. All subdistricts  
312 required by the final plan shall be of contiguous and  
313 compact territory and as nearly equal in population as  
314 practicable in accordance with the final plan. Within six  
315 months after each decennial census is reported to the  
316 President of the United States, the commission shall  
317 reapportion the subdistricts to be as nearly equal in  
318 population as practicable. After the commission divides the  
319 school district or reapportions the subdistricts, the  
320 commission shall notify the residents of the school district  
321 as provided by law.

322 (b) Any resident of the school district who believes  
323 the school district division commission has divided the  
324 school district or reapportioned subdistricts in violation  
325 of paragraph (a) of this subdivision may petition the  
326 circuit court of the county in which the school district  
327 exists for an order directing the commission to divide the  
328 school district or reapportion the subdistricts as provided  
329 in paragraph (a) of this subdivision. The petition shall be  
330 submitted to the circuit court within ten business days of  
331 the commission's notice provided in paragraph (a) of this  
332 subdivision.

333 (4) On the first day available for candidate filing  
334 for the first general municipal election occurring after the  
335 school district is divided as provided in this subsection,  
336 any qualified resident who has or will have resided in a  
337 subdistrict or at-large district for the year immediately  
338 preceding the general municipal election day may file as a  
339 candidate for election to the school board as a member  
340 representing such subdistrict or at-large district. At the

341 end of the time available for candidate filing, if no  
342 qualified resident of a subdistrict has filed as a candidate  
343 in that subdistrict, the election authority shall extend the  
344 time for candidate filing by seven additional days, and any  
345 qualified resident of the school district who has or will  
346 have resided in the school district for the year immediately  
347 preceding the general municipal election day may file as a  
348 candidate for election to the school board as a member  
349 representing that subdistrict. No school district shall  
350 require a candidate to submit a petition signed by the  
351 registered voters of the school district as a method of  
352 filing a declaration of candidacy. The election authority  
353 shall determine the validity of all declarations of  
354 candidacy.

355 (5) When the election is held on the general municipal  
356 election day, the seven candidates, one from each of the  
357 subdistricts or at-large districts, who receive a plurality  
358 of the votes cast by the voters of that subdistrict shall be  
359 elected. Any candidate who is not a subdistrict resident  
360 but qualifies as a candidate as a school district resident  
361 as provided in subdivision (4) of this subsection shall be  
362 elected by the voters of the school district. Each member  
363 shall be elected to a term as provided in the final plan  
364 approved as provided in subdivision (2) of this subsection.

365 (6) Each member shall serve until a successor is  
366 elected or the member vacates the office. Any vacancy that  
367 occurs before the end of the member's term shall be filled  
368 as provided in section 162.261 or 162.471.

369 (7) Except for a member who is not a subdistrict  
370 resident but is elected as a school district resident to  
371 represent a subdistrict as provided in subdivision (4) of  
372 this subsection, each member shall reside in the subdistrict  
373 the member represents during the member's term.

374 (8) All other provisions applicable to school  
375 districts that are not in conflict with this subsection  
376 shall apply to school districts divided as provided in this  
377 subsection.

378 6. No new plan for division of the school district  
379 shall be proposed or adopted as provided in this section  
380 sooner than five years after a division of the school  
381 district as provided in this section.

162.720. 1. (1) This subdivision shall apply to all  
2 school years ending before July 1, 2024. Where a sufficient  
3 number of children are **[determined to be]** identified as  
4 gifted and their development requires programs or services  
5 beyond the level of those ordinarily provided in regular  
6 public school programs, districts may establish special  
7 programs for such gifted children.

8 (2) For school year 2024-25 and all subsequent school  
9 years, if three percent or more of students enrolled in a  
10 school district are identified as gifted and their  
11 development requires programs or services beyond the level  
12 of those ordinarily provided in regular public school  
13 programs, the district shall establish a state-approved  
14 gifted program for gifted children.

15 2. For school year 2024-25 and all subsequent school  
16 years, any teacher providing gifted services to students in  
17 districts with an average daily attendance of more than  
18 three hundred fifty students shall be certificated in gifted  
19 education. In districts with an average daily attendance of  
20 three hundred fifty students or fewer, any teacher providing  
21 gifted services shall not be required to be certificated to  
22 teach gifted education but such teacher shall annually  
23 participate in at least six clock hours of professional  
24 development focused on gifted services. The school district

25 shall pay for such professional development focused on  
26 gifted services.

27 3. The state board of education shall determine  
28 standards for such gifted programs and gifted services.  
29 Approval of **[such]** gifted programs shall be made by the  
30 state department of elementary and secondary education based  
31 upon project applications submitted **[by July fifteenth of**  
32 **each year]** at a time and in a form determined by the  
33 department of elementary and secondary education.

34 **[3.]** 4. No district shall **[make a determination as to**  
35 **whether]** identify a child **[is]** as gifted based on the  
36 child's participation in an advanced placement course or  
37 international baccalaureate course. Districts shall  
38 **[determine]** identify a child **[is]** as gifted only if the  
39 child meets the definition of gifted children as provided in  
40 section 162.675.

41 **[4.]** 5. Any district with a gifted education program  
42 approved under subsection **[2]** 3 of this section shall have a  
43 policy, approved by the board of education of the district,  
44 that establishes a process that outlines the procedures and  
45 conditions under which parents or guardians may request a  
46 review of the decision **[that determined]** that their child  
47 did not qualify to receive services through the district's  
48 gifted education program.

49 **[5.]** 6. School districts and school district employees  
50 shall be immune from liability for any and all acts or  
51 omissions relating to the decision that a child did not  
52 qualify to receive services through the district's gifted  
53 education program.

54 7. The department of elementary and secondary  
55 education may promulgate all necessary rules and regulations  
56 for the implementation and administration of this section.  
57 Any rule or portion of a rule, as that term is defined in

58 section 536.010, that is created under the authority  
59 delegated in this section shall become effective only if it  
60 complies with and is subject to all of the provisions of  
61 chapter 536 and, if applicable, section 536.028. This  
62 section and chapter 536 are nonseverable, and if any of the  
63 powers vested with the general assembly pursuant to chapter  
64 536 to review, to delay the effective date, or to disapprove  
65 and annul a rule are subsequently held unconstitutional,  
66 then the grant of rulemaking authority and any rule proposed  
67 or adopted after August 28, 2022, shall be invalid and void.

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

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

162.1255. 1. As used in this section, the following  
2 terms mean:

3 (1) "Competency-based credit", credit awarded by  
4 school districts and charter schools to high school students  
5 upon demonstration of competency as determined by a school



6 district. Such credit shall be awarded upon receipt of  
7 "proficient" or "advanced" on an end-of-course assessment;

8 (2) "Prior year average attendance percentage", the  
9 quotient of the district or charter school's prior year  
10 average daily attendance divided by the district or charter  
11 school's prior year average yearly enrollment.

12 2. School districts and charter schools shall receive  
13 state school funding under sections 163.031, 163.043,  
14 163.044, and 163.087 for resident pupils enrolled in the  
15 school district or charter school and taking competency-  
16 based courses offered by the school district.

17 3. For purposes of calculation and distribution of  
18 state aid under section 163.031, attendance of a student  
19 enrolled in a district's or charter school's competency-  
20 based courses shall equal, upon course completion, the  
21 product of the district's or charter school's prior year  
22 average attendance percentage multiplied by the total number  
23 of attendance hours normally allocable to a noncompetency-  
24 based course of equal credit value.

163.016. 1. Notwithstanding the provisions of section  
2 163.011, for any school district located in more than one  
3 county and whose headquarters are located within a city of  
4 the fourth classification with more than two thousand five  
5 hundred but fewer than two thousand six hundred inhabitants  
6 and located in more than one county, the county signified in  
7 the school district number shall be the county in the  
8 district with the highest dollar value modifier.

9 2. Notwithstanding the provisions of section 163.011  
10 to the contrary, for any school district located in more  
11 than one county and whose headquarters are located within a  
12 city with more than two thousand seven hundred but fewer  
13 than three thousand inhabitants and located in a county with  
14 more than fourteen thousand but fewer than fifteen thousand

15 seven hundred inhabitants and with a county seat with more  
16 than two thousand but fewer than three thousand inhabitants,  
17 the county signified in the school district number shall be  
18 the county in the district with the highest dollar value  
19 modifier.

20 3. Notwithstanding the provisions of section 163.011  
21 to the contrary, for any school district located in more  
22 than one county and whose headquarters are located within a  
23 city with more than one thousand one hundred seventy but  
24 fewer than one thousand three hundred inhabitants and  
25 located in a county with more than sixty thousand but fewer  
26 than seventy thousand inhabitants, the county signified in  
27 the school district number shall be the county in the  
28 district with the highest dollar value modifier.

29 4. Notwithstanding the provisions of section 163.011  
30 to the contrary, for any school district located in more  
31 than one county and whose headquarters are located within a  
32 city with more than one thousand three hundred but fewer  
33 than one thousand five hundred inhabitants and partially  
34 located in a county with more than eight thousand but fewer  
35 than eight thousand nine hundred inhabitants and with a  
36 county seat with more than three hundred but fewer than six  
37 hundred inhabitants, the county signified in the school  
38 district number shall be the county in the district with the  
39 highest dollar value modifier.

167.151. 1. The school board of any district, in its  
2 discretion, may admit to the school pupils not entitled to  
3 free instruction and prescribe the tuition fee to be paid by  
4 them, except as provided in subdivision (2) of subsection 3  
5 of this section and in sections 167.121, 167.131, 167.132,  
6 and 167.895.

7 2. Orphan children, children with only one parent  
8 living, and children whose parents do not contribute to

9 their support—if the children are between the ages of six  
10 and twenty years and are unable to pay tuition—may attend  
11 the schools of any district in the state in which they have  
12 a permanent or temporary home without paying a tuition fee.

13 3. (1) For all school years ending on or before June  
14 30, 2023, any [person] individual who pays a school tax in  
15 any other district than that in which [he] such individual  
16 resides may send [his] such individual's children to any  
17 public school in the district in which the tax is paid and  
18 receive as a credit on the amount charged for tuition the  
19 amount of the school tax paid to the district; except that  
20 any [person] individual who owns real estate of which eighty  
21 acres or more are used for agricultural purposes and upon  
22 which [his] such individual's residence is situated may send  
23 [his] such individual's children to public school in any  
24 school district in which a part of such real estate,  
25 contiguous to that upon which [his] such individual's  
26 residence is situated, lies and shall not be charged tuition  
27 therefor; so long as thirty-five percent of the real estate  
28 is located in the school district of choice. The school  
29 district of choice shall count the children in its average  
30 daily attendance for the purpose of distribution of state  
31 aid through the foundation formula.

32 (2) For all school years beginning on or after July 1,  
33 2023, any current owner of residential real property or  
34 agricultural real property or a named beneficiary of a trust  
35 that currently owns residential real property or  
36 agricultural real property and that pays a school tax in a  
37 district or districts other than the district in which such  
38 current owner or current beneficiary resides may send up to  
39 four of such owner's or beneficiary's children to a public  
40 school, excluding a charter school, in any district in which  
41 such owner or trust pays such school tax. For purposes of

42 this subdivision, "residential real property" shall not  
43 include any multi-family residential property which exceeds  
44 four units. An owner or a named beneficiary of a trust that  
45 currently owns residential real property shall not be  
46 permitted under this subdivision to send their child to a  
47 district outside of the county in which they currently  
48 reside. Such owner or beneficiary shall send thirty days'  
49 written notice to all school districts involved specifying  
50 which school district each child will attend. Such owner or  
51 beneficiary shall also present proof of the owner's or  
52 trust's annual payment of at least two thousand dollars of  
53 school taxes levied on the real property specified in this  
54 subdivision within such school district and ownership of the  
55 specified real property for not less than the immediately  
56 preceding four consecutive years. Neither the resident nor  
57 nonresident districts shall be responsible for providing  
58 transportation services under this subdivision. The school  
59 district attended shall count a child attending under this  
60 subdivision in its average daily attendance for the purpose  
61 of distribution of state aid under chapter 163, except that  
62 such nonresident students shall not be counted in the  
63 district's average daily attendance for the purposes of  
64 determining eligibility for aid payments under section  
65 163.044.

66 4. For any school year ending on or before June 30,  
67 2023, any owner of agricultural land who, pursuant to  
68 subsection 3 of this section, has the option of sending his  
69 children to the public schools of more than one district  
70 shall exercise such option as provided in this subsection.  
71 Such person shall send written notice to all school  
72 districts involved specifying to which school district his  
73 children will attend by June thirtieth in which such a  
74 school year begins. If notification is not received, such

75 children shall attend the school in which the majority of  
76 his property lies. Such person shall not send any of his  
77 children to the public schools of any district other than  
78 the one to which he has sent notice pursuant to this  
79 subsection in that school year or in which the majority of  
80 his property lies without paying tuition to such school  
81 district.

82 5. If a pupil is attending school in a district other  
83 than the district of residence and the pupil's parent is  
84 teaching in the school district or is a regular employee of  
85 the school district which the pupil is attending, then the  
86 district in which the pupil attends school shall allow the  
87 pupil to attend school upon payment of tuition in the same  
88 manner in which the district allows other pupils not  
89 entitled to free instruction to attend school in the  
90 district. The provisions of this subsection shall apply  
91 only to pupils attending school in a district which has an  
92 enrollment in excess of thirteen thousand pupils and not in  
93 excess of fifteen thousand pupils and which district is  
94 located in a county [of the first classification] with a  
95 charter form of government which has a population in excess  
96 of six hundred thousand persons and not in excess of nine  
97 hundred thousand persons.

167.225. 1. As used in subsections 1 to 4 of this  
2 section, the following terms mean:

3 (1) "Braille", the system of reading and writing  
4 through touch;

5 (2) "Student", any student who has an impairment in  
6 vision that, even with correction, adversely affects a  
7 child's educational performance and who is determined  
8 eligible for special education services under the  
9 Individuals with Disabilities Education Act.

10           2. All students shall receive instruction in braille  
11 reading and writing as part of their individualized  
12 education plan unless the individual education program team  
13 determines, after an evaluation of a student's reading and  
14 writing skills, needs, and appropriate reading and writing  
15 media, including an evaluation of the student's future needs  
16 for instruction in braille or the use of braille, that  
17 instruction in braille or the use of braille is not  
18 appropriate. No student shall be denied instruction in  
19 braille reading and writing solely because the student has  
20 some remaining vision.

21           3. Instruction in braille reading and writing shall be  
22 sufficient to enable each student to communicate effectively  
23 and efficiently at a level commensurate with the student's  
24 sighted peers of comparable grade level and intellectual  
25 functioning. The student's individualized education plan  
26 shall specify:

27           (1) How braille will be implemented as the primary  
28 mode for learning through integration with normal classroom  
29 activities. If braille will not be provided to a child who  
30 is blind, the reason for not incorporating it in the  
31 individualized education plan shall be documented therein;

32           (2) The date on which braille instruction will  
33 commence;

34           (3) The level of competency in braille reading and  
35 writing to be achieved by the end of the period covered by  
36 the individualized education plan; and

37           (4) The duration of each session.

38           4. As part of the certification process, teachers  
39 certified in the education of blind and visually impaired  
40 children shall be required to demonstrate competence in  
41 reading and writing braille. The department of elementary  
42 and secondary education shall adopt assessment procedures to

43 assess such competencies which are consistent with standards  
44 adopted by the National Library Service for the Blind and  
45 Physically Handicapped, Library of Congress, Washington, D.  
46 C.

47 5. (1) Subsections 5 to 9 of this section shall be  
48 known and may be cited as the "Blind Students' Rights to  
49 Independence, Training, and Education Act" or the "BRITE  
50 Act".

51 (2) As used in subsections 5 to 9 of this section, the  
52 following terms mean:

53 (a) "Accessible assistive technology device", an  
54 assistive technology device, as defined in 20 U.S.C. Section  
55 1401, as amended, that provides blind or visually impaired  
56 students the benefits of an educational program in an  
57 equally effective and integrated manner as that provided to  
58 nondisabled students;

59 (b) "Adequate instruction", the quality teaching of  
60 blind or visually impaired students, as it pertains to  
61 general education and necessary blindness skills, in  
62 alignment with the U.S. Department of Education's definition  
63 of free appropriate public education, as defined in 20  
64 U.S.C. Section 1401, as amended;

65 (c) "Blind or visually impaired student":

66 a. A child who:

67 (i) Has an individualized education program (IEP) or  
68 an individualized family service plan (IFSP), as such terms  
69 are defined in 20 U.S.C. Section 1401, as amended, or a 504  
70 plan created under Section 504 of the federal Rehabilitation  
71 Act of 1973, 29 U.S.C. Section 794, as amended; and

72 (ii) Is identified as having the disability of "visual  
73 impairment (including blindness)" within the definition of  
74 "child with a disability" in 20 U.S.C. Section 1401, as  
75 amended; or

76 b. An individual who is deaf-blind under the federal  
77 Individuals with Disabilities Education Act (IDEA), as  
78 amended, or other federal law;

79 (d) "Braille", the system of reading and writing  
80 through touch;

81 (e) "Expanded core curriculum", a disability-specific  
82 curriculum that compensates for vision loss, is foundational  
83 to all other learning, and that covers the nine essential  
84 areas of compensatory access, sensory efficiency, assistive  
85 technology, orientation and mobility, social interaction,  
86 recreation and leisure, independent living, self-  
87 determination, and career education;

88 (f) "Grade level instruction", instruction that aligns  
89 with state-designated content standards and curricula for  
90 students of the same age or level of maturity, based on the  
91 development of intellectual, emotional, physical, and  
92 behavioral capacity that is typical for the student's age or  
93 age group;

94 (g) "Local educational agency" or "LEA", the same  
95 definition as in 20 U.S.C. Section 1401, as amended;

96 (h) "Nonvisual access", the ability of a blind or  
97 visually impaired student to use all functions of a device,  
98 without using the student's vision, in an equally effective,  
99 equally integrated manner and with equivalent ease of use as  
100 the student's sighted peers;

101 (i) "Nonvisual skills", skills that are taught in such  
102 a way that the student does not need to use any vision;

103 (j) "State educational agency", the same definition as  
104 in 20 U.S.C. Section 1401, as amended;

105 (k) "Technology-mediated learning environments and  
106 methods", the settings in which electronic and information  
107 technology including, but not limited to, the following is  
108 used:



- 109           a. Computer-based applications and simulations;  
110           b. Personal and mobile computing devices such as  
111 smartphones or tablets;  
112           c. Web-based platforms;  
113           d. Online or distance-learning programs;  
114           e. Video games; and  
115           f. Exhibits or installations that feature digital  
116 media, wearable technology, or other tools that support  
117 participants' engagement with new knowledge, skills, or  
118 practices;

119           (1) "U.S. Access Board", the independent federal  
120 agency created in 1973 that promotes equality for people  
121 with disabilities through leadership in accessible design  
122 and the development of accessibility guidelines and  
123 standards.

