AN ACT

To repeal sections 160.2700, 160.2705, 161.097, 162.720, 167.630, 167.640, 167.645, 167.903, 169.560, 169.596, 170.014, 170.018, 302.010, and 304.060, RSMo, and to enact in lieu thereof twenty-nine new sections relating to elementary and secondary education, with an emergency clause for a certain section and an effective date for a certain section.

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


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

2. Under the show me success diploma program, the department of elementary and secondary education shall develop the "Show Me Success Diploma" as an alternative pathway to graduation for high school students that may be...

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.
earned at any point between the end of a student's tenth grade year and the conclusion of the student's twelfth grade year.

3. By July 1, 2023, the department of elementary and secondary education shall develop detailed requirements for students to become eligible for the show me success diploma that include at least the following:
   (1) Demonstrated skills and knowledge in English, science, and mathematical literacy to be successful in college level courses offered by the community colleges in this state that count toward a degree or certificate without taking remedial or developmental course work; and
   (2) Satisfactory grades on approved examinations in subjects determined to be necessary to prepare a student to enter postsecondary education without remedial or developmental course work.

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

5. Students who earn a show me success diploma may remain in high school and participate in programs of study available through the school district or charter school until that student would otherwise have graduated at the end of grade twelve. For purposes of calculation and distribution of state aid, the school district or charter school of a pupil having earned a show me success diploma
who remains enrolled in the school district or charter
school shall continue to include the pupil in the pupil
enrollment of each such school district or charter school
and shall continue to receive funding for a pupil who earns
a show me success diploma until that pupil would otherwise
have graduated at the end of grade twelve. Students who
elect to remain in high school under this subsection shall
be eligible to participate in extracurricular activities,
including interscholastic sports, through the end of grade
twelve.

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

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

8. Pupils who earn a show me success diploma and do
not remain enrolled in the district or charter school and
instead enroll, or show proof that they will enroll, in a
postsecondary educational institution eligible to
participate in a student aid program administered by the
U.S. Department of Education shall be included in the
district's or charter school's state aid calculation under
section 163.031, until such time that the pupil would have
completed the pupil's twelfth grade year had the pupil not
earned a show me success diploma. The funding assigned to a pupil under this subsection shall be calculated as if the pupil's attendance percentage equaled the district's or charter school's prior year average attendance percentage.

For a pupil who, as provided in this subsection, is included in the district's or charter school's state aid calculation but who is not enrolled in the district or charter school, an amount equal to ninety percent of the pupil's proportionate share of the state, local, and federal aid that the district or charter school receives for the pupil under this subsection shall be deposited by the school district or charter school into an account established under sections 166.400 to 166.455 that lists the pupil as the beneficiary. The state treasurer shall provide guidance and assist school districts, charter schools, pupils, and parents or guardians of pupils with the creation, maintenance, and use of an account that has been established under sections 166.400 to 166.455.

9. The department of elementary and secondary education shall promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2022, shall be invalid and void.
160.2700. For purposes of sections 160.2700 to 160.2725, "adult high school" means a school that:

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

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

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

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

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

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

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

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

(4) One adult high school to be located in a county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants.
2. The department of elementary and secondary education shall grant the authorization described under subsection 1 of this section based on a bid process conducted in accordance with the rules and regulations governing purchasing through the office of administration. The successful bidder shall:

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

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

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

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

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

(6) Establish partnerships and strategies for engaging the community and business leaders in carrying out the goals of each adult high school;
(7) Establish the ability to meet quality standards through certified teachers and programs that support each student in [his or her] such student's goal to find a more rewarding job;

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

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

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

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

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

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

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

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

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

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

2. There is hereby established within the department
of elementary and secondary education the "Missouri Advisory
Board for Educator Preparation", hereinafter referred to as
"MABEP". The MABEP shall advise the state board of
education and the coordinating board for higher education
regarding matters of mutual interest in the area of quality
educator preparation programs in Missouri. The advisory
board shall include at least three active elementary or
secondary classroom teachers and at least three faculty
members within approved educator preparation programs. The
classroom teacher members shall be selected to represent
various regions of the state and districts of different
sizes. The faculty representatives shall represent
institutions from various regions of the state and sizes of
program. The advisory board shall hold regular meetings
that allow members to share needs and concerns and plan
strategies to enhance teacher preparation.

3. Upon approval by the state board of education of
the teacher education program at a particular teacher
training institution, any person who graduates from that
program, and who meets other requirements which the state
board of education shall prescribe by rule, regulation and
statute shall be granted a certificate or license to teach
in the public schools of this state. However, no such rule
or regulation shall require that the program from which the
person graduates be accredited by any national or regional
accreditation association.
4. The state board of education shall, in consultation with MABEP, align literacy and reading instruction coursework for teacher education programs in early childhood, kindergarten to fifth grade elementary teacher certification, middle school communication arts, high school communication arts, and all reading and special education certificates to include the following:

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

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

      (b) Oral and written language development; and

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

   (2) Teacher candidates shall also have training on:

      (a) The selection and use of reading curricula and instructional materials;

      (b) The administration and interpretation of assessments;

      (c) How to translate assessment results into effective practice in the classroom specific to the needs of students; and

      (d) Additional best practices in the field of literacy instruction as recommended by the literacy advisory council pursuant to section 186.080.