124           6. (1) Each blind or visually impaired student shall  
125 receive instruction in Braille reading and writing as part  
126 of such student's individualized education program (IEP) or  
127 individualized family support plan (IFSP) unless the IEP or  
128 IFSP team determines, after an evaluation of the student's  
129 reading and writing skills, needs, and appropriate reading  
130 and writing media including, but not limited to, an  
131 evaluation of the student's needs for instruction in Braille  
132 or the use of Braille, that instruction in Braille or the  
133 use of Braille is not appropriate. No blind or visually  
134 impaired student shall be denied instruction in Braille  
135 reading and writing solely because the student has some  
136 vision. During the evaluation and IEP process,  
137 consideration shall be given regarding appropriate Braille  
138 instruction based on a potential vision loss due to a  
139 degenerative medical diagnosis.

140           (2) In conjunction with the U.S. Department of  
141 Education's Braille presumption requirement in the federal

142 Individuals with Disabilities Education Act (IDEA), as  
143 amended, instruction in Braille reading and writing shall be  
144 sufficient to enable each blind or visually impaired student  
145 to communicate effectively and efficiently at a level  
146 commensurate with the student's same age and with the  
147 student's nondisabled peers of comparable intellectual  
148 ability. The blind or visually impaired student's  
149 individualized education program (IEP) or individualized  
150 family support plan (IFSP) shall specify:

151 (a) The results obtained from an evaluation of the  
152 blind or visually impaired student's reading and writing  
153 skills, needs, and appropriate reading and writing media  
154 including, but not limited to, an evaluation of the blind or  
155 visually impaired student's needs for instruction in Braille  
156 or the use of Braille including, but not limited to,  
157 consideration regarding appropriate Braille instruction  
158 based on a potential vision loss due to a degenerative  
159 medical diagnosis;

160 (b) How Braille will be implemented, if needed as  
161 determined by the IEP team, as a primary mode for learning  
162 through integration with other classroom activities;

163 (c) The length of the period of instruction and the  
164 frequency and duration of each instructional session as  
165 determined by the IEP team, which shall, as closely as  
166 appropriate based on individual needs, be identical to the  
167 level of instruction provided to nondisabled peers; and

168 (d) The level of competency in Braille reading and  
169 writing to be achieved by the end of the period.

170 (3) Use, and provision, of Braille materials for  
171 reading and writing shall be addressed in 504 plans for  
172 blind or visually impaired students created under Section  
173 504 of the federal Rehabilitation Act of 1973, 29 U.S.C.  
174 Section 794, as amended.

175 7. In conjunction with academic achievement and  
176 functional performance requirements of 34 CFR  
177 300.320(a)(2)(i), as amended, instruction in expanded core  
178 curriculum shall be provided to blind or visually impaired  
179 students to support progress in the general education  
180 curriculum.

181 8. (1) Each blind or visually impaired student shall  
182 receive instruction in assistive technology as part of the  
183 student's individualized education program (IEP) or  
184 individualized family support plan (IFSP) unless the IEP or  
185 IFSP team determines, after an evaluation of a student's  
186 needs, that instruction in assistive technology is not  
187 appropriate. No student shall be denied instruction in  
188 assistive technology solely because the student has some  
189 vision.

190 (2) In conjunction with accessible assistive  
191 technology requirements of the federal Individuals with  
192 Disabilities Education Act (IDEA) in 20 U.S.C.  
193 1412(a)(12)(B)(i), as amended, the blind or visually  
194 impaired student shall receive grade-level instruction that  
195 will equip the blind or visually impaired student with the  
196 appropriate technology-mediated learning environments and  
197 methods to perform on the same level of proficiency expected  
198 of peers of comparable intellectual ability and grade  
199 level. The blind or visually impaired student's IEP or IFSP  
200 shall specify:

201 (a) The results obtained from an assessment of the  
202 blind or visually impaired student's skills, needs, and  
203 appropriate accessible assistive technology including, but  
204 not limited to, an evaluation of the future needs for  
205 accessible assistive technology training or the use of  
206 accessible assistive technology;

207           (b) How accessible assistive technology will be  
208 implemented as a primary mode for learning through  
209 integration with other classroom activities;

210           (c) The frequency and duration of each instructional  
211 session;

212           (d) The level of mastery of the accessible assistive  
213 technology specified by the blind or visually impaired  
214 student's assessment to be achieved by the end of the  
215 period; and

216           (e) Acknowledgment that either:

217           a. The blind or visually impaired student may  
218 transport the accessible assistive technology to and from  
219 school without the need for payment, family assumption of  
220 liability for loss or damage, or any other cost to the blind  
221 or visually impaired student or the family; or

222           b. If the accessible assistive technology remains at  
223 school, the LEA will provide duplicate accessible assistive  
224 technology in the blind or visually impaired student's home  
225 without requiring payment, family assumption of liability  
226 for loss or damage, or any other cost to the blind or  
227 visually impaired student or the family.

228           (3) Use, and provision, of accessible assistive  
229 technology shall be addressed in 504 plans for blind or  
230 visually impaired students created under Section 504 of the  
231 federal Rehabilitation Act of 1973, 29 U.S.C. Section 794,  
232 as amended.

233           9. (1) Each blind or visually impaired student shall  
234 receive instruction in orientation and mobility as part of  
235 the student's individualized education program (IEP) or  
236 individualized family support plan (IFSP) unless the IEP or  
237 IFSP team determines, after an evaluation of a student's  
238 needs, that instruction in orientation and mobility is not  
239 appropriate. No student shall be denied instruction in

240 orientation and mobility solely because the student has some  
241 vision.

242 (2) In conjunction with orientation and mobility  
243 services requirements of 34 CFR 300.34(c)(7), as amended,  
244 blind or visually impaired students shall receive  
245 orientation and mobility instruction to equip each blind or  
246 visually impaired student with the age-appropriate tools,  
247 techniques, and nonvisual skills to navigate in and around  
248 the student's home, schools, communities, and other  
249 environments as applicable, and as expected of peers of  
250 comparable intellectual ability and grade level. The blind  
251 or visually impaired student's IEP or IFSP shall specify:

252 (a) The results obtained from an evaluation of the  
253 blind or visually impaired student's orientation and  
254 mobility needs including, but not limited to, an evaluation  
255 of the blind or visually impaired student's future needs for  
256 instruction in orientation and mobility;

257 (b) How orientation and mobility will be integrated  
258 into the home, school, and community;

259 (c) The date on which orientation and mobility  
260 instruction will commence;

261 (d) The frequency and duration of each instructional  
262 session; and

263 (e) The level of mastery of orientation and mobility  
264 skills to be achieved by the end of the period.

265 (3) Orientation and mobility equipment,  
266 accommodations, and modifications shall be addressed in 504  
267 plans for blind or visually impaired students created under  
268 Section 504 of the federal Rehabilitation Act of 1973, 29  
269 U.S.C. Section 794, as amended.

270 (4) An orientation and mobility evaluation shall be  
271 conducted by a person who is appropriately certified by the  
272 National Blindness Professional Certification Board (NBPCB)

273 with a National Orientation and Mobility Certification  
274 (NOMC), or through the Academy for Certification of Vision  
275 Rehabilitation and Education Professionals (ACVREP) as a  
276 Certified Orientation and Mobility Specialist (COMS), or who  
277 holds a nationally recognized certification related to  
278 orientation and mobility.

279 (5) The orientation and mobility evaluations described  
280 in subdivision (4) of this subsection shall occur in  
281 familiar and unfamiliar environments, during the daytime and  
282 nighttime, and around the home, school, and community as  
283 determined age appropriate by the blind or visually impaired  
284 student's IEP or IFSP.

285 10. (1) As part of the state educational agency's  
286 certification and renewal process, educators hired to teach  
287 Braille shall be certified teachers of students with visual  
288 impairments, hold a current and valid National Certification  
289 in Unified English Braille (NCUEB) working under the  
290 supervision of a reading specialist, or hold a nationally  
291 recognized certification related to Braille instruction.

292 (2) As part of the state educational agency's  
293 certification and renewal process, educators hired to teach  
294 accessible assistive technology shall be certified teachers  
295 of students with visual impairments, hold a valid and  
296 current Certified Assistive Technology Instructional  
297 Specialist for People with Visual Impairments (CATIS), or  
298 hold a valid and current National Certification in Access  
299 Technology for the Blind (NCATB) or other nationally  
300 recognized certification related to assistive technology  
301 instruction for individuals with visual impairments.

302 (3) As part of the state educational agency's  
303 certification and renewal process, specialists hired to  
304 teach orientation and mobility shall hold a valid and  
305 current National Orientation and Mobility Certification

306 (NOMC) or hold a current and valid Certified Orientation and  
307 Mobility Specialist (COMS) certification or other nationally  
308 recognized certification related to orientation and mobility  
309 instruction for individuals with visual impairments.

310 11. (1) LEAs shall deliver services to blind or  
311 visually impaired students in a manner that at all times  
312 abides by requirements of the federal Individuals with  
313 Disabilities Education Act (IDEA), Title II of the Americans  
314 with Disabilities Act, and the Rehabilitation Act of 1973,  
315 as amended, including during declared local, state, or  
316 national emergencies.

317 (2) LEAs shall seek and obtain proof of currently  
318 available certified professionals from any company, agency,  
319 or individual the LEA intends to contract with for services  
320 outlined in subsections 5 to 9 of this section.

321 (3) LEAs shall not impose any preclusions or  
322 limitations on a student to receive instruction in  
323 orientation and mobility services in and around the home,  
324 school, or community setting including during daytime and  
325 nighttime hours.

326 (4) LEAs may require annual written parental consent  
327 to conduct effective instruction when such services are  
328 provided before or after regular school hours or when such  
329 services are provided away from the educational institution  
330 or the blind or visually impaired student's residence.

331 (5) If an LEA prohibits an orientation and mobility  
332 instructor from using the instructor's preferred mode of  
333 transportation to transport blind or visually impaired  
334 students to and from outside environments, the LEA shall  
335 provide an equally effective transportation alternative for  
336 that purpose without cost to the orientation and mobility  
337 instructor. If the blind or visually impaired student's

338 family provides transportation for the student, the LEA  
339 shall reimburse the expense.

340 12. (1) If an LEA requires an eye report, the LEA  
341 shall bear all costs associated with obtaining such report.  
342 LEAs shall not delay an evaluation for eligibility based on  
343 the absence or delay of such report.

344 (2) All electronic and information technology  
345 developed, procured, maintained, or used by LEAs shall be  
346 compliant with the U.S. Access Board's Section 508  
347 standards, as amended.

348 (3) LEAs shall anticipate the need for nonvisual  
349 accessibility and adopt policies and procedures to reduce or  
350 eliminate common barriers experienced by blind or visually  
351 impaired students, parents, educators, administrators, and  
352 other staff.

353 13. Subsections 1 to 4 of this section shall apply in  
354 all school years ending before July 1, 2022. Subsections 5  
355 to 12 of this section shall apply in school year 2022-23 and  
356 all subsequent school years.

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



15 provide all parents and guardians of students, including  
16 parents of students who are identified as having a  
17 substantial deficiency in reading under subsection 1 of  
18 section 167.645, with suggestions for regular parent-guided  
19 home reading.

20 2. **[The state board of education]** The department of  
21 elementary and secondary education shall develop guidelines  
22 to assist districts and charter schools in formulating  
23 policies for reading **[intervention]** success plans. Such  
24 guidelines may include, but are not limited to, measures of  
25 reading proficiency, strategies for addressing reading  
26 deficiencies, timelines for measuring pupil improvement in  
27 reading, and information on screening **[for and treatment]** of  
28 **[auditory]** dyslexia**[, and information on the Lindamood**  
29 **Auditory Conceptualization Test and the Auditory**  
30 **Discrimination in Depth Program]**. Such guidelines may also  
31 identify performance levels for pupils identified as  
32 handicapped or severely handicapped and conditions under  
33 which such pupils **[are]** may be exempt from the provisions of  
34 this section and section 167.645.

35 3. **[Each local school district enrolling a pupil**  
36 **identified as reading below grade level shall develop an**  
37 **individual plan of reading intervention for such pupil. The**  
38 **individual pupil's plan may include individual or group**  
39 **reading development activities. The plan may be developed**  
40 **after consultation with the pupil's parent or legal**  
41 **guardian]** Each school district and charter school shall  
42 provide intensive reading instruction to students as  
43 provided in section 167.645.

2 167.625. 1. This section shall be known and may be  
3 cited as "Will's Law".

3 2. As used in this section, the following terms mean:

4           (1) "Individualized emergency health care plan", a  
5 document developed by a school nurse, in consultation with a  
6 student's parent and other appropriate medical  
7 professionals, that is consistent with the recommendations  
8 of the student's health care providers, that describes  
9 procedural guidelines that provide specific directions about  
10 what to do in a particular emergency situation, and that is  
11 signed by the parent and the school nurse or the school  
12 administrator or the administrator's designee in the absence  
13 of the school nurse;

14           (2) "Individualized health care plan", a document  
15 developed by a school nurse, in consultation with a  
16 student's parent and other appropriate medical professionals  
17 who may be providing epilepsy or seizure disorder care to  
18 the student, that is consistent with the recommendations of  
19 the student's health care providers, that describes the  
20 health services needed by the student at school, and that is  
21 signed by the parent and the school nurse or the school  
22 administrator or the administrator's designee in the absence  
23 of the school nurse;

24           (3) "Parent", a parent, guardian, or other person  
25 having charge, control, or custody of a student;

26           (4) "School", any public elementary or secondary  
27 school or charter school;

28           (5) "School employee", a person employed by a school;

29           (6) "Student", a student who has epilepsy or a seizure  
30 disorder and who attends a school.

31           3. (1) The parent of a student who seeks epilepsy or  
32 seizure disorder care while at school shall inform the  
33 school nurse or the school administrator or the  
34 administrator's designee in the absence of the school nurse.

35           The school nurse shall develop an individualized health  
36 care plan and an individualized emergency health care plan

37 for the student. The parent of the student shall annually  
38 provide to the school written authorization for the  
39 provision of epilepsy or seizure disorder care as described  
40 in the individualized plans.

41 (2) The individualized plans developed under  
42 subdivision (1) of this subsection shall be updated by the  
43 school nurse before the beginning of each school year and as  
44 necessary if there is a change in the health status of the  
45 student.

46 (3) Each individualized health care plan shall, and  
47 each individualized emergency health care plan may, include  
48 but not be limited to the following information:

49 (a) A notice about the student's condition for all  
50 school employees who interact with the student;

51 (b) Written orders from the student's physician or  
52 advanced practice nurse describing the epilepsy or seizure  
53 disorder care;

54 (c) The symptoms of the epilepsy or seizure disorder  
55 for that particular student and recommended care;

56 (d) Whether the student may fully participate in  
57 exercise and sports, and any contraindications to exercise  
58 or accommodations that shall be made for that particular  
59 student;

60 (e) Accommodations for school trips, after-school  
61 activities, class parties, and other school-related  
62 activities;

63 (f) Information for such school employees about how to  
64 recognize and provide care for epilepsy and seizure  
65 disorders, epilepsy and seizure disorder first aid training,  
66 when to call for assistance, emergency contact information,  
67 and parent contact information;

68 (g) Medical and treatment issues that may affect the  
69 educational process of the student;

70 (h) The student's ability to manage, and the student's  
71 level of understanding of, the student's epilepsy or seizure  
72 disorder; and

73 (i) How to maintain communication with the student,  
74 the student's parent and health care team, the school nurse  
75 or the school administrator or the administrator's designee  
76 in the absence of the school nurse, and the school employees.

77 4. (1) The school nurse assigned to a particular  
78 school or the school administrator or the administrator's  
79 designee in the absence of the school nurse shall coordinate  
80 the provision of epilepsy and seizure disorder care at that  
81 school and ensure that all school employees are trained  
82 every two years in the care of students with epilepsy and  
83 seizure disorders including, but not limited to, school  
84 employees working with school-sponsored programs outside of  
85 the regular school day, as provided in the student's  
86 individualized plans.

87 (2) The training required under subdivision (1) of  
88 this subsection shall include an online or in-person course  
89 of instruction approved by the department of health and  
90 senior services that is provided by a reputable, local,  
91 Missouri-based health care or nonprofit organization that  
92 supports the welfare of individuals with epilepsy and  
93 seizure disorders.

94 5. The school nurse or the school administrator or the  
95 administrator's designee in the absence of the school nurse  
96 shall obtain a release from a student's parent to authorize  
97 the sharing of medical information between the student's  
98 physician or advanced practice nurse and other health care  
99 providers. The release shall also authorize the school  
100 nurse or the school administrator or the administrator's  
101 designee in the absence of the school nurse to share medical  
102 information with other school employees in the school

103 district as necessary. No sharing of information under this  
104 subsection shall be construed to be a violation of the  
105 federal Health Insurance Portability and Accountability Act  
106 of 1996 (HIPAA) (Pub. L. 104-191), as amended, if a  
107 student's parent has provided a release under this  
108 subsection.

109 6. No school employee including, but not limited to, a  
110 school nurse, a school bus driver, a school bus aide, or any  
111 other officer or agent of a school shall be held liable for  
112 any good faith act or omission consistent with the  
113 provisions of this section, nor shall an action before the  
114 state board of nursing lie against a school nurse for any  
115 such action taken by a school employee trained in good faith  
116 by the school nurse under this section. "Good faith" shall  
117 not be construed to include willful misconduct, gross  
118 negligence, or recklessness.

167.640. 1. School districts [may] shall adopt a  
2 policy with regard to student promotion which may require  
3 remediation as a condition of promotion to the next grade  
4 level for any student identified by the district as failing  
5 to master skills and competencies established for that  
6 particular grade level by the district board of education.  
7 School districts may also require parents or guardians of  
8 such students to commit to conduct home-based tutorial  
9 activities with their children or, in the case of a student  
10 with disabilities eligible for services pursuant to sections  
11 162.670 to 162.1000, the individual education plan shall  
12 determine the nature of parental involvement consistent with  
13 the requirements for a free, appropriate public education.

14 2. Such remediation shall recognize that different  
15 students learn differently and shall employ methods designed  
16 to help these students achieve at high levels. Such  
17 remediation may include, but shall not necessarily be

18 limited to, a mandatory summer school program focused on the  
19 areas of deficiency or other such activities conducted by  
20 the school district outside of the regular school day.  
21 Decisions concerning the instruction of a child who receives  
22 special educational services pursuant to sections 162.670 to  
23 162.1000 shall be made in accordance with the child's  
24 individualized education plan.

25 3. School districts providing remediation pursuant to  
26 this section or section 167.645 outside of the traditional  
27 school day may count extra hours of instruction in the  
28 calculation of average daily attendance as defined in  
29 section 163.011.

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

3 (1) "Reading assessment", a recognized method of  
4 judging a student's reading ability, with results expressed  
5 as reading at a particular grade level. The term reading  
6 assessment shall include, but is not limited to, standard  
7 checklists designed for use as a student reads out loud,  
8 paper-and-pencil tests promulgated by nationally recognized  
9 organizations and other recognized methods of determining a  
10 student's reading accuracy, expression, fluency and  
11 comprehension in order to make a determination of the  
12 student's grade-level reading ability. Assessments which do  
13 not give a grade-level result may be used in combination  
14 with other assessments to reach a grade-level  
15 determination. Districts are encouraged but not required to  
16 select assessment methods identified pursuant to section  
17 167.346. Districts are also encouraged to use multiple  
18 methods of assessment;

19 (2) "Summer school", for reading instruction purposes,  
20 a minimum of forty hours of reading instruction and  
21 practice. A school district may arrange the hours and days

22 of instruction to coordinate with its regular program of  
23 summer school.

24 2. For purposes of this section, methods of reading  
25 assessment shall be determined by each school district.  
26 Unless a student has been determined in the current school  
27 year to be reading at grade level or above, each school  
28 district shall administer a reading assessment or set of  
29 assessments to each student within forty-five days of the  
30 end of the third-grade year, except that the provisions of  
31 this subsection shall not apply to students receiving  
32 special education services under an individualized education  
33 plan pursuant to sections 162.670 to 162.999, to students  
34 receiving services pursuant to Section 504 of the  
35 Rehabilitation Act of 1973 whose services plan includes an  
36 element addressing reading or to students determined to have  
37 limited English proficiency or to students who have been  
38 determined, prior to the beginning of any school year, to  
39 have a cognitive ability insufficient to meet the reading  
40 requirement set out in this section, provided that districts  
41 shall provide reading improvement plans for students  
42 determined to have such insufficient cognitive ability. The  
43 assessment required by this subsection shall also be  
44 required for students who enter a school district in grades  
45 four, five or six unless such student has been determined in  
46 the current school year to be reading at grade level or  
47 above.

48 3. Beginning with school year 2002-03, for each  
49 student whose third-grade reading assessment determines that  
50 such student is reading below second-grade level, the school  
51 district shall design a reading improvement plan for the  
52 student's fourth-grade year. Such reading improvement plan  
53 shall include, at a minimum, thirty hours of additional  
54 reading instruction or practice outside the regular school

55 day during the fourth-grade year. The school district shall  
56 determine the method of reading instruction necessary to  
57 enforce this subsection. The school district may also  
58 require the student to attend summer school for reading  
59 instruction as a condition of promotion to fourth grade.  
60 The department of elementary and secondary education may,  
61 from funds appropriated for the purpose, reimburse school  
62 districts for additional instructional personnel costs  
63 incurred in the implementation and execution of the thirty  
64 hours of additional reading instruction minus the revenue  
65 generated by the school district through the foundation  
66 formula for the additional reading instruction average daily  
67 attendance.

68 4. Each student for whom a reading improvement plan  
69 has been designed pursuant to subsection 3 of this section  
70 shall be given another reading assessment, to be  
71 administered within forty-five days of the end of such  
72 student's fourth-grade year. If such student is determined  
73 to be reading below third-grade level, the student shall be  
74 required to attend summer school to receive reading  
75 instruction. At the end of such summer school instruction,  
76 such student shall be given another reading assessment. If  
77 such student is determined to be reading below third-grade  
78 level, the district shall notify the student's parents or  
79 guardians, and the student shall not be promoted to fifth  
80 grade. No student shall be denied promotion more than once  
81 solely for inability to meet the reading standards set out  
82 in this section.

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



88           6. The mandatory process of additional reading  
89 instruction pursuant to this section shall cease at the end  
90 of the sixth grade. The permanent record of students who  
91 are determined to be reading below the fifth-grade level at  
92 the end of sixth grade shall carry a notation advising that  
93 such student has not met minimal reading standards. The  
94 notation shall stay on the student's record until such time  
95 as the district determines that a student has met minimal  
96 reading standards.

97           7. Each school district shall be required to offer  
98 summer school reading instruction to any student with a  
99 reading improvement plan. Districts may fulfill the  
100 requirement of this section through cooperative arrangements  
101 with neighboring districts; provided that such districts  
102 shall timely make all payments provided pursuant to such  
103 cooperative agreements.

104           8. A school district may adopt a policy that requires  
105 retention in grade of any student who has been determined to  
106 require summer school instruction in reading and who does  
107 not fulfill the summer school attendance requirement.

108           9. Nothing in this section shall preclude a school  
109 district from retaining any student in grade when a  
110 determination is made in accordance with district policy  
111 that retention is in the best interests of the student.

112           10. The state board of education shall not incorporate  
113 information about the number of students receiving  
114 additional instruction pursuant to this section into any  
115 element of any standard of the Missouri school improvement  
116 program or its successor accreditation program; provided,  
117 however, each district shall make available, upon the  
118 request of any parent, patron, or media outlet within the  
119 district, the number and percentage of students receiving  
120 remediation pursuant to this section. The information shall

121 be presented in a way that does not permit personal  
122 identification of any student or educational personnel.

123 11. Each school district shall make a systematic  
124 effort to inform parents of the methods and materials used  
125 to teach reading in kindergarten through fourth grade, in  
126 terms understandable to a layperson and shall similarly  
127 inform parents of students for whom a reading improvement  
128 plan is required pursuant to this section] Each school  
129 district and charter school shall assess all students  
130 enrolled in kindergarten through grade three at the  
131 beginning and end of each school year for their level of  
132 reading or reading readiness on state-approved reading  
133 assessments. Additionally, all school districts and charter  
134 schools shall assess any newly enrolled student in grades  
135 one through five for their level of reading or reading  
136 readiness on a reading assessment from the state-approved  
137 list. At the beginning of the school year, each school  
138 district and charter school shall provide a reading success  
139 plan to any student who:

140 (1) Exhibits a substantial deficiency in reading which  
141 creates a barrier to the child's progress learning to read.  
142 The identification of such deficiency may be based upon the  
143 most recent assessments or teacher observation; or

144 (2) Has been identified as being at risk of dyslexia  
145 in the statewide dyslexia screening or has a formal  
146 diagnosis of dyslexia.

147 For the purposes of this section, a substantial reading  
148 deficiency shall refer to a student who is one or more grade  
149 level or levels behind in reading or reading readiness;  
150 provided that nothing in this section shall be interpreted  
151 to prevent a school district or charter school from offering  
152 a reading success plan to any student based on an assessment  
153 completed at the start and end of the school year or teacher

154 observation. For any student entering the school district  
155 or charter school after the start of the school year, such  
156 student shall be provided a reading success plan in the  
157 event the student has been identified as having a  
158 substantial reading deficiency based on the student's most  
159 recent assessment or otherwise being identified through  
160 teacher observation. The student's reading proficiency  
161 shall be reassessed by reading assessments on the state-  
162 approved list. The student shall continue to be provided  
163 with intensive reading instruction under a reading success  
164 plan until the reading deficiency is remedied.

165 2. The district or charter school shall notify the  
166 parent or guardian of any student in kindergarten through  
167 grade three who exhibits a substantial deficiency in  
168 reading, as described in subsection 1 of this section, at  
169 least annually in writing, and in an appropriate,  
170 alternative manner for the parent or other guardian if  
171 necessary, of the following:

172 (1) That the child has been identified as having a  
173 substantial deficiency in reading;

174 (2) A description of the services currently provided  
175 to the child;

176 (3) A description of the proposed supplemental  
177 instructional services and supports that the school district  
178 will provide to the child that are designed to remediate the  
179 identified area of reading deficiency. For students  
180 identified as being at risk of dyslexia or those that have a  
181 diagnosis of dyslexia the district shall provide an  
182 explanation that the instruction that will be used to teach  
183 the child reading shall be explicit, systematic, and  
184 diagnostic and based on phonological awareness, phonics,  
185 fluency, vocabulary, comprehension, morphology, syntax, and  
186 semantics;

187           (4) Strategies for parents and guardians to use in  
188 helping the child succeed in reading proficiency, including  
189 but not limited to the promotion of parent-guided home  
190 reading.

191           3. If the school district or charter school provides a  
192 summer reading program under this section, the district or  
193 charter school shall notify the parent or guardian of each  
194 student who exhibits a substantial deficiency in reading of  
195 the opportunity to attend the summer reading program.

196           4. If a student has a substantial reading deficiency  
197 at the end of third grade, the student's parent or guardian  
198 and appropriate school staff shall discuss whether the  
199 student should be retained in grade level, based on a  
200 consideration of all relevant factors, including the reading  
201 deficiency, the student's progress in other subject areas,  
202 and the student's overall intellectual, physical, emotional,  
203 and social development. A decision to promote or retain a  
204 student with a substantial reading deficiency at the end of  
205 grade three shall be made only after direct personal  
206 consultation with the student's parent or guardian and after  
207 the formulation of a specific plan of action to remedy the  
208 student's reading deficiency.

209           5. Each school district or charter school shall do all  
210 of the following:

211           (1) Provide students who are identified as having a  
212 substantial deficiency in reading under subsection 1 of this  
213 section, have been identified as being at risk of dyslexia  
214 in the statewide dyslexia screening, or have a formal  
215 diagnosis of dyslexia with intensive instructional services  
216 and supports specified in a reading success plan, as  
217 appropriate according to student need, free of charge, to  
218 remediate the identified areas of reading deficiency,  
219 including additional scientific, evidence-based reading

220 instruction and other strategies prescribed by the school  
221 district or charter school which may include but are not  
222 limited to the following:

223 (a) Small group or individual instruction;

224 (b) Reduced teacher-student ratios;

225 (c) More frequent progress monitoring;

226 (d) Tutoring or mentoring;

227 (e) Extended school day, week, or year; and

228 (f) Summer reading programs;

229 (2) For any student with a formal diagnosis of  
230 dyslexia or for a student who was found to be at risk of  
231 dyslexia in the statewide dyslexia screening, the school  
232 district or charter school shall provide evidence-based  
233 reading instruction that addresses phonology, sound-symbol  
234 association, syllable instruction, morphology, syntax, and  
235 semantics provided through systematic, cumulative, explicit,  
236 and diagnostic methods;

237 (3) At regular intervals, but no less than four times  
238 per year in a manner that reflects progress through each  
239 school term, notify the parent or guardian of academic and  
240 other progress being made by the student and give the parent  
241 or guardian other useful information;

242 (4) In addition to required reading enhancement and  
243 acceleration strategies, provide all parents of students,  
244 including parents of students who are identified as having a  
245 substantial deficiency in reading under subsection 1 of this  
246 section, with a plan that includes suggestions for regular  
247 parent-guided home reading.

248 6. Each school district and charter school shall  
249 ensure that intensive reading instruction through a reading  
250 development initiative shall be provided to each  
251 kindergarten through grade five student who is assessed as  
252 exhibiting a substantial deficiency in reading. In addition

253 to the requirements otherwise provided, such instruction  
254 shall also comply with all of the following criteria:

255 (1) Be provided to all kindergarten through grade five  
256 students who exhibit a substantial deficiency in reading  
257 under this section. The assessments shall measure phonemic  
258 awareness, phonics, fluency, vocabulary, and comprehension;

259 (2) Be provided during regular school hours;

260 (3) Provide a reading curriculum that meets the  
261 requirements of section 170.014, and at a minimum has the  
262 following specifications:

263 (a) Assists students assessed as exhibiting a  
264 substantial deficiency in reading to develop the skills to  
265 read at grade level;

266 (b) Provides skill development in phonemic awareness,  
267 phonics, fluency, vocabulary, and comprehension;

268 (c) Includes a scientifically based and reliable  
269 assessment;

270 (d) Provides initial and ongoing analysis of each  
271 student's reading progress; and

272 (e) Provides a curriculum in core academic subjects to  
273 assist the student in maintaining or meeting proficiency  
274 levels for the appropriate grade in all academic subjects.

275 7. School districts and charter schools shall report  
276 to the department the specific intensive reading  
277 interventions and supports implemented by the school  
278 district or charter school pursuant to this section as well  
279 as the reading assessment data collected for grades  
280 kindergarten through five. The department shall annually  
281 prescribe the components of required or requested reports.

282 8. (1) Each school district and charter school shall  
283 address reading proficiency as part of its comprehensive  
284 school improvement plan, drawing upon information about  
285 children from assessments conducted pursuant to subsection 1

286 of this section and the prevalence of deficiencies  
287 identified by classroom, elementary school, and other  
288 student characteristics. As part of its comprehensive  
289 school improvement plan or contract, each school district or  
290 charter school shall review chronic early elementary  
291 absenteeism for its impact on literacy development. If more  
292 than fifteen percent of an attendance center's students are  
293 not at grade level in reading by the end of third grade, the  
294 comprehensive school improvement plan or contract shall  
295 include strategies to reduce that percentage, including  
296 school and community strategies to raise the percentage of  
297 students who are proficient in reading.

298 (2) Each school district and charter school shall  
299 provide professional development services to enhance the  
300 skills of elementary teachers in responding to children's  
301 unique reading issues and needs and to increase the use of  
302 evidence-based strategies.

167.850. 1. As used in this section, the following  
2 terms mean:

3 (1) "Board", the state board of education;

4 (2) "Commissioner", the commissioner of education;

5 (3) "Recovery high school", a public high school that  
6 serves eligible students diagnosed with substance use  
7 disorder or dependency as defined by the most recent  
8 Diagnostic and Statistical Manual of Mental Disorders and  
9 that provides both a comprehensive four-year high school  
10 education in an alternative public school setting and a  
11 structured plan of recovery;

12 (4) "Sending district", the school district where a  
13 student attending or planning to attend the recovery high  
14 school resides and from which the student is referred for  
15 enrollment in a recovery high school.

16           2. (1) The commissioner may approve and authorize up  
17 to four pilot recovery high schools, geographically located  
18 in metropolitan areas throughout the state, to be  
19 established by school districts or groups of school  
20 districts for the purpose of demonstrating the effectiveness  
21 of the recovery high school model in this state. The  
22 commissioner shall issue a request for proposals from school  
23 districts to operate a pilot recovery high school. Such  
24 proposals may be submitted by an individual school district  
25 proposing to operate a recovery high school or by a group of  
26 school districts proposing to jointly operate such a school.  
27 Such proposals shall be submitted to the commissioner no  
28 later than December first of the school year prior to the  
29 school year in which the recovery high school is proposed to  
30 begin operation. The approval of the board shall be  
31 required for the recovery high school to begin operation.

32           (2) Proposals shall detail how the district or  
33 districts will satisfy the criteria for a high school  
34 education program under state law and board rule and how the  
35 recovery high school will satisfy the requirements for  
36 accreditation by the Association of Recovery Schools or  
37 another recovery school accreditation organization  
38 authorized by the board. The proposal shall include a  
39 financial plan outlining the anticipated public and private  
40 funding that will allow the recovery high school to operate  
41 and meet the school's educational and recovery criteria.  
42 The district or districts may partner with one or more local  
43 nonprofit organizations or other local educational agencies  
44 regarding establishment and operation of a recovery high  
45 school and may establish a joint board to oversee the  
46 operation of the recovery high school as provided in a  
47 memorandum of understanding entered with such organization  
48 or organizations.



49           (3) By approval of the proposal upon the  
50 recommendation of the commissioner, the board shall be  
51 deemed to have authorized all necessary equivalencies and  
52 waivers of regulations enumerated in the proposal.

53           (4) The commissioner may specify an authorization  
54 period for the recovery high school, which shall be no less  
55 than four years. Before July first of each year the  
56 recovery high school is in operation, the school district or  
57 group of school districts, in consultation with the recovery  
58 high school, shall submit to the commissioner an analysis of  
59 the recovery high school's educational, recovery, and other  
60 related outcomes as specified in the proposal. The  
61 commissioner shall review the analysis and renew any  
62 recovery high school meeting the requirements of this  
63 section and the requirements of the school's proposal and  
64 may include terms and conditions to address areas needing  
65 correction or improvement. The commissioner may revoke or  
66 suspend the authorization of a recovery high school not  
67 meeting the requirements of this section or the requirements  
68 of the school's proposal.

69           (5) Pupil attendance, dropout rate, student  
70 performance on statewide assessments, and other data  
71 considered in the Missouri school improvement program and  
72 school accreditation shall not be attributed to the general  
73 accreditation of either a sending district or the district  
74 or districts operating the recovery high school and may be  
75 used by the commissioner only in the renewal process for the  
76 recovery high school as provided in this subsection.