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

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

(1) "Board", the state board of education;
(2) "Department", the department of elementary and secondary education;
(3) "School innovation team", a group of natural persons officially authorized by:
   (a) A single elementary or secondary school;
   (b) A group of two or more elementary or secondary schools within the same school district that share common interests, such as geographical location or educational focus, or that sequentially serve classes of students as they progress through elementary and secondary education;
   (c) A group of two or more elementary or secondary schools not within the same school district that share common interests, such as geographical location or educational focus, or that sequentially serve classes of students as they progress through elementary and secondary education;
   (d) A single school district; or
   (e) A group of two or more school districts that share common interests, such as geographical location or educational focus, or that sequentially serve classes of students as they progress through elementary and secondary education;
"School innovation waiver", a waiver granted by the board to a single school, group of schools, single school district, or group of school districts pursuant to this section, in which the school, group of schools, school district, or group of school districts is exempt from a specific requirement imposed by chapter 160, chapter 161, chapter 162, chapter 167, chapter 170, or chapter 171, or any regulations promulgated thereunder by the board or the department. Any school innovation waiver granted to a school district or group of school districts shall be applicable to every elementary and secondary school within the school district or group of school districts unless the plan specifically provides otherwise.

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

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

   (2) Increasing the compensation of teachers; or

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

3. Any plan for a school innovation waiver shall:

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

   (2) Demonstrate that the intent of the specific provision of law can be addressed in a more effective, efficient, or economical manner and that the waiver or modification is necessary to implement the plan;
(3) Include measurable annual performance targets and goals for the implementation of the plan;

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

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

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

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

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

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

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

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

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

(b) The waivers or modifications are demonstrated to be necessary to stimulate improved student readiness for postsecondary life, increase teacher salaries, or increase the attractiveness of the teaching profession for prospective teachers and active teachers;
(c) The plan has demonstrated sufficient participation from among the teachers, principals, superintendent, faculty, school board, parents, and the community at large; and

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

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

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

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

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

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

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

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

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

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

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

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

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

9. There is hereby created in the state treasury the "Evidence-based Reading Instruction Program Fund". The fund shall be administered by the department and used to reimburse school districts and charter schools for efforts to improve student literacy, including, but not limited to: initiatives that provide optional training and materials to teachers regarding best practices in reading pedagogies; resources for parents and guardians to assist them in teaching their children to read; funding for reading tutoring programs outside of regular school hours; stipends for teachers who undergo additional training in reading instruction, which may also count toward professional development requirements; and funding for summer reading programs. The fund shall consist of moneys appropriated annually by the general assembly from general revenue to such fund, any moneys paid into the state treasury and required by law to be credited to such fund, and any gifts, bequests, or donations to such fund. The fund shall be kept separate and apart from all other moneys in the state treasury and shall be paid out by the state treasurer pursuant to chapter 33. Notwithstanding the provisions of section 33.080 to the contrary, moneys in the fund at the end of the biennium shall not be transferred to the credit of the general revenue fund. All interest and moneys earned on the fund shall be credited to the fund.
161.380. 1. Subject to appropriations, the department of elementary and secondary education shall establish the "Competency-Based Education Grant Program".

2. (1) There is hereby created in the state treasury the "Competency-Based Education Grant Program Fund". The fund shall consist of any appropriations to such fund and any gifts, contributions, grants, or bequests received from private or other sources for the purpose of providing competency-based education programs. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements of public moneys in accordance with distribution requirements and procedures developed by the department of elementary and secondary education. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely for the administration of this section.

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

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

3. The department of elementary and secondary education shall award grants from the competency-based education grant program fund to eligible school districts for the purpose of providing competency-based education programs. A school district wishing to receive such a grant shall submit an application to the department of elementary and secondary education addressing:
(1) A core mission that competency-based education courses shall help achieve;

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

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

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

4. The department of elementary and secondary education shall facilitate the creation, sharing, and development of course assessments, curriculum, training and guidance for teachers, and best practices for the school districts that offer competency-based education courses.

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

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

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

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

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

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

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

(1) Two members of the house of representatives appointed by the speaker of the house of representatives, with one such member from the majority party and one such member from the minority party;

(2) Two members of the senate appointed by the president pro tempore of the senate, with one such member from the majority party and one such member from the minority party;

(3) The commissioner of the department of elementary and secondary education or his or her designee; and
(4) Four members appointed by the governor. Two members shall each represent a separate school district that offers competency-based education courses.

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

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

4. The task force shall:

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

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

   (3) Hold at least three public hearings to provide an opportunity to receive public testimony including, but not limited to, testimony from educators, local school boards, parents, representatives from business and industry, labor and community leaders, members of the general assembly, and the general public;
(4) Identify promising competency-based education programs, including programs that:

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

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

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

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

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

(7) Develop findings and recommendations for implementing competency-based education models and practices in Missouri public schools, including recommending changes to existing legislation, rules, and regulations; and

(8) Develop findings and recommendations for implementing a competency-based performance assessment that:

(a) Is consistent with the most effective competency-based education programs identified by the task force under subdivision (3) of this subsection;

(b) Assesses students based on both locally developed and common statewide performance tasks tied to grade and course competencies aligned with state content standards; and

(c) Complies with all applicable federal law, including 20 U.S.C. Section 6311(b)(1)(B), as amended. To
the extent that implementing a competency-based performance
assessment would require the department of elementary and
secondary education to obtain innovative assessment and
accountability demonstration authority under 20 U.S.C.
Section 6364, as amended, the task force shall develop
findings and recommendations for obtaining such authority.