77           3. (1) A school district may enter into an agreement  
78 with a district or districts operating a recovery high  
79 school for the enrollment of an eligible student who is  
80 currently enrolled in or resides in the sending district.

81           (2) A parent or guardian may seek to enroll an  
82 eligible student residing in a sending district in a  
83 recovery high school created under this section. A student  
84 over eighteen years of age residing in a sending district  
85 may seek to enroll in a recovery high school.

86           (3) An eligible student shall mean a student who is in  
87 recovery from substance use disorder or substance  
88 dependency, or such a condition along with co-occurring  
89 disorders such as anxiety, depression, and attention deficit  
90 hyperactivity disorder, and who is determined by the  
91 recovery high school to be a student who would academically  
92 and clinically benefit from placement in the recovery high  
93 school and is committed to working on the student's  
94 recovery. The recovery high school shall consider available  
95 information including, but not limited to, any  
96 recommendation of a drug counselor, alcoholism counselor, or  
97 substance abuse counselor licensed or certified under  
98 applicable laws and regulations.

99           (4) A recovery high school shall not limit or deny  
100 admission to an eligible student based on race, ethnicity,  
101 national origin, disability, income level, proficiency in  
102 the English language, or athletic ability.

103           4. (1) The recovery high school shall annually adopt  
104 a policy establishing a tuition rate for its students no  
105 later than February first of the preceding school year.

106           (2) The sending district of an eligible student who is  
107 enrolled in and attending a recovery high school shall pay  
108 tuition to the recovery high school equal to the lesser of:

109           (a) The tuition rate established under subdivision (1)  
110 of this subsection; or

111           (b) The state adequacy target, as defined in section  
112 163.011, plus the average sum produced per child by the

113 local tax effort above the state adequacy target of the  
114 sending district.

115 (3) If costs associated with the provision of special  
116 education and related disability services to the student  
117 exceed the tuition to be paid under subdivision (2) of this  
118 subsection, the sending district shall remain responsible  
119 for paying the excess cost to the recovery high school.

120 (4) The commissioner may enter into an agreement with  
121 the appropriate official or agency of another state to  
122 develop a reciprocity agreement for otherwise eligible,  
123 nonresident students seeking to attend a recovery high  
124 school in this state. A recovery high school may enroll  
125 otherwise eligible students residing in a state other than  
126 this state as provided in such reciprocity agreement. Such  
127 reciprocity agreement shall require the out-of-state  
128 student's district of residence to pay to the recovery high  
129 school an annual amount equal to one hundred five percent of  
130 the tuition rate for the recovery high school established  
131 under this subsection. If an otherwise eligible student  
132 resides in a state that is not subject to a reciprocity  
133 agreement, such student may attend a recovery high school  
134 provided such student pays to the school one hundred five  
135 percent of the tuition rate for the recovery high school  
136 established under this subsection. No student enrolled and  
137 attending a recovery high school under this subdivision  
138 shall be included as a resident pupil for any state aid  
139 purpose under chapter 163.

140 5. The board, in consultation with the department of  
141 mental health, may promulgate rules to implement the  
142 provisions of this section. Any rule or portion of a rule,  
143 as that term is defined in section 536.010, that is created  
144 under the authority delegated in this section shall become  
145 effective only if it complies with and is subject to all of

146 the provisions of chapter 536 and, if applicable, section  
147 536.028. This section and chapter 536 are nonseverable, and  
148 if any of the powers vested with the general assembly  
149 pursuant to chapter 536 to review, to delay the effective  
150 date, or to disapprove and annul a rule are subsequently  
151 held unconstitutional, then the grant of rulemaking  
152 authority and any rule proposed or adopted after August 28,  
153 2022, shall be invalid and void.

168.021. 1. Certificates of license to teach in the  
2 public schools of the state shall be granted as follows:

3 (1) By the state board, under rules and regulations  
4 prescribed by it:

5 (a) Upon the basis of college credit;

6 (b) Upon the basis of examination;

7 (2) By the state board, under rules and regulations  
8 prescribed by the state board with advice from the advisory  
9 council established by section 168.015 to any individual who  
10 presents to the state board a valid doctoral degree from an  
11 accredited institution of higher education accredited by a  
12 regional accrediting association such as North Central  
13 Association. Such certificate shall be limited to the major  
14 area of postgraduate study of the holder, shall be issued  
15 only after successful completion of the examination required  
16 for graduation pursuant to rules adopted by the state board  
17 of education, and shall be restricted to those certificates  
18 established pursuant to subdivision (2) of subsection 3 of  
19 this section;

20 (3) By the state board, which shall issue the  
21 professional certificate classification in both the general  
22 and specialized areas most closely aligned with the current  
23 areas of certification approved by the state board,  
24 commensurate with the years of teaching experience of the  
25 applicant, and based upon the following criteria:

26 (a) Recommendation of a state-approved baccalaureate-  
27 level teacher preparation program;

28 (b) a. Successful attainment of the Missouri  
29 qualifying score on the exit assessment for teachers or  
30 administrators designated by the state board of education[.];

31 b. (i) Applicants who have not successfully achieved  
32 a qualifying score on the designated examinations will be  
33 issued a two-year nonrenewable provisional certificate;

34 (ii) During the two-year nonrenewable provisional  
35 certification, an individual teacher may gain full  
36 professional certification by:

37 i. Achieving a qualifying score on the designated  
38 exam; or

39 ii. Successfully achieving an acceptable score on the  
40 state-approved teacher evaluation system from seven walk-  
41 through evaluations, two formative evaluations, and one  
42 summative evaluation for each of the two probationary years  
43 and being offered a third contract by the employing  
44 district. For any applicant who has a change in job status  
45 because of a reduction in the workforce or a change in life  
46 circumstances, the scores required under this item may be  
47 scores achieved in any school district during the two-year  
48 nonrenewable provisional certification period; and

49 (iii) The employing school district shall recommend to  
50 the department of elementary and secondary education that  
51 the individual teacher be awarded a full professional  
52 certification by the state board under rules prescribed by  
53 the state board; and

54 (c) Upon completion of a background check as  
55 prescribed in section 168.133 and possession of a valid  
56 teaching certificate in the state from which the applicant's  
57 teacher preparation program was completed;

58           (4) By the state board, under rules prescribed by it,  
59 on the basis of a relevant bachelor's degree, or higher  
60 degree, and a passing score for the designated exit  
61 examination, for individuals whose academic degree and  
62 professional experience are suitable to provide a basis for  
63 instruction solely in the subject matter of banking or  
64 financial responsibility, at the discretion of the state  
65 board. Such certificate shall be limited to the major area  
66 of study of the holder and shall be restricted to those  
67 certificates established under subdivision (2) of subsection  
68 3 of this section. Holders of certificates granted under  
69 this subdivision shall be exempt from the teacher tenure act  
70 under sections 168.102 to 168.130 and each school district  
71 shall have the decision-making authority on whether to hire  
72 the holders of such certificates;

73           (5) By the state board, under rules and regulations  
74 prescribed by it, on the basis of certification by the  
75 American Board for Certification of Teacher Excellence  
76 (ABCTE) and verification of ability to work with children as  
77 demonstrated by sixty contact hours in any one of the  
78 following areas as validated by the school principal: sixty  
79 contact hours in the classroom, of which at least forty-five  
80 must be teaching; sixty contact hours as a substitute  
81 teacher, with at least thirty consecutive hours in the same  
82 classroom; sixty contact hours of teaching in a private  
83 school; or sixty contact hours of teaching as a  
84 paraprofessional, for an initial four-year ABCTE certificate  
85 of license to teach, except that such certificate shall not  
86 be granted for the areas of early childhood education, or  
87 special education. For certification in the area of  
88 elementary education, ninety contact hours in the classroom  
89 shall be required, of which at least thirty shall be in an  
90 elementary classroom. Upon the completion of the following

91 requirements [listed in paragraphs (a), (b), (c), and (d) of  
92 this subdivision], an applicant shall be eligible to apply  
93 for a career continuous professional certificate under  
94 subdivision (3) of subsection 3 of this section:

95 (a) Completion of thirty contact hours of professional  
96 development within four years, which may include hours spent  
97 in class in an appropriate college curriculum;

98 (b) Validated completion of two years of the mentoring  
99 program of the American Board for Certification of Teacher  
100 Excellence or a district mentoring program approved by the  
101 state board of education;

102 (c) Attainment of a successful performance-based  
103 teacher evaluation; and

104 (d) Participation in a beginning teacher assistance  
105 program; or

106 (6) (a) By the state board, under rules and  
107 regulations prescribed by [it] the board, which shall issue  
108 an initial visiting scholars certificate at the discretion  
109 of the board, based on the following criteria:

110 [(a)] a. Verification from the hiring school district  
111 that the applicant will be employed as part of a business-  
112 education partnership initiative designed to build career  
113 pathways systems or employed as part of an initiative  
114 designed to fill vacant positions in hard-to-staff public  
115 schools or hard-to-fill subject areas for students in a  
116 grade or grades not lower than the ninth grade for which the  
117 applicant's academic degree or professional experience  
118 qualifies [him or her] the applicant;

119 [(b)] b. Appropriate and relevant bachelor's degree or  
120 higher, occupational license, or industry-recognized  
121 credential;

122 [(c)] c. Completion of the application for a one-year  
123 visiting scholars certificate; and

124            [(d)] d. Completion of a background check as  
125 prescribed under section 168.133.

126            (b) The initial visiting scholars certificate shall  
127 certify the holder of such certificate to teach for one  
128 year. An applicant shall be eligible to renew an initial  
129 visiting scholars certificate a maximum of two times, based  
130 upon the completion of the requirements listed under  
131 [paragraphs (a), (b), and (d)] subparagraphs a., b., and d.  
132 of paragraph (a) of this subdivision; completion of  
133 professional development required by the school district and  
134 school; and attainment of a satisfactory performance-based  
135 teacher evaluation.

136            2. All valid teaching certificates issued pursuant to  
137 law or state board policies and regulations prior to  
138 September 1, 1988, shall be exempt from the professional  
139 development requirements of this section and shall continue  
140 in effect until they expire, are revoked or suspended, as  
141 provided by law. When such certificates are required to be  
142 renewed, the state board or its designee shall grant to each  
143 holder of such a certificate the certificate most nearly  
144 equivalent to the one so held. Anyone who holds, as of  
145 August 28, 2003, a valid PC-I, PC-II, or continuous  
146 professional certificate shall, upon expiration of [his or  
147 her] such person's current certificate, be issued the  
148 appropriate level of certificate based upon the  
149 classification system established pursuant to subsection 3  
150 of this section.

151            3. (1) Certificates of license to teach in the public  
152 schools of the state shall be based upon minimum  
153 requirements prescribed by the state board of education  
154 which shall include completion of a background check as  
155 prescribed in section 168.133. The state board shall  
156 provide for the following levels of professional



157 certification: an initial professional certificate and a  
158 career continuous professional certificate.

159 (2) The initial professional certificate shall be  
160 issued upon completion of requirements established by the  
161 state board of education and shall be valid based upon  
162 verification of actual teaching within a specified time  
163 period established by the state board of education. The  
164 state board shall require holders of the four-year initial  
165 professional certificate to:

166 (a) Participate in a mentoring program approved and  
167 provided by the district for a minimum of two years;

168 (b) Complete thirty contact hours of professional  
169 development, which may include hours spent in class in an  
170 appropriate college curriculum, or for holders of a  
171 certificate under subdivision (4) of subsection 1 of this  
172 section, an amount of professional development in proportion  
173 to the certificate holder's hours in the classroom, if the  
174 certificate holder is employed less than full time; and

175 (c) Participate in a beginning teacher assistance  
176 program.

177 (3) (a) The career continuous professional  
178 certificate shall be issued upon verification of completion  
179 of four years of teaching under the initial professional  
180 certificate and upon verification of the completion of the  
181 requirements articulated in paragraphs (a) ~~[, (b), and]~~ to  
182 (c) of subdivision (2) of this subsection or paragraphs  
183 (a) ~~[, (b), (c), and]~~ to (d) of subdivision (5) of subsection  
184 1 of this section.

185 (b) The career continuous professional certificate  
186 shall be continuous based upon verification of actual  
187 employment in an educational position as provided for in  
188 state board guidelines and completion of fifteen contact  
189 hours of professional development per year which may include

190 hours spent in class in an appropriate college curriculum.  
191 Should the possessor of a valid career continuous  
192 professional certificate fail, in any given year, to meet  
193 the fifteen-hour professional development requirement, the  
194 possessor may, within two years, make up the missing hours.  
195 In order to make up for missing hours, the possessor shall  
196 first complete the fifteen-hour requirement for the current  
197 year and then may count hours in excess of the current year  
198 requirement as make-up hours. Should the possessor fail to  
199 make up the missing hours within two years, the certificate  
200 shall become inactive. In order to reactivate the  
201 certificate, the possessor shall complete twenty-four  
202 contact hours of professional development which may include  
203 hours spent in the classroom in an appropriate college  
204 curriculum within the six months prior to or after  
205 reactivating [his or her] the possessor's certificate. The  
206 requirements of this paragraph shall be monitored and  
207 verified by the local school district which employs the  
208 holder of the career continuous professional certificate.

209 (c) A holder of a career continuous professional  
210 certificate shall be exempt from the professional  
211 development contact hour requirements of paragraph (b) of  
212 this subdivision if such teacher has a local professional  
213 development plan in place within such teacher's school  
214 district and meets two of the three following criteria:

- 215 a. Has ten years of teaching experience as defined by  
216 the state board of education;
- 217 b. Possesses a master's degree; or
- 218 c. Obtains a rigorous national certification as  
219 approved by the state board of education.

220 4. Policies and procedures shall be established by  
221 which a teacher who was not retained due to a reduction in  
222 force may retain the current level of certification. There

223 shall also be established policies and procedures allowing a  
224 teacher who has not been employed in an educational position  
225 for three years or more to reactivate [his or her] the  
226 teacher's last level of certification by completing twenty-  
227 four contact hours of professional development which may  
228 include hours spent in the classroom in an appropriate  
229 college curriculum within the six months prior to or after  
230 reactivating [his or her] the teacher's certificate.

231 5. The state board shall, upon completion of a  
232 background check as prescribed in section 168.133, issue a  
233 professional certificate classification in the areas most  
234 closely aligned with an applicant's current areas of  
235 certification, commensurate with the years of teaching  
236 experience of the applicant, to any person who is hired to  
237 teach in a public school in this state and who possesses a  
238 valid teaching certificate from another state or  
239 certification under subdivision (4) of subsection 1 of this  
240 section, provided that the certificate holder shall annually  
241 complete the state board's requirements for such level of  
242 certification, and shall establish policies by which  
243 residents of states other than the state of Missouri may be  
244 assessed a fee for a certificate of license to teach in the  
245 public schools of Missouri. Such fee shall be in an amount  
246 sufficient to recover any or all costs associated with the  
247 issuing of a certificate of license to teach. The board  
248 shall promulgate rules to authorize the issuance of a  
249 provisional certificate of license, which shall be valid for  
250 three years and shall allow the holder to assume classroom  
251 duties pending the completion of a criminal background check  
252 under section 168.133, for any applicant who:

253 (1) Is the spouse of a member of the Armed Forces  
254 stationed in Missouri;

255 (2) Relocated from another state within one year of  
256 the date of application;

257 (3) Underwent a criminal background check in order to  
258 be issued a teaching certificate of license from another  
259 state; and

260 (4) Otherwise qualifies under this section.

261 6. The state board may assess to holders of an initial  
262 professional certificate a fee, to be deposited into the  
263 excellence in education [revolving] fund established  
264 pursuant to section 160.268, for the issuance of the career  
265 continuous professional certificate. However, such fee  
266 shall not exceed the combined costs of issuance and any  
267 criminal background check required as a condition of  
268 issuance. Applicants for the initial ABCTE certificate  
269 shall be responsible for any fees associated with the  
270 program leading to the issuance of the certificate, but  
271 nothing in this section shall prohibit a district from  
272 developing a policy that permits fee reimbursement.

273 7. Any member of the public school retirement system  
274 of Missouri who entered covered employment with ten or more  
275 years of educational experience in another state or states  
276 and held a certificate issued by another state and  
277 subsequently worked in a school district covered by the  
278 public school retirement system of Missouri for ten or more  
279 years who later became certificated in Missouri shall have  
280 that certificate dated back to [his or her] the member's  
281 original date of employment in a Missouri public school.

282 8. Within thirty days of receiving an application from  
283 a spouse of an active duty member of the Armed Forces of the  
284 United States who has been transferred or is scheduled to be  
285 transferred to the state of Missouri, or who has been  
286 transferred or is scheduled to be transferred to an adjacent  
287 state and is or will be domiciled in the state of Missouri,

288 or has moved to the state of Missouri on a permanent change-  
289 of-station basis and has successfully completed the  
290 background check described under subsection 5 of this  
291 section and section 168.133, the state board shall issue to  
292 such applicant a full certificate of license to teach,  
293 provided that the applicant has paid all necessary fees and  
294 has otherwise met all requirements to be issued such a  
295 certificate.

168.036. 1. In addition to granting certificates of  
2 license to teach in public schools of the state under  
3 section 168.021, the state board of education shall grant  
4 substitute teacher certificates as provided in this section  
5 to any individual seeking to substitute teach in any public  
6 school in this state.

7 2. (1) The state board shall not grant a certificate  
8 of license to teach under this section to any individual who  
9 has not completed a background check as required under  
10 section 168.021.

11 (2) The state board may refuse to issue or renew,  
12 suspend, or revoke any certificate sought or issued under  
13 this section in the same manner and for the same reasons as  
14 under section 168.071.

15 3. The state board may grant a certificate under this  
16 section to any individual who has completed:

17 (1) At least thirty-six semester hours at an  
18 accredited institution of higher education; or

19 (2) The twenty-hour online training program required  
20 in this section and who possesses a high school diploma or  
21 the equivalent thereof.

22 4. The department of elementary and secondary  
23 education shall develop and maintain an online training  
24 program for individuals, which shall consist of twenty hours

25 of training related to subjects appropriate for substitute  
26 teachers as determined by the department.

27 5. The state board may grant a certificate under this  
28 section to any highly qualified individual with expertise in  
29 a technical or business field or with experience in the  
30 Armed Forces of the United States who has completed the  
31 background check required in this section but does not meet  
32 any of the qualifications under subdivision (1) or (2) of  
33 subsection 3 of this section if the superintendent of the  
34 school district in which the individual seeks to substitute  
35 teach sponsors such individual and the school board of the  
36 school district in which the individual seeks to substitute  
37 teach votes to approve such individual to substitute teach.

38 6. (1) Notwithstanding any other provisions to  
39 contrary, beginning on the effective date of this section  
40 and ending on June 30, 2025, any person, who is retired and  
41 currently receiving a retirement allowance under sections  
42 169.010 to 169.141 or sections 169.600 to 169.715, other  
43 than for disability, may be employed to substitute teach on  
44 a part time or temporary substitute basis by an employer  
45 included in the retirement system without a discontinuance  
46 of the person's retirement allowance. Such a person shall  
47 not contribute to the retirement system, or to the public  
48 school retirement system established by sections 169.010 to  
49 169.141 or to the public education employee retirement  
50 system established by sections 169.600 to 169.715, because  
51 of earnings during such period of employment.

52 (2) In addition to the conditions set forth in  
53 subdivision 1 of this subsection, any person retired and  
54 currently receiving a retirement allowance under sections  
55 169.010 to 169.141, other than for disability, who is  
56 employed by a third party or is performing work as an  
57 independent contractor may be employed to substitute teach

58 on a part-time or temporary substitute basis, if such person  
59 is performing work for an employer included in the  
60 retirement system without a discontinuance of the person's  
61 retirement allowance.

62 (3) If a person is employed pursuant to this  
63 subsection on a regular, full-time basis the person shall  
64 not be entitled to receive the person's retirement allowance  
65 for any month during which the person is so employed. The  
66 retirement system may require the employer, the third-party  
67 employer, the independent contractor, and the retiree  
68 subject to this subsection to provide documentation showing  
69 compliance with this subsection. If such documentation is  
70 not provided, the retirement system may deem the retiree to  
71 have exceeded the limitations provided in this subsection.

72 7. A certificate granted under this section shall be  
73 valid for four years. A certificate granted under this  
74 section shall expire at the end of any calendar year in  
75 which the individual fails to substitute teach for at least  
76 five days or forty hours of in-seat instruction.

77 8. (1) An individual to whom the state board grants a  
78 certificate under this section may be a substitute teacher  
79 in a public school in the state if the school district  
80 agrees to employ the individual as a substitute teacher and  
81 such individual has completed a background check as required  
82 in subsection 10 of this section.

83 (2) No individual to whom the state board grants a  
84 certificate under this section and who is under twenty years  
85 of age shall be a substitute teacher in grades nine to  
86 twelve.

87 9. Each school district may develop an orientation for  
88 individuals to whom the state board grants a certificate  
89 under this section for such individuals employed by the  
90 school district and may require such individuals to complete

91 such orientation. Such orientation shall contain at least  
92 two hours of subjects appropriate for substitute teachers  
93 and shall contain instruction on the school district's best  
94 practices for classroom management.

95 10. Beginning January 1, 2023, any substitute teacher  
96 may, at the time such substitute teacher submits the  
97 fingerprints and information required for the background  
98 check required under section 168.021, designate up to five  
99 school districts to which such substitute teacher has  
100 submitted an application for substitute teaching to receive  
101 the results of the substitute teacher's criminal history  
102 background check and fingerprint collection. The total  
103 amount of any fees for disseminating such results to up to  
104 five school districts under this subsection shall not exceed  
105 fifty dollars.

106 11. The state board may exercise the board's authority  
107 under chapter 161 to promulgate all necessary rules and  
108 regulations necessary for the administration of this section.

168.037. 1. The department of elementary and  
2 secondary education shall create and maintain a web-based  
3 survey for collecting anonymous information from substitute  
4 teachers in Missouri public schools. The survey will  
5 collect anonymous, nonbiased, real-time data that school  
6 districts, charter schools, and the state can access to  
7 study and improve the effectiveness of substitute teachers  
8 in supporting instruction and learning and to improve  
9 circumstances that may cause a shortage of available  
10 substitute teachers.

11 2. (1) Each substitute teacher in a public school  
12 shall complete the survey described in subsection 1 of this  
13 section at the end of each day of teaching. The district or  
14 charter school in which the substitute teacher is teaching  
15 for that day shall provide, by email, a web link to the



16 survey. If needed, the district or charter school shall  
17 also provide brief access to a computer or other connected  
18 device sufficient to allow the survey to be completed. The  
19 survey can also be completed on-site by the substitute  
20 teacher using a personal device.

21 (2) The survey described in subsection 1 of this  
22 section shall include, at a minimum, questions regarding:  
23 the age and level of education of the substitute teacher,  
24 the date of teaching, the district and school, the grade or  
25 grades taught, information about support and interaction  
26 with school staff, any student health or safety issues  
27 experienced, and rate of substitute teacher pay.

28 3. Districts and charter schools shall annually  
29 provide information to the department of elementary and  
30 secondary education regarding: use of third-party  
31 employment agencies for substitute teachers, daily rate of  
32 substitute teacher pay, employment of full-time and part-  
33 time substitute teachers, substitute teacher recruitment  
34 efforts, the substitute teacher interview process, and use  
35 of current school staff as substitute teachers during other  
36 assigned time.

168.205. 1. Notwithstanding any provision of law to  
2 the contrary, two or more school districts may share a  
3 superintendent who possesses a valid Missouri  
4 superintendent's license. If any school districts choose to  
5 share a superintendent, they shall not be required to  
6 receive approval from the department of elementary and  
7 secondary education but may notify the department.

8 2. (1) Beginning July 1, 2023, subject to  
9 appropriation, a school district that enters into an  
10 agreement with another school district to share a  
11 superintendent shall receive additional state aid under this  
12 subsection.

13           (2) The department of elementary and secondary  
14 education shall annually distribute thirty thousand dollars  
15 to any school district that shares a superintendent under  
16 this subsection. Any such amount distributed to a school  
17 district shall be in addition to and shall not be included  
18 in any calculation of state aid under chapter 163.

19           (3) To receive the additional thirty thousand dollars  
20 under this subsection, the school district shall provide  
21 proof to the department of elementary and secondary  
22 education that the school district will use all of the  
23 additional thirty thousand dollars received under this  
24 subsection and at least half of the amount saved as a result  
25 of participating in sharing a superintendent under this  
26 subsection to compensate teachers or to provide counseling  
27 services.

28           (4) No school district that receives additional  
29 funding under this subsection shall receive such funding for  
30 more than five years.

168.500. 1. For the purpose of providing career pay,  
2 which shall be a salary supplement, for public school  
3 teachers, which for the purpose of sections 168.500 to  
4 168.515 shall include classroom teachers, librarians, school  
5 counselors and certificated teachers who hold positions as  
6 school psychological examiners, parents as teachers  
7 educators, school psychologists, special education  
8 diagnosticians and speech pathologists, and are on the  
9 district salary schedule, there is hereby created and  
10 established a career advancement program which shall be  
11 known as the "Missouri Career Development and Teacher  
12 Excellence Plan", hereinafter known as the "career plan or  
13 program". Participation by local school districts in the  
14 career advancement program established under this section  
15 shall be voluntary. The career advancement program is a

16 matching fund program. The general assembly may make an  
17 annual appropriation to the excellence in education fund  
18 established under section 160.268 for the purpose of  
19 providing the state's portion for the career advancement  
20 program. The "Career Ladder Forward Funding Fund" is hereby  
21 established in the state treasury. Beginning with fiscal  
22 year 1998 and until the career ladder forward funding fund  
23 is terminated pursuant to this subsection, the general  
24 assembly may appropriate funds to the career ladder forward  
25 funding fund. Notwithstanding the provisions of section  
26 33.080 to the contrary, moneys in the fund shall not be  
27 transferred to the credit of the general revenue fund at the  
28 end of the biennium. All interest or other gain received  
29 from investment of moneys in the fund shall be credited to  
30 the fund. All funds deposited in the fund shall be  
31 maintained in the fund until such time as the balance in the  
32 fund at the end of the fiscal year is equal to or greater  
33 than the appropriation for the career ladder program for the  
34 following year, at which time all such revenues shall be  
35 used to fund, in advance, the career ladder program for such  
36 following year and the career ladder forward funding fund  
37 shall thereafter be terminated.

38 2. The department of elementary and secondary  
39 education, at the direction of the commissioner of  
40 education, shall study and develop model career plans which  
41 shall be made available to the local school districts.  
42 These state model career plans shall:

43 (1) Contain three steps or stages of career  
44 advancement;

45 (2) Contain a detailed procedure for the admission of  
46 teachers to the career program;

47 (3) Contain specific criteria for career step  
48 qualifications and attainment. These criteria shall clearly

49 describe the minimum number of professional responsibilities  
50 required of the teacher at each stage of the plan and shall  
51 include reference to classroom performance evaluations  
52 performed pursuant to section 168.128. The criteria may  
53 include, but shall not be limited to, teacher externships as  
54 provided in section 168.025;

55 (4) Be consistent with the teacher certification  
56 process recommended by the Missouri advisory council of  
57 certification for educators and adopted by the department of  
58 elementary and secondary education;

59 (5) Provide that public school teachers in Missouri  
60 shall become eligible to apply for admission to the career  
61 plans adopted under sections 168.500 to 168.515 after [five]  
62 two years of public school teaching in Missouri. All  
63 teachers seeking admission to any career plan shall, as a  
64 minimum, meet the requirements necessary to obtain the first  
65 renewable professional certificate as provided in section  
66 168.021;

67 (6) Provide procedures for appealing decisions made  
68 under career plans established under sections 168.500 to  
69 168.515.

70 3. School district career plans shall recognize  
71 additional responsibilities and volunteer efforts by  
72 teachers in formulating criteria for career ladder admission  
73 and stage achievement. Such additional responsibilities and  
74 volunteer efforts shall be required to occur outside of  
75 compensated hours and may include, but shall not be limited  
76 to:

77 (1) Serving as a coach, supervisor, or organizer for  
78 any extracurricular activity for which the teacher does not  
79 already receive additional compensation;

80 (2) Serving as a mentor for students, whether in a  
81 formal or informal capacity;

82           (3) Receiving additional teacher training or  
83 certification outside of that offered by the school district;

84           (4) Serving as a tutor or providing additional  
85 learning opportunities to students; and

86           (5) Assisting students with postsecondary education  
87 preparation including, but not limited to, teaching an ACT  
88 or SAT preparation course or assisting students with  
89 completing college or career school admission or financial  
90 assistance applications.

91           4. The commissioner of education shall cause the  
92 department of elementary and secondary education to  
93 establish guidelines for all career plans established under  
94 this section, and criteria that must be met by any school  
95 district which seeks funding for its career plan.

96           [4.] 5. A participating local school district may have  
97 the option of implementing a career plan developed by the  
98 department of elementary and secondary education or a local  
99 plan which has been developed with advice from teachers  
100 employed by the district and which has met with the approval  
101 of the department of elementary and secondary education. In  
102 approving local career plans, the department of elementary  
103 and secondary education may consider provisions in the plan  
104 of the local district for recognition of teacher mobility  
105 from one district to another within this state.

106           [5.] 6. The career plans of local school districts  
107 shall not discriminate on the basis of race, sex, religion,  
108 national origin, color, creed, or age. Participation in the  
109 career plan of a local school district is optional, and any  
110 teacher who declines to participate shall not be penalized  
111 in any way.

112           [6.] 7. In order to receive funds under this section,  
113 a school district which is not subject to section 162.920  
114 must have a total levy for operating purposes which is in

115 excess of the amount allowed in Section 11(b) of Article X  
116 of the Missouri Constitution; and a school district which is  
117 subject to section 162.920 must have a total levy for  
118 operating purposes which is equal to or in excess of twenty-  
119 five cents on each hundred dollars of assessed valuation.

120 [7.] 8. The commissioner of education shall cause the  
121 department of elementary and secondary education to regard a  
122 speech pathologist who holds both a valid certificate of  
123 license to teach and a certificate of clinical competence to  
124 have fulfilled the standards required to be placed on stage  
125 III of the career program, provided that such speech  
126 pathologist has been employed by a public school in Missouri  
127 for at least [five] two years and is approved for placement  
128 at such stage III by the local school district.

129 [8.] 9. Beginning in fiscal year 2012, the state  
130 portion of career ladder payments shall only be made  
131 available to local school districts if the general assembly  
132 makes an appropriation for such program. Payments  
133 authorized under sections 168.500 to 168.515 shall only be  
134 made available in a year for which a state appropriation is  
135 made. Any state appropriation shall be made prospectively  
136 in relation to the year in which work under the program is  
137 performed.

138 [9.] 10. Nothing in this section shall be construed to  
139 prohibit a local school district from funding the program  
140 for its teachers for work performed in years for which no  
141 state appropriation is made available.

168.515. 1. Each teacher selected to participate in a  
2 career plan established under sections 168.500 to 168.515,  
3 who meets the requirements of such plan, may receive a  
4 salary supplement, the state's share of which shall be  
5 distributed under section 163.031, equal to the following

6 amounts applied to the career ladder entitlement of section  
7 163.031:

8 (1) Career stage I teachers may receive up to an  
9 additional one thousand five hundred dollars per school year;

10 (2) Career stage II teachers may receive up to an  
11 additional three thousand dollars per school year;

12 (3) Career stage III teachers may receive up to an  
13 additional five thousand dollars per school year. All  
14 teachers within each stage within the same school district  
15 shall receive equal salary supplements.

16 2. The state may make payments pursuant to section  
17 163.031 to the local school district for the purpose of  
18 providing funding to the local school district for the  
19 payment of any salary supplements provided for in this  
20 section, subject to the availability of funds as  
21 appropriated each year and distributed on a matching basis  
22 where the percentage of state funding shall be ~~forty~~ sixty  
23 percent and the percentage of local funding shall be ~~sixty~~  
24 forty percent.

25 3. Not less than every fourth year, beginning with  
26 calendar year 1988, the general assembly, through the joint  
27 committee established under section 160.254, shall review  
28 the amount of the career pay provided for in this section to  
29 determine if any increases are necessary to reflect the  
30 increases in the cost of living which have occurred since  
31 the salary supplements were last reviewed or set.

32 4. To participate in the salary supplement program  
33 established under this section, a school district may submit  
34 to the voters of the district a proposition to increase  
35 taxes for this purpose. If a school district's current tax  
36 rate ceiling is at or above the rate from which an increase  
37 would require a two-thirds majority, the school board may  
38 submit to the voters of the district a proposition to reduce

39 or eliminate the amount of the levy reduction resulting from  
40 section 164.013. If a majority of the voters voting thereon  
41 vote in favor of the proposition, the board may certify that  
42 seventy-five percent of the revenue generated from this  
43 source shall be used to implement the salary supplement  
44 program established under this section.

45 5. In no case shall a school district use state funds  
46 received under this section nor local revenue generated from  
47 a tax established under subsection 4 of this section to  
48 comply with the minimum salary requirements for teachers  
49 established pursuant to section 163.172.

170.014. 1. This section shall be known as the  
2 "Reading Instruction Act" and is enacted to ensure that all  
3 public schools including charter schools establish reading  
4 programs in kindergarten through grade ~~three~~ five based in  
5 scientific research. "Evidence-based reading instruction"  
6 includes practices that have been proven effective through  
7 evaluation of the outcomes for large numbers of students and  
8 are highly likely to be effective in improving reading if  
9 implemented with fidelity. Such programs shall include the  
10 essential components of phonemic awareness, phonics,  
11 fluency, vocabulary, and comprehension, and all new teachers  
12 who teach reading in kindergarten through grade three shall  
13 receive adequate training in these areas.

14 2. ~~The program described in subsection 1 of this~~  
15 ~~section may include "explicit systematic phonics", which,~~  
16 ~~for the purposes of this section, shall mean the methodology~~  
17 ~~of pronouncing and reading words by learning the phonetic~~  
18 ~~sound association of individual letters, letter groups, and~~  
19 ~~syllables, and the principles governing these associations.~~

20 ~~3.]~~ Every public school in the state shall offer a  
21 reading program as described in subsection 1 of this section  
22 for kindergarten through grade ~~three~~ five.



170.018. 1. (1) For purposes of this section,  
2 "computer science course" means a course in which students  
3 study computers and algorithmic processes, including their  
4 principles, hardware and software designs, implementation,  
5 and impact on society. The term shall include, but not be  
6 limited to, a stand-alone course at any elementary, middle,  
7 or high school or a course at any elementary or middle  
8 school that embeds computer science content within other  
9 subjects.

10 (2) The department of elementary and secondary  
11 education shall, before July 1, 2019, develop a high school  
12 graduation policy that allows a student to fulfill one unit  
13 of academic credit with a district-approved computer science  
14 course meeting the standards of subsection 2 of this section  
15 for any mathematics, science, or practical arts unit  
16 required for high school graduation. The policy shall  
17 require that all students have either taken all courses that  
18 require end-of-course examinations for math and science or  
19 are on track to take all courses that require end-of-course  
20 examinations for math and science under the Missouri school  
21 improvement program in order to receive credit toward high  
22 school graduation under this subsection.

23 (3) A school district shall communicate to students  
24 electing to use a computer science course for a mathematics  
25 unit that some institutions of higher education may require  
26 four units of academic credit in mathematics for college  
27 admission. The parent, guardian, or legal custodian of each  
28 student who chooses to take a computer science course to  
29 fulfill a unit of academic credit in mathematics shall sign  
30 and submit to the school district a document containing a  
31 statement acknowledging that taking a computer science  
32 course to fulfill a unit of academic credit in mathematics  
33 may have an adverse effect on college admission decisions.