5. The task force shall present its findings and
recommendations to the speaker of the house of
representatives, the president pro tempore of the senate,
the joint committee on education, and the state board of
education by December first annually.

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

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

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

3. The state board of education shall determine standards for such gifted programs and gifted services. Approval of such gifted programs shall be made by the state department of elementary and secondary education based upon project applications submitted by July fifteenth of each year at a time and in a form determined by the department of elementary and secondary education.

4. No district shall make a determination as to whether identify a child as gifted based on the child's participation in an advanced placement course or international baccalaureate course. Districts shall identify a child as gifted only if the child meets the definition of gifted children as provided in section 162.675.

5. Any district with a gifted education program approved under subsection 2 of this section shall have a policy, approved by the board of education of the district, that establishes a process that outlines the procedures and conditions under which parents or guardians may request a review of the decision that determined that their child did not qualify to receive services through the district's gifted education program.

6. School districts and school district employees shall be immune from liability for any and all acts or omissions relating to the decision that a child did not qualify to receive services through the district's gifted education program.
7. The department of elementary and secondary education may promulgate all necessary rules and regulations for the implementation and administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2022, shall be invalid and void.

162.1255. 1. For purposes of this section, the following terms shall mean:

(1) "Competency-based credit", credit awarded by school districts and charter schools to high school students upon demonstration of competency as determined by a school district. Such credit shall be awarded upon receipt of "proficient" or "advanced" on an end-of-course assessment;

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

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

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

167.268. 1. Each [local] school district and charter school shall have on file a policy for reading [intervention] success plans [for any pupils of the district in grades kindergarten through three pursuant to the provisions of this section. Such plans shall identify strategies to be followed by the district teachers to raise a pupil identified as reading below grade level by recognized methods to reading at grade level by the end of the third grade. Recognized methods of identification may include but need not be limited to the scores of the pupil obtained through any established standardized testing program currently administered by the district, observations of classroom teachers, and documented classroom performance]. Each school district and charter school shall provide all parents and guardians of students, including parents of students who are identified as having a substantial deficiency in reading under subsection 1 of section 167.645, with suggestions for regular parent-guided home reading.

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

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

167.630. 1. Each school board may authorize a school nurse licensed under chapter 335 who is employed by the school district and for whom the board is responsible for to maintain an adequate supply of prefilled auto syringes of epinephrine with fifteen-hundredths milligram or three-tenths milligram delivery at the school. The nurse shall recommend to the school board the number of prefilled epinephrine auto syringes that the school should maintain.

2. To obtain prefilled epinephrine auto syringes for a school district, a prescription written by a licensed physician, a physician's assistant, or nurse practitioner is required. For such prescriptions, the school district shall be designated as the patient, the nurse's name shall be required, and the prescription shall be filled at a licensed pharmacy.
3. A school nurse [or], agent trained by a nurse and contracted for the transportation of school children, or other school employee trained by and supervised by the nurse, shall have the discretion to use an epinephrine auto syringe on any student the school nurse [or], trained employee, or trained agent contracted for the transportation of school children believes is having a life-threatening anaphylactic reaction based on the training in recognizing an acute episode of an anaphylactic reaction. The provisions of section 167.624 concerning immunity from civil liability for trained employees administering lifesaving methods shall apply to trained employees administering a prefilled auto syringe under this section. Trained agents contracted for the transportation of school children shall have immunity from civil liability for administering a prefilled auto syringe under this section.

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

2. Such remediation shall recognize that different students learn differently and shall employ methods designed to help these students achieve at high levels. Such
remediation may include, but shall not necessarily be limited to, a mandatory summer school program focused on the areas of deficiency or other such activities conducted by the school district outside of the regular school day.

Decisions concerning the instruction of a child who receives special educational services pursuant to sections 162.670 to 162.1000 shall be made in accordance with the child's individualized education plan.

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

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

(1) "Reading assessment", a recognized method of judging a student's reading ability, with results expressed as reading at a particular grade level. The term reading assessment shall include, but is not limited to, standard checklists designed for use as a student reads out loud, paper-and-pencil tests promulgated by nationally recognized organizations and other recognized methods of determining a student's reading accuracy, expression, fluency and comprehension in order to make a determination of the student's grade-level reading ability. Assessments which do not give a grade-level result may be used in combination with other assessments to reach a grade-level determination. Districts are encouraged but not required to select assessment methods identified pursuant to section 167.346. Districts are also encouraged to use multiple methods of assessment;
(2) "Summer school", for reading instruction purposes, a minimum of forty hours of reading instruction and practice. A school district may arrange the hours and days of instruction to coordinate with its regular program of summer school.