34 (4) The department of elementary and secondary  
35 education and the department of higher education and  
36 workforce development shall cooperate in developing and  
37 implementing academic requirements for computer science  
38 courses offered in any grade or grades not lower than the  
39 ninth nor higher than the twelfth grade.

40 2. (1) The department of elementary and secondary  
41 education shall convene a work group to develop and  
42 recommend rigorous academic performance standards relating  
43 to computer science for students in kindergarten and in each  
44 grade not higher than the twelfth grade. The work group  
45 shall include, but not be limited to, educators providing  
46 instruction in kindergarten or in any grade not higher than  
47 the twelfth grade and representatives from the department of  
48 elementary and secondary education, the department of higher  
49 education and workforce development, business and industry,  
50 and institutions of higher education. The department of  
51 elementary and secondary education shall develop written  
52 curriculum frameworks relating to computer science that may  
53 be used by school districts. The requirements of section  
54 160.514 shall not apply to this section.

55 (2) The state board of education shall adopt and  
56 implement academic performance standards relating to  
57 computer science beginning in the 2019-20 school year.

58 3. Before July 1, 2019, the department of elementary  
59 and secondary education shall develop a procedure by which  
60 any teacher who holds a certificate of license to teach  
61 under section 168.021 and demonstrates sufficient content  
62 knowledge of computer science shall receive a special  
63 endorsement on [his or her] the teacher's license signifying  
64 [his or her] the teacher's specialized knowledge in computer  
65 science.

66           4. (1) For purposes of this subsection, "eligible  
67 entity" means:

68           (a) A local educational agency, or a consortium of  
69 local educational agencies, in the state, including charter  
70 schools that have declared themselves local educational  
71 agencies;

72           (b) An institution of higher education in the state; or

73           (c) A nonprofit or private provider of nationally  
74 recognized and high-quality computer science professional  
75 development, as determined by the department of elementary  
76 and secondary education.

77           (2) There is hereby created in the state treasury the  
78 "Computer Science Education Fund". The fund shall consist  
79 of all moneys that may be appropriated to it by the general  
80 assembly and any gifts, contributions, grants, or bequests  
81 received from private or other sources for the purpose of  
82 providing teacher professional development programs relating  
83 to computer science. The state treasurer shall be custodian  
84 of the fund. In accordance with sections 30.170 and 30.180,  
85 the state treasurer may approve disbursements. The fund  
86 shall be a dedicated fund and, upon appropriation, moneys in  
87 the fund shall be used solely for the administration of  
88 grants to eligible entities as described in this section.  
89 Notwithstanding the provisions of section 33.080 to the  
90 contrary, any moneys remaining in the fund at the end of the  
91 biennium shall not revert to the credit of the general  
92 revenue fund. The state treasurer shall invest moneys in  
93 the fund in the same manner as other funds are invested.  
94 Any interest and moneys earned on such investments shall be  
95 credited to the fund.

96           (3) The state board of education shall award grants  
97 from the computer science education fund to eligible  
98 entities for the purpose of providing teacher professional

99 development programs relating to computer science. An  
100 eligible entity wishing to receive such a grant shall submit  
101 an application to the department of elementary and secondary  
102 education addressing how the entity plans to:

103 (a) Reach new and existing teachers with little  
104 computer science background;

105 (b) Use effective practices for professional  
106 development;

107 (c) Focus the training on the conceptual foundations  
108 of computer science;

109 (d) Reach and support historically underrepresented  
110 students in computer science;

111 (e) Provide teachers with concrete experience with  
112 hands-on, inquiry-based practices; and

113 (f) Accommodate the particular needs of students and  
114 teachers in each district and school.

115 5. (1) For all school years beginning on or after  
116 July 1, 2023, each public high school and charter high  
117 school shall offer at least one computer science course in  
118 an in-person setting or as a virtual or distance course  
119 option.

120 (2) Any computer science course or instruction offered  
121 under this subsection shall:

122 (a) Be of high quality as defined by the state board  
123 of education;

124 (b) Meet or exceed the computer science performance  
125 standards developed and adopted by the department of  
126 elementary and secondary education under this section; and

127 (c) For any computer science course offered by a  
128 public high school or charter high school, be offered in  
129 such school's course catalog.

130 (3) On or before June thirtieth of each school year,  
131 each school district shall submit to the department of

132 elementary and secondary education a report for the current  
133 school year which shall include, but not be limited to:

134 (a) The names and course codes of computer science  
135 courses offered in each school in the district with a course  
136 description and which computer science performance standards  
137 are covered, to the extent such information is available;

138 (b) The number and percentage of students who enrolled  
139 in each computer science course, listed by the categories in  
140 subparagraphs a. to f. of this paragraph. If a category  
141 contains one to five students or contains a quantity of  
142 students that would allow the quantity of another category  
143 that contains five or fewer to be deduced, the number shall  
144 be replaced with a symbol:

145 a. Sex;

146 b. Race and ethnicity;

147 c. Special education status including, but not limited  
148 to, students receiving services under the federal  
149 Individuals with Disabilities Education Act (IDEA) (20  
150 U.S.C. Section 1400 et seq., as amended) or Section 504 of  
151 the federal Rehabilitation Act of 1973 (29 U.S.C. Section  
152 794), as amended;

153 d. English language learner status;

154 e. Eligibility for free or reduced price meals; and

155 f. Grade level; and

156 (c) The number of computer science instructors at each  
157 school, listed by the following categories:

158 a. Applicable certifications;

159 b. Sex;

160 c. Race and ethnicity; and

161 d. Highest academic degree.

162 (4) On or before September thirtieth of each school  
163 year, the department of elementary and secondary education  
164 shall post the following on the department's website:

165 (a) Data received under paragraphs (a) and (b) of  
166 subdivision (3) of this subsection, disaggregated by school  
167 and aggregated statewide; and

168 (b) Data received under paragraph (c) of subdivision  
169 (3) of this subsection, aggregated statewide.

170 (5) On or before June thirtieth of each school year,  
171 the department of elementary and secondary education shall  
172 publish a list of computer science course codes and names  
173 with a course description and an indication of which courses  
174 meet or exceed the department of elementary and secondary  
175 education's computer science performance standards.

176 6. The department of elementary and secondary  
177 education shall appoint a computer science supervisor. The  
178 computer science supervisor shall be responsible for  
179 implementing the provisions of this section.

180 7. For all school years beginning on or after July 1,  
181 2023, a computer science course successfully completed and  
182 counted toward state graduation requirements shall be  
183 equivalent to one science course or one practical arts  
184 credit for the purpose of satisfying any admission  
185 requirements of any public institution of higher education  
186 in this state.

187 8. The department of elementary and secondary  
188 education shall promulgate rules to implement the provisions  
189 of this section. Any rule or portion of a rule, as that  
190 term is defined in section 536.010, that is created under  
191 the authority delegated in this section shall become  
192 effective only if it complies with and is subject to all of  
193 the provisions of chapter 536 and, if applicable, section  
194 536.028. This section and chapter 536 are nonseverable, and  
195 if any of the powers vested with the general assembly  
196 pursuant to chapter 536 to review, to delay the effective  
197 date, or to disapprove and annul a rule are subsequently

198 held unconstitutional, then the grant of rulemaking  
199 authority and any rule proposed or adopted after December  
200 18, 2018, shall be invalid and void.

170.036. 1. There is hereby established the "Computer  
2 Science Education Task Force" within the department of  
3 elementary and secondary education.

4 2. The task force shall consist of the following  
5 members:

6 (1) Two members of the house of representatives, with  
7 one member to be appointed by the speaker of the house of  
8 representatives and one member to be appointed by the  
9 minority leader of the house of representatives;

10 (2) Two members of the senate, with one member to be  
11 appointed by the president pro tempore of the senate and one  
12 member to be appointed by the minority leader of the senate;

13 (3) The governor or the governor's designee;

14 (4) The commissioner of education or the  
15 commissioner's designee;

16 (5) The commissioner of higher education or the  
17 commissioner's designee;

18 (6) Nine members who represent the interests of each  
19 of the following groups, to be appointed by the commissioner  
20 of education:

21 (a) The state board of education;

22 (b) Private industry in this state with interest in  
23 computer science;

24 (c) Nonprofit organizations;

25 (d) An association of school superintendents;

26 (e) A statewide association representing computer  
27 science teachers;

28 (f) A secondary teacher leader from career and  
29 technical education representing computer science teachers;

30 (g) An association of school board members;

31 (h) An association of elementary school principals; and

32 (i) An association of secondary school principals;

33 (7) A representative from a Missouri institution of  
34 higher education, to be appointed by the commissioner of  
35 higher education; and

36 (8) A representative from a Missouri private,  
37 nonprofit institution of higher education, to be appointed  
38 by the commissioner of higher education.

39 3. The mission of the computer science education task  
40 force shall be to develop a state strategic plan for  
41 expanding a statewide computer science education program,  
42 including the following:

43 (1) A statement of purpose that describes the  
44 objectives or goals the state board of education will  
45 accomplish by implementing a computer science education  
46 program, the strategies by which those goals will be  
47 achieved, and a timeline for achieving those goals;

48 (2) A summary of the current state landscape for K-12  
49 computer science education, including demographic reporting  
50 of students taking these courses;

51 (3) A plan for expanding computer science education  
52 opportunities to every school in the state within five years  
53 and increasing the representation of students from  
54 traditionally underserved groups, in computer science  
55 including female students, students from historically  
56 underrepresented racial and ethnic groups, students with  
57 disabilities, English-language learner students, students  
58 who qualify for free and reduced-price meals, and rural  
59 students;

60 (4) Within one year of the task force forming, a plan  
61 for schools serving any student in grades kindergarten  
62 through eighth grade to provide instruction in the basics of  
63 computer science and computation thinking in an integrated



64 or standalone format beginning in the 2024-25 school year  
65 without creating learning loss in the existing curriculum;

66 (5) A plan for ensuring teachers are well-prepared to  
67 begin teaching computer science, including defining high  
68 quality professional learning for in-service teachers and  
69 strategies for pre-service teacher preparation;

70 (6) A plan for ensuring teachers are well-prepared to  
71 begin teaching computer science, including defining high-  
72 quality professional learning for in-service teachers and  
73 strategies for pre-service teacher preparation;

74 (7) An ongoing evaluation process that is overseen by  
75 the state board of education;

76 (8) Proposed rules that incorporate the principles of  
77 the master plan into the state's public education system as  
78 a whole; and

79 (9) A plan to ensure long-term sustainability for  
80 computer science education.

81 4. The speaker of the house of representatives shall  
82 designate the chair of the task force, and the president pro  
83 tempore of the senate shall designate the vice chair of the  
84 task force.

85 5. Members of the task force shall serve without  
86 compensation, but the members and any staff assigned to the  
87 task force shall receive reimbursement for actual and  
88 necessary expenses incurred in attending meetings of the  
89 task force or any subcommittee thereof. All task force  
90 members shall be subject to the same conflict of interest  
91 provisions in chapter 105 that are enforced by the Missouri  
92 ethics commission in the same manner that elected or  
93 appointed officials and employees are subject to such  
94 provisions.

95 6. The task force shall hold its first meeting within  
96 three months from the effective date of this section.

97 7. Before June 30, 2023, the task force shall present  
98 a summary of its activities and any recommendations for  
99 legislation to the general assembly.

100 8. The computer science education task force shall  
101 dissolve on June 30, 2024.

170.047. 1. This section shall be known and may be  
2 cited as the "Jason Flatt/Avery Reine Cantor Act".

3 2. (1) Beginning in the 2017-18 school year and  
4 continuing until the end of the 2022-23 school year, any  
5 licensed educator may annually complete up to two hours of  
6 training or professional development in youth suicide  
7 awareness and prevention as part of the professional  
8 development hours required for state board of education  
9 certification.

10 (2) Beginning in the 2023-24 school year and  
11 continuing in subsequent school years, the practicing  
12 teacher assistance programs established under section  
13 168.400 may offer and include at least two hours of in-  
14 service training provided by each local school district for  
15 all practicing teachers in such district regarding suicide  
16 prevention. Each school year, all teachers, principals, and  
17 licensed educators in each district may attend such training  
18 or complete training on suicide prevention through self-  
19 review of suicide prevention materials. Attendance at the  
20 training shall count as two contact hours of professional  
21 development under section 168.021 and shall count as two  
22 hours of any other such training required under this section.

23 **[2.]** 3. The department of elementary and secondary  
24 education shall develop guidelines suitable for training or  
25 professional development in youth suicide awareness and  
26 prevention. The department **[shall]** may develop materials  
27 that may be used for **[such]** the training **[or professional**  
28 **development]** described under subsection 2 of this section or

29 may offer districts materials developed by a third party  
30 that districts may use for the training.

31 [3.] 4. For purposes of this section, the term  
32 "licensed educator" shall refer to any teacher with a  
33 certificate of license to teach issued by the state board of  
34 education or any other educator or administrator required to  
35 maintain a professional license issued by the state board of  
36 education.

37 [4.] 5. The department of elementary and secondary  
38 education may promulgate rules and regulations to implement  
39 this section.

40 [5.] 6. Any rule or portion of a rule, as that term is  
41 defined in section 536.010, that is created under the  
42 authority delegated in this section shall become effective  
43 only if it complies with and is subject to all of the  
44 provisions of chapter 536 and, if applicable, section  
45 536.028. This section and chapter 536 are nonseverable and  
46 if any of the powers vested with the general assembly  
47 pursuant to chapter 536 to review, to delay the effective  
48 date, or to disapprove and annul a rule are subsequently  
49 held unconstitutional, then the grant of rulemaking  
50 authority and any rule proposed or adopted after August 28,  
51 2016, shall be invalid and void.

170.048. 1. By July 1, 2018, each district shall  
2 adopt a policy for youth suicide awareness and prevention,  
3 including plans for how the district will provide for the  
4 training and education of its district employees.

5 2. Each district's policy shall address and include,  
6 but not be limited to, the following:

7 (1) Strategies that can help identify students who are  
8 at possible risk of suicide;

9 (2) Strategies and protocols for helping students at  
10 possible risk of suicide; and

11 (3) Protocols for responding to a suicide death.

12 3. By July 1, 2017, the department of elementary and  
13 secondary education shall develop a model policy that  
14 districts may adopt. When developing the model policy, the  
15 department shall cooperate, consult with, and seek input  
16 from organizations that have expertise in youth suicide  
17 awareness and prevention. By July 1, 2021, and at least  
18 every three years thereafter, the department shall request  
19 information and seek feedback from districts on their  
20 experience with the policy for youth suicide awareness and  
21 prevention. The department shall review this information  
22 and may use it to adapt the department's model policy. The  
23 department shall post any information on its website that it  
24 has received from districts that it deems relevant. The  
25 department shall not post any confidential information or  
26 any information that personally identifies any student or  
27 school employee.

28 4. (1) Beginning July 1, 2023, a public school or  
29 charter school that serves any pupils in grades seven to  
30 twelve and that issues pupil identification cards shall have  
31 printed on either side of the cards the three-digit dialing  
32 code that directs calls and routes text messages to the  
33 Suicide and Crisis Lifeline, 988.

34 (2) If, on July 1, 2023, a public school or charter  
35 school subject to the requirements of this subsection has a  
36 supply of unissued pupil identification cards that do not  
37 comply with the requirements of subdivision (1) of this  
38 subsection, the school shall issue those cards until that  
39 supply is depleted.

40 (3) Subdivision (1) of this subsection shall apply to  
41 a pupil identification card issued for the first time to a  
42 pupil and to a card issued to replace a damaged or lost card.

170.307. 1. For school year 2022-23 and each school  
2 year thereafter, upon graduation from high school, pupils in  
3 public schools and charter schools shall have received  
4 mental health awareness training given any time during a  
5 pupil's four years of high school.

6 2. Beginning in school year 2022-23, any public school  
7 or charter school serving grades nine through twelve shall  
8 provide enrolled students instruction in mental health  
9 awareness. Students with disabilities may participate to  
10 the extent appropriate as determined by the provisions of  
11 the Individuals with Disabilities Education Act or Section  
12 504 of the Rehabilitation Act. Instruction shall be  
13 included in the district's existing health or physical  
14 education curriculum. Instruction shall be based on a  
15 program established by the department of elementary and  
16 secondary education.

17 3. The department of elementary and secondary  
18 education shall promulgate rules to develop a model  
19 curriculum to be used by school districts to provide the  
20 instruction required by this section. Any rule or portion  
21 of a rule, as that term is defined in section 536.010, that  
22 is created under the authority delegated in this section  
23 shall become effective only if it complies with and is  
24 subject to all of the provisions of chapter 536 and, if  
25 applicable, section 536.028. This section and chapter 536  
26 are nonseverable and if any of the powers vested with the  
27 general assembly pursuant to chapter 536 to review, to delay  
28 the effective date, or to disapprove and annul a rule are  
29 subsequently held unconstitutional, then the grant of  
30 rulemaking authority and any rule proposed or adopted after  
31 August 28, 2022, shall be invalid and void.

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

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

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

3. (1) In the 2009-10 school year and subsequent years, a school district may be exempt from the requirement to make up days of school lost or cancelled due to inclement weather in the school district when the school district has made up the six days required under subsection 2 of this section and half the number of additional lost or cancelled days up to eight days, resulting in no more than ten total make-up days required by this section.

(2) In school year 2019-20 and subsequent years, a school district may be exempt from the requirement to make up school lost or cancelled due to inclement weather in the school district when the school district has made up the

34 thirty-six hours required under subsection 2 of this section  
35 and half the number of additional lost or cancelled hours up  
36 to forty-eight, resulting in no more than sixty total make-  
37 up hours required by this section.

38 4. The commissioner of education may provide, for any  
39 school district that cannot meet the minimum school calendar  
40 requirement of at least one hundred seventy-four days for  
41 schools with a five-day school week or one hundred forty-two  
42 days for schools with a four-day school week and one  
43 thousand forty-four hours of actual pupil attendance or, in  
44 school year 2019-20 and subsequent years, one thousand forty-  
45 four hours of actual pupil attendance, upon request, a  
46 waiver to be excused from such requirement. This waiver  
47 shall be requested from the commissioner of education and  
48 may be granted if the school was closed due to circumstances  
49 beyond school district control, including inclement weather  
50 or fire.