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

3. Beginning with school year 2002-03, for each student whose third-grade reading assessment determines that such student is reading below second-grade level, the school
district shall design a reading improvement plan for the
student's fourth-grade year. Such reading improvement plan
shall include, at a minimum, thirty hours of additional
reading instruction or practice outside the regular school
day during the fourth-grade year. The school district shall
determine the method of reading instruction necessary to
enforce this subsection. The school district may also
require the student to attend summer school for reading
instruction as a condition of promotion to fourth grade.
The department of elementary and secondary education may,
from funds appropriated for the purpose, reimburse school
districts for additional instructional personnel costs
incurred in the implementation and execution of the thirty
hours of additional reading instruction minus the revenue
generated by the school district through the foundation
formula for the additional reading instruction average daily
attendance.

4. Each student for whom a reading improvement plan
has been designed pursuant to subsection 3 of this section
shall be given another reading assessment, to be
administered within forty-five days of the end of such
student's fourth-grade year. If such student is determined
to be reading below third-grade level, the student shall be
required to attend summer school to receive reading
instruction. At the end of such summer school instruction,
such student shall be given another reading assessment. If
such student is determined to be reading below third-grade
level, the district shall notify the student's parents or
guardians, and the student shall not be promoted to fifth
grade. No student shall be denied promotion more than once
solely for inability to meet the reading standards set out
in this section.
5. The process described in subsections 3 and 4 of this section shall be repeated as necessary through the end of the sixth grade, with the target grade level rising accordingly. Mandatory retention in grade shall not apply to grades subsequent to fourth grade.

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

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

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

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

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

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

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

(2) Has been identified as being at risk of dyslexia in the statewide dyslexia screening or has a formal diagnosis of dyslexia.
For the purposes of this section, a substantial reading deficiency shall refer to a student who is one or more grade level or levels behind in reading or reading readiness; provided that nothing in this section shall be interpreted to prevent a school district or charter school from offering a reading success plan to any student based on an assessment completed at the start and end of the school year or teacher observation. For any student entering the school district or charter school after the start of the school year, such student shall be provided a reading success plan in the event the student has been identified as having a substantial reading deficiency based on the student's most recent assessment or otherwise being identified through teacher observation. The student's reading proficiency shall be reassessed by reading assessments on the state-approved list. The student shall continue to be provided with intensive reading instruction under a reading success plan until the reading deficiency is remedied.

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

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

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

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

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

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

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

5. Each school district or charter school shall do all of the following:
(1) Provide students who are identified as having a substantial deficiency in reading under subsection 1 of this section, have been identified as being at risk of dyslexia in the statewide dyslexia screening or have a formal diagnosis of dyslexia with intensive instructional services and supports specified in a reading success plan, as appropriate according to student need, free of charge, to remediate the identified areas of reading deficiency, including additional scientific, evidence-based reading instruction and other strategies prescribed by the school district or charter school which may include but are not limited to the following:

   (a) Small group or individual instruction;
   (b) Reduced teacher-student ratios;
   (c) More frequent progress monitoring;
   (d) Tutoring or mentoring;
   (e) Extended school day, week, or year; and
   (f) Summer reading programs;

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

(3) At regular intervals, but no less than four times per year in a manner that reflects progress through each school term, notify the parent or guardian of academic and other progress being made by the student and give the parent or guardian other useful information.
(4) In addition to required reading enhancement and acceleration strategies, provide all parents of students, including parents of students who are identified as having a substantial deficiency in reading under subsection 1 of this section, with a plan that includes suggestions for regular parent-guided home reading.

6. Each school district and charter school shall ensure that intensive reading instruction through a reading development initiative shall be provided to each kindergarten through grade five student who is assessed as exhibiting a substantial deficiency in reading. In addition to the requirements otherwise provided, such instruction will also comply with all of the following criteria:

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

(2) Be provided during regular school hours;

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

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

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

(c) Includes a scientifically based and reliable assessment;

(d) Provides initial and ongoing analysis of each student's reading progress; and
(e) Provides a curriculum in core academic subjects to assist the student in maintaining or meeting proficiency levels for the appropriate grade in all academic subjects.

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

8. (1) Each school district and charter school shall address reading proficiency as part of its comprehensive school improvement plan, drawing upon information about children from assessments conducted pursuant to subsection 1 of this section and the prevalence of deficiencies identified by classroom, elementary school, and other student characteristics. As part of its comprehensive school improvement plan or contract, each school district or charter school shall review chronic early elementary absenteeism for its impact on literacy development. If more than fifteen percent of an attendance center's students are not at grade level in reading by the end of third grade, the comprehensive school improvement plan or contract shall include strategies to reduce that percentage, including school and community strategies to raise the percentage of students who are proficient in reading.

(2) Each school district and charter school shall provide professional development services to enhance the skills of elementary teachers in responding to children's unique reading issues and needs and to increase the use of evidence-based strategies.
167.850. 1. For purposes of the provisions of this section, the following terms shall mean:

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

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

(3) "Eligible student", a student who is in recovery from substance use disorder or substance dependency, or such a condition along with co-occurring disorders such as anxiety, depression, and attention deficit hyperactivity disorder, and who is determined by a recovery high school to be a student who would academically and clinically benefit from placement in the recovery high school and is committed to working on their recovery. The recovery high school shall consider available information including any recommendation of a drug counselor, alcoholism counselor, or substance abuse counselor licensed or certified pursuant to applicable laws and regulations;

(4) "Recovery high school", a public high school that serves eligible students, and that provides both a comprehensive four-year high school education in an alternative public school setting and a structured plan of recovery;

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

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

(2) Proposals shall detail how the district or districts will satisfy the criteria for a high school education program pursuant to state law and board rule, and how the recovery high school will satisfy the requirements for accreditation by the Association of Recovery Schools or another recovery school accreditation organization authorized by the state board. The proposal shall include a financial plan outlining the anticipated public and private funding that will allow the recovery high school to operate and meet the school's educational and recovery criteria. The district or districts may partner with one or more local nonprofit organizations or other local educational agencies regarding establishment and operation of a recovery high school and may establish a joint board to oversee the operation of the recovery high school, pursuant to a memorandum of understanding entered with such organization or organizations.

(3) By approval of the proposal upon the recommendation of the commissioner, the board shall be deemed to have authorized all necessary equivalencies and waivers of regulations enumerated in the proposal.
The commissioner may specify an authorization period for the recovery high school which shall be no less than four years. By June thirtieth of each year the recovery high school is in operation, the school district or group of school districts, in consultation with the recovery high school, shall submit to the commissioner an analysis of the recovery high school's educational, recovery, and other related outcomes, as specified in the proposal. The commissioner shall review the analysis and renew recovery high schools meeting the requirements of this section and the requirements of the school's proposal and may include terms and conditions to address areas needing correction or improvement. The commissioner may revoke or suspend the authorization of a recovery high school not meeting the requirements of this section or the requirements of the school's proposal.

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

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

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

district may seek to enroll in a recovery high school.

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

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

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

(a) The tuition rate established pursuant to
subdivision (1) of this subsection; or

(b) The state adequacy target, as defined under
section 163.011, plus the average sum produced per child by
the local tax effort above the state adequacy target of the
sending district.

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

(4) The commissioner may enter into an agreement with
the appropriate official or agency of another state to
develop a reciprocity agreement for otherwise eligible, non-
resident students seeking to attend a recovery high school
in Missouri. A recovery high school may enroll otherwise
eligible students residing in a state other than Missouri,
pursuant to such reciprocity agreement. Such reciprocity
agreement shall require the out-of-state student's district
of residence to pay to the recovery high school an annual amount equal to one hundred and five percent of the tuition rate for the recovery high school established pursuant to this subsection. If an otherwise eligible student resides in a state that is not subject to a reciprocity agreement, such student may attend a recovery high school provided such student pays to the school one hundred and five percent of the tuition rate for the recovery high school established pursuant to this subsection. No student enrolled and attending a recovery high school under this subdivision shall be included as a resident pupil for any state aid purpose under chapter 163.

5. The state board of education, in consultation with the department of mental health, may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2022, shall be invalid and void.

167.903. 1. The department of elementary and secondary education shall establish a process by which each student prior to [his or her] the student's ninth grade year at a public school, including a charter school, [may] shall develop with help from the student's parent or guardian and the school's guidance counselors [a personal] an individual
career and academic plan of study, which shall be reviewed [regularly, as needed] annually by [school personnel] the school's guidance counselors and the student's parent or guardian and updated based upon the needs of the student. Each plan shall present a sequence of courses and experiences that conclude with the student reaching [his or her] the student's postsecondary goals, with implementation of the plan of study transferring to the program of postsecondary education or training upon the student's high school graduation. The plan shall include, but not be limited to:

(1) Requirements for graduation from the school district or charter school;

(2) Career or postsecondary goals;

(3) Coursework or program of study related to career and postsecondary goals, which shall include, if relevant, opportunities that the district or school may not directly offer;

(4) Grade-appropriate and career-related experiences, as outlined in the grade-level expectations of the Missouri comprehensive guidance program; and

(5) Student assessments, interest inventories, or academic results needed to develop, review, and revise the personal plan of study, which shall include, if relevant, assessments, inventories, or academic results that the school district or charter school may not offer.

2. Each school district shall adopt a policy to permit the waiver of the requirements of this section for any student with a disability if recommended by the student's IEP committee. For purposes of this subsection, "IEP" means individualized education program.
3. Each student prior to the completion of the second semester of the student's twelfth-grade year shall include, as part of the student's individual career and academic plan, a declaration of the student's postsecondary plans including, but not limited to, the following:

   (1) Confirmation of employment upon graduation;
   (2) Acceptance to an institution of higher education, whether a two-year institution or a four-year institution;
   (3) Acceptance to participate in a vocational, technical, or other training program designed to prepare the student for employment; or
   (4) Commitment to enlist in the Armed Forces of the United States.

167.907. 1. No student shall receive a certificate of graduation from any public school or charter school unless the student has completed and submitted the Free Application for Federal Student Aid, as maintained by the United States Department of Education.

2. A student shall be exempt from the requirement to complete or submit the Free Application for Federal Student Aid under subsection 1 of this section if such student submits to the student's school:

   (1) Written confirmation of a commitment to enlist in the Armed Forces of the United States; or
   (2) A written document or form, signed by the student's parent or guardian, attesting that the student understands what the application is and has chosen not to file such application.