51 5. (1) Except as otherwise provided in this  
52 subsection, in school year 2020-21 and subsequent years, a  
53 district shall not be required to make up any hours of  
54 school lost or cancelled due to exceptional or emergency  
55 circumstances during a school year if the district has an  
56 alternative methods of instruction plan approved by the  
57 department of elementary and secondary education for such  
58 school year. Exceptional or emergency circumstances shall  
59 include, but not be limited to, inclement weather, a utility  
60 outage, or an outbreak of a contagious disease. The  
61 department of elementary and secondary education shall not  
62 approve any such plan unless the district demonstrates that  
63 the plan will not negatively impact teaching and learning in  
64 the district.

65 (2) If school is closed due to exceptional or  
66 emergency circumstances and the district has an approved

67 alternative methods of instruction plan, the district shall  
68 notify students and parents on each day of the closure  
69 whether the alternative methods of instruction plan is to be  
70 implemented for that day. If the plan is to be implemented  
71 on any day of the closure, the district shall ensure that  
72 each student receives assignments for that day in hard copy  
73 form or receives instruction through virtual learning or  
74 another method of instruction.

75 (3) A district with an approved alternative methods of  
76 instruction plan shall not use alternative methods of  
77 instruction as provided for in the plan for more than thirty-  
78 six hours during a school year. A district that has used  
79 such alternative methods of instruction for thirty-six hours  
80 during a school year shall be required, notwithstanding  
81 subsections 2 and 3 of this section, to make up any  
82 subsequent hours of school lost or cancelled due to  
83 exceptional or emergency circumstances during such school  
84 year.

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

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

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

98 (b) The process the district intends to use to  
99 communicate to students and parents the decision to



100 implement alternative methods of instruction on any day of a  
101 closure;

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

106 (d) The assignments and materials to be used within  
107 the district for days in which alternative methods of  
108 instruction will be implemented to effectively facilitate  
109 teaching and support learning for the benefit of the  
110 students;

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

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

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

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

123 6. [For the 2018-19 school year, a district shall be  
124 exempt from the requirements of subsections 2 and 3 of this  
125 section, and only be required to make up the first six days  
126 of school lost or cancelled due to inclement weather] In the  
127 2022-23 school year and subsequent years, a school  
128 district's one-half-day education programs shall be subject  
129 to the following provisions in proportions appropriate for a  
130 one-half-day education program, as applicable:

131           (1) Requirements in subsection 2 of this section to  
132 make up days or hours of school lost or cancelled because of  
133 inclement weather;  
134           (2) Exemptions in subsection 3 of this section;  
135           (3) Waiver provisions in subsection 4 of this section;  
136 and  
137           (4) Approved alternative methods of instruction  
138 provisions in subsection 5 of this section.

173.831. 1. As used in this section, the following  
2 terms mean:

3           (1) "Academic skill intake assessment", a criterion-  
4 referenced assessment of numeracy and literacy skills with  
5 high reliability and validity as determined by third-party  
6 research;

7           (2) "Accredited", holding an active accreditation from  
8 one of the seven United States regional accreditors  
9 including, but not limited to, the Middle States Commission  
10 on Higher Education, the New England Association of Schools  
11 and Colleges, the Higher Learning Commission, the Northwest  
12 Commission on Colleges and Universities, the Southern  
13 Association of Colleges and Schools, the Western Association  
14 of Schools and Colleges, and the Accrediting Commission for  
15 Community and Junior Colleges, as well as any successor  
16 entities or consolidations of the above including, but not  
17 limited to, AdvancEd or Cognition;

18           (3) "Adult dropout recovery services", includes, but  
19 is not limited to, sourcing, recruitment, and engagement of  
20 eligible students, learning plan development, active  
21 teaching, and proactive coaching and mentoring, resulting in  
22 an accredited high school diploma;

23           (4) "Approved program provider", a public, not-for-  
24 profit, or other entity that meets the requirements of

25 subdivision (2) of subsection 3 of this section or any  
26 consortium of such entities;

27 (5) "Average cost per graduate", the amount of the  
28 total program funding reimbursed to an approved program  
29 provider for each cohort during the period of time from the  
30 beginning of the same cohort through the subsequent twelve  
31 months after the close of the same cohort, divided by the  
32 total number of students who graduated from the same cohort  
33 within twelve months after the close of the same cohort;

34 (6) "Career pathways coursework", one or more courses  
35 that align with the skill needs of industries in the economy  
36 of the state or region that help an individual enter or  
37 advance within a specific occupation or occupational cluster;

38 (7) "Career placement services", services designed to  
39 assist students in obtaining employment, such as career  
40 interest self-assessments and job search skills such as  
41 resume development and mock interviews;

42 (8) "Coaching", proactive communication between the  
43 approved program provider and the student related to the  
44 student's pace and progress through the student's learning  
45 plan;

46 (9) "Cohort", students who enter the program between  
47 July first and June thirtieth of each program year;

48 (10) "Department", the department of elementary and  
49 secondary education;

50 (11) "Employability skills certification", a  
51 certificate earned by demonstrating professional  
52 nontechnical skills through assessment, portfolio, or  
53 observation;

54 (12) "Graduate", a student who has successfully  
55 completed all of the state and approved program provider  
56 requirements in order to obtain a high school diploma;

57 (13) "Graduation rate", the total number of graduates  
58 from a cohort who graduated within twelve months after the  
59 close of the cohort divided by the total number of students  
60 included in the same cohort;

61 (14) "Graduation requirements", course and credit  
62 requirements for the approved program provider's accredited  
63 high school diploma;

64 (15) "High school diploma", a diploma issued by an  
65 accredited institution;

66 (16) "Industry-recognized credential", an education-  
67 related credential or work-related credential that verifies  
68 an individual's qualification or competence issued by a  
69 third party with the relevant authority to issue such  
70 credential;

71 (17) "Learning plan", a documented plan for courses or  
72 credits needed for each individual in order to complete  
73 program and approved program provider graduation  
74 requirements;

75 (18) "Mentoring", a direct relationship between a  
76 coach and a student to facilitate the completion of the  
77 student's learning plan designed to prepare the student to  
78 succeed in the program and the student's future endeavors;

79 (19) "Milestones", objective measures of progress for  
80 which payment is made to an approved program provider under  
81 this section such as earned units of high school credit,  
82 attainment of an employability skills certificate,  
83 attainment of an industry-recognized credential, attainment  
84 of a technical skills assessment, and attainment of an  
85 accredited high school diploma;

86 (20) "Program", the workforce diploma program  
87 established in this section;

88 (21) "Request for qualifications", a request for  
89 interested potential program providers to submit evidence

90 that they meet the qualifications established in subsection  
91 3 of this section;

92 (22) "Stackable credential", a third party credential  
93 that is part of a sequence of credentials that can be  
94 accumulated over time to build up an individual's  
95 qualifications to advance along a career pathway;

96 (23) "Student", a participant in the program  
97 established in this section who is twenty-one years of age  
98 or older, who is a resident of Missouri, and who has not yet  
99 earned a high school diploma;

100 (24) "Technical skills assessment", a criterion-  
101 referenced assessment of an individual's skills required for  
102 an entry-level career or additional training in a technical  
103 field;

104 (25) "Transcript evaluation", a documented summary of  
105 credits earned in previous public or private accredited high  
106 schools compared with the program and approved program  
107 provider graduation requirements;

108 (26) "Unit of high school credit", credit awarded  
109 based on a student's demonstration that the student has  
110 successfully met the content expectations for the credit  
111 area as defined by subject area standards, expectations, or  
112 guidelines.

113 2. There is hereby established the "Workforce Diploma  
114 Program" within the department of elementary and secondary  
115 education to assist students with obtaining a high school  
116 diploma and developing employability and career technical  
117 skills. The program may be delivered in campus-based,  
118 blended, or online modalities.

119 3. (1) Before September 1, 2022, and annually  
120 thereafter, the department shall issue a request for  
121 qualifications for interested program providers to become  
122 approved program providers and participate in the program.

123           (2) Each approved program provider shall meet all of  
124 the following qualifications:

125           (a) Be an accredited high school diploma-granting  
126 entity;

127           (b) Have a minimum of two years of experience  
128 providing adult dropout recovery services;

129           (c) Provide academic skill intake assessments and  
130 transcript evaluations to each student. Such academic skill  
131 intake assessments may be administered in person or online;

132           (d) Develop a learning plan for each student that  
133 integrates graduation requirements and career goals;

134           (e) Provide a course catalog that includes all courses  
135 necessary to meet graduation requirements;

136           (f) Offer remediation opportunities in literacy and  
137 numeracy, as applicable;

138           (g) Offer employability skills certification, as  
139 applicable;

140           (h) Offer career pathways coursework, as applicable;

141           (i) Ability to provide preparation for industry-  
142 recognized credentials or stackable credentials, a technical  
143 skills assessment, or a combination thereof; and

144           (j) Offer career placement services, as applicable.

145           (3) Upon confirmation by the department that an  
146 interested program provider meets all of the qualifications  
147 listed in subdivision (2) of this subsection, an interested  
148 program provider shall become an approved program provider.

149           4. (1) The department shall announce the approved  
150 program providers before October sixteenth annually, with  
151 authorization for the approved program providers to begin  
152 enrolling students before November fifteenth annually.

153           (2) Approved program providers shall maintain approval  
154 without reapplying annually if the approved program provider

155 has not been removed from the approved program provider list  
156 under this section.

157 5. All approved program providers shall comply with  
158 requirements as provided by the department to ensure:

159 (1) An accurate accounting of a student's accumulated  
160 credits toward a high school diploma;

161 (2) An accurate accounting of credits necessary to  
162 complete a high school diploma; and

163 (3) The provision of coursework aligned to the  
164 academic performance standards of the state.

165 6. (1) Except as provided in subdivision (2) of this  
166 subsection, the department shall pay an amount as set by the  
167 department to approved program providers for the following  
168 milestones provided by the approved program provider:

169 (a) Completion of each half unit of high school credit;

170 (b) Attainment of an employability skills  
171 certification;

172 (c) Attainment of an industry-recognized credential,  
173 technical skills assessment, or stackable credential  
174 requiring no more than fifty hours of training;

175 (d) Attainment of an industry-recognized credential or  
176 stackable credential requiring at least fifty-one but no  
177 more than one hundred hours of training;

178 (e) Attainment of an industry-recognized credential or  
179 stackable credential requiring more than one hundred hours  
180 of training; and

181 (f) Attainment of an accredited high school diploma.

182 (2) No approved program provider shall receive funding  
183 for a student under this section if the approved program  
184 provider receives federal or state funding or private  
185 tuition for that student. No approved program provider  
186 shall charge student fees of any kind including, but not  
187 limited to, textbook fees, tuition fees, lab fees, or

188 participation fees unless the student chooses to obtain  
189 additional education offered by the approved program  
190 provider that is not included in the state-funded program.

191 (3) Payments made under this subsection shall be  
192 subject to an appropriation made to the department for such  
193 purposes.

194 7. (1) Approved program providers shall submit  
195 monthly invoices to the department before the eleventh  
196 calendar day of each month for milestones met in the  
197 previous calendar month.

198 (2) The department shall pay approved program  
199 providers in the order in which invoices are submitted until  
200 all available funds are exhausted.

201 (3) The department shall provide a written update to  
202 approved program providers by the last calendar day of each  
203 month. The update shall include the aggregate total dollars  
204 that have been paid to approved program providers to date  
205 and the estimated number of enrollments still available for  
206 the program year.

207 8. Before July sixteenth of each year, each provider  
208 shall report the following metrics to the department for  
209 each individual cohort, on a cohort-by-cohort basis:

210 (1) The total number of students who have been funded  
211 through the program;

212 (2) The total number of credits earned;

213 (3) The total number of employability skills  
214 certifications issued;

215 (4) The total number of industry-recognized  
216 credentials, stackable credentials, and technical skills  
217 assessments earned for each tier of funding;

218 (5) The total number of graduates;

219 (6) The average cost per graduate once the stipulated  
220 time to make such a calculation has passed; and



221 (7) The graduation rate once the stipulated time to  
222 make such a calculation has passed.

223 9. (1) Before September sixteenth of each year, each  
224 approved program provider shall conduct and submit to the  
225 department the aggregate results of a survey of each  
226 individual cohort, on a cohort-by-cohort basis, who  
227 graduated from the program of the approved program provider  
228 under this section. The survey shall be conducted in the  
229 year after the year in which the individuals graduate and  
230 the next four consecutive years.

231 (2) The survey shall include at least the following  
232 data collection elements for each year the survey is  
233 conducted:

234 (a) The individual's employment status, including  
235 whether the individual is employed full time or part time;

236 (b) The individual's hourly wages;

237 (c) The individual's access to employer-sponsored  
238 health care; and

239 (d) The individual's postsecondary enrollment status,  
240 including whether the individual has completed a  
241 postsecondary certificate or degree program.

242 10. (1) Beginning at the end of the second fiscal  
243 year of the program, the department shall review data from  
244 each approved program provider to ensure that each is  
245 achieving minimum program performance standards including,  
246 but not limited to:

247 (a) A minimum fifty percent average graduation rate  
248 per cohort; and

249 (b) An average cost per graduate per cohort of seven  
250 thousand dollars or less.

251 (2) Any approved program provider that fails to meet  
252 the minimum program performance standards described in  
253 subdivision (1) of this subsection shall be placed on

254 probationary status for the remainder of the fiscal year by  
255 the department.

256 (3) Any approved program provider that fails to meet  
257 the minimum program performance standards described in  
258 subdivision (1) of this subsection for two consecutive years  
259 shall be removed from the approved program provider list by  
260 the department.

261 11. (1) No approved program provider shall  
262 discriminate against a student on the basis of race, color,  
263 religion, national origin, ancestry, sex, sexuality, gender,  
264 or age.

265 (2) If an approved program provider determines that a  
266 student would be better served by participating in a  
267 different program, the approved program provider may refer  
268 the student to the state's adult basic education services.

269 12. (1) There is hereby created in the state treasury  
270 the "Workforce Diploma Program Fund", which shall consist of  
271 any grants, gifts, donations, bequests, or moneys  
272 appropriated under this section. The state treasurer shall  
273 be custodian of the fund. In accordance with sections  
274 30.170 and 30.180, the state treasurer may approve  
275 disbursements. The fund shall be a dedicated fund and, upon  
276 appropriation, moneys in the fund shall be used solely as  
277 provided in this section.

278 (2) Notwithstanding the provisions of section 33.080  
279 to the contrary, any moneys remaining in the fund at the end  
280 of the biennium shall not revert to the credit of the  
281 general revenue fund.

282 (3) The state treasurer shall invest moneys in the  
283 fund in the same manner as other funds are invested. Any  
284 interest and moneys earned on such investments shall be  
285 credited to the fund.

286           13. The director of the department may promulgate all  
287 necessary rules and regulations for the administration of  
288 this section. Any rule or portion of a rule, as that term  
289 is defined in section 536.010, that is created under the  
290 authority delegated in this section shall become effective  
291 only if it complies with and is subject to all of the  
292 provisions of chapter 536 and, if applicable, section  
293 536.028. This section and chapter 536 are nonseverable, and  
294 if any of the powers vested with the general assembly  
295 pursuant to chapter 536 to review, to delay the effective  
296 date, or to disapprove and annul a rule are subsequently  
297 held unconstitutional, then the grant of rulemaking  
298 authority and any rule proposed or adopted after August 28,  
299 2022, shall be invalid and void.

300           14. Under section 23.253 of the Missouri sunset act:

301           (1) The provisions of the new program authorized under  
302 this section shall automatically sunset six years after the  
303 effective date of this section unless reauthorized by an act  
304 of the general assembly; and

305           (2) If such program is reauthorized, the program  
306 authorized under this section shall automatically sunset  
307 twelve years after the effective date of the reauthorization  
308 of this section; and

309           (3) This section shall terminate on September first of  
310 the calendar year immediately following the calendar year in  
311 which the program authorized under this section is sunset.

173.1352. 1. As used in this section, the following  
2 terms mean:

3           (1) "Advanced placement examination", any examination  
4 administered through the College Board's Advanced Placement  
5 Program (AP);

6           (2) "Institution", any in-state public community  
7 college, college, or university that offers postsecondary  
8 freshman-level courses.

9           2. (1) Each institution shall adopt and implement a  
10 policy to grant undergraduate course credit to entering  
11 freshman students for each advanced placement examination  
12 upon which such student achieves a score of three or higher  
13 for any similarly correlated course offered by the  
14 institution at the time of such student's acceptance into  
15 the institution.

16           (2) In the policy, the institution shall:

17           (a) Establish the institution's conditions for  
18 granting course credit; and

19           (b) Identify the specific course credit or other  
20 academic requirements of the institution, including the  
21 number of semester credit hours or other course credit, that  
22 the institution will grant to a student who achieves  
23 required scores on advanced placement examinations.

24           3. On request of an applicant for admission as an  
25 entering freshman, and based on information provided by the  
26 applicant, an institution shall determine and notify the  
27 applicant regarding:

28           (1) The amount and type of any course credit that  
29 would be granted to the applicant under the policy; and

30           (2) Any other academic requirement that the applicant  
31 would satisfy under the policy.

178.694. 1. As used in this section, the following  
2 terms mean:

3           (1) "Affiliate", the Dolly Parton's imagination  
4 library affiliate created under this section;

5           (2) "Department", the department of elementary and  
6 secondary education;

7           (3) "Eligible child", any child under five years of  
8 age who resides in this state;

9           (4) "Program", the imagination library of Missouri  
10 program established in this section;

11           (5) "Reading selection", a high-quality, age-  
12 appropriate book provided to an eligible child under the  
13 program established in this section.

14           2. There is hereby established in the department's  
15 office of childhood the "Imagination Library of Missouri  
16 Program", which shall be a statewide program for encouraging  
17 preschool children to read by providing monthly reading  
18 selections to the homes of children from birth to five years  
19 of age.