3. A student shall be exempt from the requirement to complete or submit the Free Application for Federal Student Aid under subsection 1 of this section if such student is
unable to complete the application because of extenuating circumstances.

4. The department of elementary and secondary education shall establish a process by which each student adheres to subsection 1 of this section unless the student is exempt under the criteria under subsection 2 or subsection 3 of this section.

5. This section shall become effective on July 1, 2023.

167.908. 1. The department of higher education and workforce development shall, by rule, establish a procedure for providing the means and capability for high school students enrolled in career and technical education programs described in section 170.029 to complete an application for aid through the Employment and Training Administration of the United States Department of Labor under the federal Workforce Innovation and Opportunity Act. The department shall work with school districts that deliver career and technical education programs to educate students on the value of the aid that is available to them through the federal Workforce Innovation and Opportunity Act, P.L. 113-128, as amended.

2. To accomplish the purposes of subsection 1 of this section, the department shall ensure that the following percentages of all department of elementary and secondary education area career centers that deliver career and technical education programs have the means and capability for students at such schools to complete an application for aid through the Employment and Training Administration of the United States Department of Labor under the federal Workforce Innovation and Opportunity Act, P.L. 113-128, as amended:

(1) For the 2022-23 school year, fifty percent;
(2) For the 2023-24 school year, seventy percent;
(3) For the 2024-25 school year, ninety percent; and
(4) For the 2025-26 school year and every school year thereafter, one hundred percent.

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

2. (1) The state board shall not grant a certificate of license to teach under this section to any individual who has not completed a background check as required under section 168.021.
   (2) The state board may refuse to issue or renew, suspend, or revoke any certificate sought or issued under this section in the same manner and for the same reasons as under section 168.071.

3. The state board may grant a certificate under this section to any individual who has completed:
   (1) At least thirty-six semester hours at an accredited institution of higher education; or
   (2) The twenty-hour online training program required in this section and who possesses a high school diploma or the equivalent thereof.

4. The department of elementary and secondary education shall develop and maintain an online training program for individuals, which shall consist of twenty hours of training related to subjects appropriate for substitute teachers as determined by the department.

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

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

(2) In addition to the conditions set forth in subdivision (1) of this subsection, any person retired and currently receiving a retirement allowance under sections 169.010 to 169.141, other than for disability, who is employed by a third party or is performing work as an independent contractor may be employed to substitute teach on a part-time or temporary substitute basis, if such person is performing work for an employer included in the
retirement system without a discontinuance of the person's retirement allowance.

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

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

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

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

9. Each school district may develop an orientation for individuals to whom the state board grants a certificate under this section for such individuals employed by the school district and may require such individuals to complete such orientation. Such orientation shall contain at least
two hours of subjects appropriate for substitute teachers
and shall contain instruction on the school district's best
practices for classroom management.

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

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

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

2. (1) Each substitute teacher in a public school
shall complete the survey described in subsection 1 of this
section at the end of each day of teaching. The district or
charter school in which the substitute teacher is teaching
for that day shall provide, by email, a web link to the
survey. If needed, the district or charter school shall also provide brief access to a computer or other connected device sufficient to allow the survey to be completed. The survey can also be completed on-site by the substitute teacher using a personal device.

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

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

169.560. 1. Any person retired and currently receiving a retirement allowance pursuant to sections 169.010 to 169.141, other than for disability, may be employed in any capacity for an employer included in the retirement system created by those sections on either a part-time or temporary-substitute basis not to exceed a total of five hundred fifty hours in any one school year, and through such employment may earn up to fifty percent of the annual compensation payable under the employer's salary schedule for the position or positions filled by the retiree, given such person's level of experience and education, without a
discontinuance of the person's retirement allowance. If the employer does not utilize a salary schedule, or if the position in question is not subject to the employer's salary schedule, a retiree employed in accordance with the provisions of this subsection may earn up to fifty percent of the annual compensation paid to the person or persons who last held such position or positions. If the position or positions did not previously exist, the compensation limit shall be determined in accordance with rules duly adopted by the board of trustees of the retirement system; provided that, it shall not exceed fifty percent of the annual compensation payable for the position by the employer that is most comparable to the position filled by the retiree. In any case where a retiree fills more than one position during the school year, the fifty-percent limit on permitted earning shall be based solely on the annual compensation of the highest paid position occupied by the retiree for at least one-fifth of the total hours worked during the year. Such a person shall not contribute to the retirement system or to the public education employee retirement system established by sections 169.600 to 169.715 because of earnings during such period of employment. If such a person is employed in any capacity by such an employer in excess of the limitations set forth in this subsection, the person shall not be eligible to receive the person's retirement allowance for any month during which the person is so employed. In addition, such person shall contribute to the retirement system if the person satisfies the retirement system's membership eligibility requirements. In addition to the conditions set forth above, this subsection shall apply to any person retired and currently receiving a retirement allowance under sections 169.010 to 169.141,
other than for disability, who is employed by a third party or is performing work as an independent contractor, if such person is performing work for an employer included in the retirement system as a temporary or long-term substitute teacher or in any other position that would normally require that person to be duly certificated under the laws governing the certification of teachers in Missouri if such person was employed by the district. The retirement system may require the employer, the third-party employer, the independent contractor, and the retiree subject to this subsection to provide documentation showing compliance with this subsection. If such documentation is not provided, the retirement system may deem the retiree to have exceeded the limitations provided in this subsection.

2. Notwithstanding any other provision of this section, any person retired and currently receiving a retirement allowance in accordance with sections 169.010 to 169.141, other than for disability, may be employed by an employer included in the retirement system created by those sections in a position that does not normally require a person employed in that position to be duly certificated under the laws governing the certification of teachers in Missouri, and through such employment may earn up to [sixty percent of the minimum teacher's salary as set forth in section 163.172] the annual earnings exemption amount applicable to a Social Security recipient before the calendar year of attainment of full retirement age under 20 CFR 404.430, without a discontinuance of the person's retirement allowance from the retirement system. The Social Security annual earnings exemption amount applied shall be the exemption amount in effect for the calendar year in which the school year begins. Such person shall not
contribute to the retirement system or to the public education employee retirement system established by sections 169.600 to 169.715 because of earnings during such period of employment, and such person shall not earn membership service for such employment. The employer's contribution rate shall be paid by the hiring employer into the public education employee retirement system established by sections 169.600 to 169.715. If such a person is employed in any capacity by an employer in excess of the limitations set forth in this subsection, the person shall not be eligible to receive the person's retirement allowance for any month during which the person is so employed. In addition, such person shall become a member of and contribute to any retirement system described in this subsection if the person satisfies the retirement system's membership eligibility requirements. The provisions of this subsection shall not apply to any person retired and currently receiving a retirement allowance in accordance with sections 169.010 to 169.141 employed by a public community college or employer under subsection 4 of section 169.130.

169.596. 1. Notwithstanding any other provision of this chapter to the contrary, a retired certificated teacher receiving a retirement benefit from the retirement system established pursuant to sections 169.010 to 169.141 may, without losing his or her retirement benefit, teach full time for up to [two] four years for a school district covered by such retirement system; provided that the school district has a shortage of certified teachers, as determined by the school district, and provided that no such retired certificated teacher shall be employed as a superintendent. The total number of such retired certificated teachers shall not exceed, at any one time, the lesser of ten percent of
the total teacher staff for that school district, or five
certificated teachers.

2. Notwithstanding any other provision of this chapter
to the contrary, a person receiving a retirement benefit
from the retirement system established pursuant to sections
169.600 to 169.715 may, without losing his or her retirement
benefit, be employed full time for up to two years
for a school district covered by such retirement system;
provided that the school district has a shortage of
noncertificated employees, as determined by the school
district. The total number of such retired noncertificated
employees shall not exceed, at any one time, the lesser of
ten percent of the total noncertificated staff for that
school district, or five employees.

3. The employer's contribution rate shall be paid by
the hiring school district.

4. In order to hire teachers and noncertificated
employees pursuant to the provisions of this section, the
school district shall:

(1) Show a good faith effort to fill positions with
nonretired certificated teachers or nonretired
noncertificated employees;
(2) Post the vacancy for at least one month;
(3) Have not offered early retirement incentives for
either of the previous two years;
(4) Solicit applications through the local newspaper,
other media, or teacher education programs;
(5) Determine there is an insufficient number of
eligible applicants for the advertised position; and
(6) Declare a critical shortage of certificated
teachers or noncertificated employees that is active for one
year.
5. Any person hired pursuant to this section shall be included in the State Directory of New Hires for purposes of income and eligibility verification pursuant to 42 U.S.C. Section 1320b-7.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(3) The state board of education shall award grants from the computer science education fund to eligible entities for the purpose of providing teacher professional development programs relating to computer science. An eligible entity wishing to receive such a grant shall submit
an application to the department of elementary and secondary education addressing how the entity plans to:

(a) Reach new and existing teachers with little computer science background;
(b) Use effective practices for professional development;
(c) Focus the training on the conceptual foundations of computer science;
(d) Reach and support historically underrepresented students in computer science;
(e) Provide teachers with concrete experience with hands-on, inquiry-based practices; and
(f) Accommodate the particular needs of students and teachers in each district and school.

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

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

(a) Be of high quality as defined by the state board of education;
(b) Meet or exceed the computer science performance standards developed and adopted by the department of elementary and secondary education under this section; and
(c) For any computer science course offered by a public high school or charter high school, be offered in such school's course catalog.

(3) On or before June thirtieth of each school year, each school district shall submit to the department of
elementary and secondary education a report for the current
school year which shall include, but not be limited to:

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

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

a. Sex;

b. Race and ethnicity;

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

d. English language learner status;

e. Eligibility for free or reduced price meals; and

f. Grade level; and

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

a. Applicable certifications;

b. Sex;

c. Race and ethnicity; and

d. Highest academic degree.
(4) On or before September thirtieth of each school year, the department of elementary and secondary education shall post the following on the department's website:

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

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

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

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

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

8. The department of elementary and secondary education shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section
536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after December 18, 2018, shall be invalid and void.