20           3. The office of childhood shall establish a nonprofit  
21 entity to work in conjunction with school districts in  
22 mailing monthly reading selections directly to the homes of  
23 eligible children. The entity shall be known as the "Dolly  
24 Parton's Imagination Library Affiliate" and shall be the  
25 statewide affiliate that works in conjunction with Dolly  
26 Parton's Imagination Library and school districts to provide  
27 reading selections under this section.

28           4. Beginning in school year 2023-24 and continuing in  
29 each subsequent school year, each school district shall, in  
30 partnership with the affiliate, give one reading selection  
31 to each eligible child in the school district in each month,  
32 beginning as early as the child's birth month through the  
33 month in which the child reaches five years of age. Subject  
34 to appropriation, the costs of giving such reading  
35 selections to eligible children shall be reimbursed to each  
36 school district from the imagination library of Missouri  
37 fund created in this section.

38           5. The department shall promulgate rules to:

39           (1) Manage the daily operations of the program;

40 (2) Coordinate with organizations and public schools  
41 of this state to advance and strengthen the program and  
42 promote enrollment growth;

43 (3) Develop, promote, and coordinate a public  
44 awareness program to make donors aware of the opportunity to  
45 donate to the imagination library of Missouri fund;

46 (4) Develop, promote, and coordinate a public  
47 awareness program to make the public aware of the  
48 opportunity to register children to receive age-appropriate  
49 books on a monthly basis; and

50 (5) Allow the department to implement and administer  
51 the provisions of this section.

52 6. (1) There is hereby created in the state treasury  
53 the "Imagination Library of Missouri Program Fund", which  
54 shall consist of any gifts, bequests, grants, public or  
55 private donations, transfers, or moneys appropriated under  
56 this section. The state treasurer shall be custodian of the  
57 fund. In accordance with sections 30.170 and 30.180, the  
58 state treasurer may approve disbursements. The fund shall  
59 be a dedicated fund and, upon appropriation, moneys in this  
60 fund shall be used solely as provided in this section.

61 (2) Notwithstanding the provisions of section 33.080  
62 to the contrary, any moneys remaining in the fund at the end  
63 of the biennium shall not revert to the credit of the  
64 general revenue fund.

65 (3) The state treasurer shall invest moneys in the  
66 fund in the same manner as other funds are invested. Any  
67 interest and moneys earned on such investments shall be  
68 credited to the fund.

69 7. The general assembly shall appropriate at least two  
70 and a half million dollars annually to the imagination  
71 library of Missouri program fund. In the department's  
72 budget requests for school year 2023-24 and all subsequent

73 school years, the department shall include a plan to  
74 distribute sufficient moneys to school districts to allow  
75 each school district to give reading selections to all  
76 eligible children within the school district under this  
77 section.

78 8. To comply with this section, a school district may,  
79 in coordination with the department's office of childhood,  
80 enter into an agreement, partnership, or similar arrangement  
81 with an adjacent school district. If the school district  
82 finds that no adjacent school district gives reading  
83 selections to eligible children as provided in this section,  
84 the school district may request the department's office of  
85 childhood and the affiliate to assist the school district in  
86 complying with this section.

87 9. Under section 23.253 of the Missouri sunset act:

88 (1) The provisions of the new program authorized under  
89 this section shall automatically sunset on December thirty-  
90 first four years after the effective date of this section  
91 unless reauthorized by an act of the general assembly; and

92 (2) If such program is reauthorized, the program  
93 authorized under this section shall automatically sunset on  
94 December thirty-first eight years after the effective date  
95 of the reauthorization of this section; and

96 (3) This section shall terminate on September first of  
97 the calendar year immediately following the calendar year in  
98 which the program authorized under this section is sunset.

186.080. 1. The commissioner of education shall  
2 establish a literacy advisory council. The council shall  
3 consist of no more than twenty members, appointed by the  
4 commissioner, and shall include members representing the  
5 following stakeholder groups:

6 (1) School boards;

7 (2) Charter schools;

- 8           (3) School superintendents;  
9           (4) Elementary and secondary building principals;  
10          (5) At least three teachers, including at least two  
11 teachers with expertise in reading instruction;  
12          (6) At least two special education educators;  
13          (7) At least two parents of elementary and secondary  
14 school-age pupils who have struggled with literacy  
15 proficiency;  
16          (8) At least two community members who have struggled  
17 with literacy proficiency or supported others who have  
18 struggled with literacy proficiency, at least one of whom  
19 shall be a high school student;  
20          (9) One member from dyslexia advocacy group;  
21          (10) Faculty members of institutions of higher  
22 education with approved teacher preparation programs;  
23          (11) Professionals with expertise in reading  
24 instruction, reading interventions, and how students learn  
25 to read including one certified academic language therapist;  
26 and  
27          (12) Professionals with expertise in educational  
28 assessment data analysis.  
29          2. The council shall meet at least twice per year to  
30 review best practices in literacy instruction and related  
31 policy provisions. The department shall provide necessary  
32 staff and resources for the work of the advisory council.  
33          3. The council shall periodically provide  
34 recommendations to the commissioner and the state board of  
35 education regarding any identified improvements to literacy  
36 instruction and policy for students. The recommendations  
37 may include recommendations for changes to state law, and  
38 the commissioner shall furnish any such recommendations to  
39 the joint committee on education.  
40          4. The council recommendations shall:



41 (1) Advise the department of elementary and secondary  
42 education on how to implement and maintain the statewide  
43 literacy plan required under section 161.241 and advise the  
44 department, school districts, and charter schools on ways to  
45 inform and engage parents and other community members about  
46 the literacy plan;

47 (2) Provide advice as to what services the department  
48 should provide to school districts and charter schools to  
49 support implementation of the plan and on staffing levels  
50 and resources needed at the department to support the  
51 statewide effort to improve literacy;

52 (3) Provide advice regarding the statewide plan for  
53 collecting literacy-related data that informs:

54 (a) Literacy instructional practices;

55 (b) Teacher professional development in the field of  
56 literacy;

57 (c) What proficiencies and skills should be measured  
58 through literacy assessments and how those assessments are  
59 incorporated into local assessment plans; and

60 (d) How to identify school progress in achieving  
61 literacy outcomes, including closing literacy gaps for  
62 students from historically underserved populations;

63 (4) Recommend best practices for tiered literacy  
64 instruction within a multi-tiered system of supports to best  
65 improve and sustain literacy proficiency;

66 (5) Review literacy assessments and outcomes and  
67 provide ongoing advice as to how to continuously improve  
68 those outcomes and sustain improvement; and

69 (6) Provide a means for members of the public to  
70 provide input and ask questions concerning literacy issues.

302.010. Except where otherwise provided, when used in  
2 this chapter, the following words and phrases mean:

3 (1) "Circuit court", each circuit court in the state;

4           (2) "Commercial motor vehicle", a motor vehicle  
5 designed or regularly used for carrying freight and  
6 merchandise, or more than fifteen passengers;

7           (3) "Conviction", any final conviction; also a  
8 forfeiture of bail or collateral deposited to secure a  
9 defendant's appearance in court, which forfeiture has not  
10 been vacated, shall be equivalent to a conviction, except  
11 that when any conviction as a result of which points are  
12 assessed pursuant to section 302.302 is appealed, the term  
13 "conviction" means the original judgment of conviction for  
14 the purpose of determining the assessment of points, and the  
15 date of final judgment affirming the conviction shall be the  
16 date determining the beginning of any license suspension or  
17 revocation pursuant to section 302.304;

18           (4) "Criminal history check", a search of criminal  
19 records, including criminal history record information as  
20 defined in section 43.500, maintained by the Missouri state  
21 highway patrol in the Missouri criminal records repository  
22 or by the Federal Bureau of Investigation as part of its  
23 criminal history records, including, but not limited to, any  
24 record of conviction, plea of guilty or nolo contendere, or  
25 finding of guilty in any state for any offense related to  
26 alcohol, controlled substances, or drugs;

27           (5) "Director", the director of revenue acting  
28 directly or through the director's authorized officers and  
29 agents;

30           (6) "Farm tractor", every motor vehicle designed and  
31 used primarily as a farm implement for drawing plows, mowing  
32 machines and other implements of husbandry;

33           (7) "Highway", any public thoroughfare for vehicles,  
34 including state roads, county roads and public streets,  
35 avenues, boulevards, parkways, or alleys in any municipality;

36           (8) "Incompetent to drive a motor vehicle", a person  
37 who has become physically incapable of meeting the  
38 prescribed requirements of an examination for an operator's  
39 license, or who has been adjudged by a probate division of  
40 the circuit court in a capacity hearing of being  
41 incapacitated;

42           (9) "License", a license issued by a state to a person  
43 which authorizes a person to operate a motor vehicle;

44           (10) "Motor vehicle", any self-propelled vehicle not  
45 operated exclusively upon tracks except motorized bicycles,  
46 as defined in section 307.180 and electric bicycles, as  
47 defined in section 301.010;

48           (11) "Motorcycle", a motor vehicle operated on two  
49 wheels; however, this definition shall not include motorized  
50 bicycles or electric bicycles as such terms are defined in  
51 section 301.010;

52           (12) "Motortricycle", a motor vehicle operated on  
53 three wheels, including a motorcycle operated with any  
54 conveyance, temporary or otherwise, requiring the use of a  
55 third wheel, but excluding an electric bicycle as defined in  
56 section 301.010;

57           (13) "Moving violation", that character of traffic  
58 violation where at the time of violation the motor vehicle  
59 involved is in motion, except that the term does not include  
60 the driving of a motor vehicle without a valid motor vehicle  
61 registration license, or violations of sections 304.170 to  
62 304.240, inclusive, relating to sizes and weights of  
63 vehicles;

64           (14) "Municipal court", every division of the circuit  
65 court having original jurisdiction to try persons for  
66 violations of city ordinances;

67           (15) "Nonresident", every person who is not a resident  
68 of this state;

69           (16) "Operator", every person who is in actual  
70 physical control of a motor vehicle upon a highway;

71           (17) "Owner", a person who holds the legal title of a  
72 vehicle or in the event a vehicle is the subject of an  
73 agreement for the conditional sale or lease thereof with the  
74 right of purchase upon performance of the conditions stated  
75 in the agreement and with an immediate right of possession  
76 vested in the conditional vendee or lessee, or in the event  
77 a mortgagor of a vehicle is entitled to possession, then  
78 such conditional vendee or lessee or mortgagor shall be  
79 deemed the owner for the purpose of sections 302.010 to  
80 302.540;

81           (18) "Record" includes, but is not limited to, papers,  
82 documents, facsimile information, microphotographic process,  
83 electronically generated or electronically recorded  
84 information, digitized images, deposited or filed with the  
85 department of revenue;

86           (19) "Residence address", "residence", or "resident  
87 address" shall be the location at which a person has been  
88 physically present, and that the person regards as home. A  
89 residence address is a person's true, fixed, principal, and  
90 permanent home, to which a person intends to return and  
91 remain, even though currently residing elsewhere;

92           (20) "Restricted driving privilege", a sixty-day  
93 driving privilege issued by the director of revenue  
94 following a suspension of driving privileges for the limited  
95 purpose of driving in connection with the driver's business,  
96 occupation, employment, formal program of secondary,  
97 postsecondary or higher education, or for an alcohol  
98 education or treatment program or certified ignition  
99 interlock provider, or a ninety-day interlock restricted  
100 privilege issued by the director of revenue for the limited  
101 purpose of driving in connection with the driver's business,

102 occupation, employment, seeking medical treatment for such  
103 driver or a dependent family member, attending school or  
104 other institution of higher education, attending alcohol- or  
105 drug-treatment programs, seeking the required services of a  
106 certified ignition interlock provider, fulfilling court  
107 obligations, including required appearances and probation  
108 and parole obligations, religious services, the care of a  
109 child or children, including scheduled visitation or  
110 custodial obligations pursuant to a court order, fueling  
111 requirements for any vehicle utilized, and seeking basic  
112 nutritional requirements;

113 (21) "School bus", when used in sections 302.010 to  
114 302.540, means any motor vehicle, either publicly or  
115 privately owned, that is designed for carrying more than ten  
116 passengers and that is used to transport students to and  
117 from school, or to transport pupils properly chaperoned to  
118 and from any place within the state for educational  
119 purposes. The term "school bus" shall not include a bus  
120 operated by a public utility, municipal corporation or  
121 common carrier authorized to conduct local or interstate  
122 transportation of passengers when such bus is not traveling  
123 a specific school bus route but is:

124 (a) On a regularly scheduled route for the  
125 transportation of fare-paying passengers; or

126 (b) Furnishing charter service for the transportation  
127 of persons enrolled as students on field trips or other  
128 special trips or in connection with other special events;

129 (22) "School bus operator", an operator who operates a  
130 school bus as defined in subdivision (21) of this section in  
131 the transportation of any schoolchildren and who receives  
132 compensation for such service. The term "school bus  
133 operator" shall not include any person who transports  
134 schoolchildren as an incident to employment with a school or

135 school district, such as a teacher, coach, administrator,  
136 secretary, school nurse, or janitor unless such person is  
137 under contract with or employed by a school or school  
138 district as a school bus operator;

139 (23) "Signature", any method determined by the  
140 director of revenue for the signing, subscribing or  
141 verifying of a record, report, application, driver's  
142 license, or other related document that shall have the same  
143 validity and consequences as the actual signing by the  
144 person providing the record, report, application, driver's  
145 license or related document;

146 (24) "Substance abuse traffic offender program", a  
147 program certified by the division of alcohol and drug abuse  
148 of the department of mental health to provide education or  
149 rehabilitation services pursuant to a professional  
150 assessment screening to identify the individual needs of the  
151 person who has been referred to the program as the result of  
152 an alcohol- or drug-related traffic offense. Successful  
153 completion of such a program includes participation in any  
154 education or rehabilitation program required to meet the  
155 needs identified in the assessment screening. The  
156 assignment recommendations based upon such assessment shall  
157 be subject to judicial review as provided in subsection 14  
158 of section 302.304 and subsections 1 and 5 of section  
159 302.540;

160 (25) "Vehicle", any mechanical device on wheels,  
161 designed primarily for use, or used on highways, except  
162 motorized bicycles, electric bicycles, vehicles propelled or  
163 drawn by horses or human power, or vehicles used exclusively  
164 on fixed rails or tracks, or cotton trailers or motorized  
165 wheelchairs operated by handicapped persons.

304.060. 1. The state board of education shall adopt  
2 and enforce regulations not inconsistent with law to cover

3 the design and operation of all school buses used for the  
4 transportation of school children when owned and operated by  
5 any school district or privately owned and operated under  
6 contract with any school district in this state, and such  
7 regulations shall by reference be made a part of any such  
8 contract with a school district. School districts shall  
9 have the authority to use motor vehicles other than school  
10 buses for the purpose of transporting school children. The  
11 state board of education may adopt rules and regulations  
12 governing the use of other vehicles owned by a district or  
13 operated under contract with any school district in this  
14 state and used for the purpose of transporting school  
15 children[. The operator of such vehicle shall be licensed  
16 in accordance with section 302.272, and such vehicle],  
17 excluding motor vehicles operating under the authority of  
18 the department of revenue under sections 387.400 to  
19 387.440. Notwithstanding any other provisions of law, the  
20 state board of education shall not require an individual who  
21 uses a motor vehicle with a gross vehicle weight that is  
22 less than or equal to twelve thousand pounds for the purpose  
23 of providing student transportation services in a vehicle  
24 other than a school bus to obtain any license other than a  
25 class F license, as described in 12 CSR 10-24.200(6). Motor  
26 vehicles other than school buses used shall transport no  
27 more children than the manufacturer suggests as appropriate  
28 for such vehicle and meet any additional requirements of the  
29 school district. The state board of education may also  
30 adopt rules and regulations governing the use of authorized  
31 common carriers for the transportation of students on field  
32 trips or other special trips for educational purposes.  
33 Every school district, its officers and employees, and every  
34 person employed under contract by a school district shall be  
35 subject to such regulations. The state board of education

36 shall cooperate with the state transportation department and  
37 the state highway patrol in placing suitable warning signs  
38 at intervals on the highways of the state.

39 2. Notwithstanding the provisions of subsection 1 of  
40 this section, any school board in the state of Missouri in  
41 an urban district containing the greater part of the  
42 population of a city which has more than three hundred  
43 thousand inhabitants may contract with any municipality, bi-  
44 state agency, or other governmental entity for the purpose  
45 of transporting school children attending a grade or grades  
46 not lower than the ninth nor higher than the twelfth grade,  
47 provided that such contract shall be for additional  
48 transportation services, and shall not replace or fulfill  
49 any of the school district's obligations pursuant to section  
50 167.231. The school district may notify students of the  
51 option to use district-contracted transportation services.

52 3. Any officer or employee of any school district who  
53 violates any of the regulations or fails to include  
54 obligation to comply with such regulations in any contract  
55 executed by him on behalf of a school district shall be  
56 guilty of misconduct and subject to removal from office or  
57 employment. Any person operating a school bus under  
58 contract with a school district who fails to comply with any  
59 such regulations shall be guilty of breach of contract and  
60 such contract shall be cancelled after notice and hearing by  
61 the responsible officers of such school district.

62 4. Any other provision of the law to the contrary  
63 notwithstanding, in any county of the first class with a  
64 charter form of government adjoining a city not within a  
65 county, school buses may bear the word "special".

Section B. Because immediate action is necessary to  
2 provide for the safety and education of school children, the  
3 enactment of sections 167.625 and 168.036 of this act is



4 deemed necessary for the immediate preservation of the  
5 public health, welfare, peace, and safety, and is hereby  
6 declared to be an emergency act within the meaning of the  
7 constitution, and the enactment of sections 167.625 and  
8 168.036 of this act shall be in full force and effect upon  
9 its passage and approval.

Section C. The repeal and reenactment of section  
2 167.645 of this act shall become effective January 1, 2023.

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Cindy O'Laughlin

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Chuck Basye