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

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

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

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

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

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

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

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

(a) The state board of education;

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

(c) Nonprofit organizations;

(d) An association of school superintendents;
(e) A statewide association representing computer science teachers; and

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

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

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

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

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

(4) A plan for integrating computer science instruction in kindergarten through eighth grades around the basics of computer science and computational thinking and exploratory computer science;

(5) A plan for the development of rigorous standards and curriculum guidelines for K-12 computer science,
including ways to incorporate computer science into existing standards at the elementary level, as appropriate;

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

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

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

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

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

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

6. The task force shall hold its first meeting within one month from the effective date of this section.

7. Before June 30, 2023, the task force shall present a summary of its activities and any recommendations for legislation to the general assembly.
8. The computer science education task force shall dissolve on June 30, 2024.

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

(1) "Academic skill intake assessment", a criterion-referenced assessment of numeracy and literacy skills with high reliability and validity as determined by third-party research;

(2) "Accredited", holding an active accreditation from one of the seven United States regional accreditors including, but not limited to, the Middle States Commission on Higher Education, the New England Association of Schools and Colleges, the Higher Learning Commission, the Northwest Commission on Colleges and Universities, the Southern Association of Colleges and Schools, the Western Association of Schools and Colleges, and the Accrediting Commission for Community and Junior Colleges, as well as any successor entities or consolidations of the above including, but not limited to, AdvancEd or Cognia;

(3) "Adult dropout recovery services", includes, but is not limited to, sourcing, recruitment, and engagement of eligible students, learning plan development, active teaching, and proactive coaching and mentoring, resulting in an accredited high school diploma;

(4) "Approved program provider", a public, not-for-profit, or other entity that meets the requirements of subdivision (2) of subsection 3 of this section or any consortium of such entities;

(5) "Average cost per graduate", the amount of the total program funding reimbursed to an approved program provider for each cohort during the period of time from the beginning of the same cohort through the subsequent twelve
months after the close of the same cohort, divided by the total number of students who graduated from the same cohort within twelve months after the close of the same cohort;

(6) "Career pathways coursework", one or more courses that align with the skill needs of industries in the economy of the state or region that help an individual enter or advance within a specific occupation or occupational cluster;

(7) "Career placement services", services designed to assist students in obtaining employment, such as career interest self-assessments and job search skills such as resume development and mock interviews;

(8) "Coaching", proactive communication between the approved program provider and the student related to the student's pace and progress through the student's learning plan;

(9) "Cohort", students who enter the program between July 1 and June 30 of each program year;

(10) "Department", the department of elementary and secondary education;

(11) "Employability skills certification", a certificate earned by demonstrating professional nontechnical skills through assessment, portfolio, or observation;

(12) "Graduate", a student who has successfully completed all of the state and approved program provider requirements in order to obtain a high school diploma;

(13) "Graduation rate", the total number of graduates from a cohort who graduated within twelve months after the close of the cohort divided by the total number of students included in the same cohort;
(14) "Graduation requirements", course and credit requirements for the approved program provider's accredited high school diploma;

(15) "High school diploma", a diploma issued by an accredited institution;

(16) "Industry-recognized credential", an education-related credential or work-related credential that verifies an individual's qualification or competence issued by a third party with the relevant authority to issue such credential;

(17) "Learning plan", a documented plan for courses or credits needed for each individual in order to complete program and approved program provider graduation requirements;

(18) "Mentoring", a direct relationship between a coach and a student to facilitate the completion of the student's learning plan designed to prepare the student to succeed in the program and the student's future endeavors;

(19) "Milestones", objective measures of progress for which payment is made to an approved program provider under this section such as earned units of high school credit, attainment of an employability skills certificate, attainment of an industry-recognized credential, attainment of a technical skills assessment, and attainment of an accredited high school diploma;

(20) "Program", the workforce diploma program established in this section;

(21) "Request for qualifications", a request for interested potential program providers to submit evidence that they meet the qualifications established in subsection 3 of this section;
(22) "Stackable credential", a third party credential that is part of a sequence of credentials that can be accumulated over time to build up an individual's qualifications to advance along a career pathway;
(23) "Student", a participant in the program established in this section who is twenty-one years of age or older, who is a resident of Missouri, and who has not yet earned a high school diploma;
(24) "Technical skills assessment", a criterion-referenced assessment of an individual's skills required for an entry-level career or additional training in a technical field;
(25) "Transcript evaluation", a documented summary of credits earned in previous public or private accredited high schools compared with the program and approved program provider graduation requirements;
(26) "Unit of high school credit", credit awarded based on a student's demonstration that the student has successfully met the content expectations for the credit area as defined by subject area standards, expectations, or guidelines.

2. There is hereby established the "Workforce Diploma Program" within the department of elementary and secondary education to assist students with obtaining a high school diploma and developing employability and career technical skills. The program may be delivered in campus-based, blended, or online modalities.

3. (1) Before September 1, 2022, and annually thereafter, the department shall issue a request for qualifications for interested program providers to become approved program providers and participate in the program.
(2) Each approved program provider shall meet all of the following qualifications:

(a) Be an accredited high school diploma-granting entity;
(b) Have a minimum of two years of experience providing adult dropout recovery services;
(c) Provide academic skill intake assessments and transcript evaluations to each student. Such academic skill intake assessments may be administered in person or online;
(d) Develop a learning plan for each student that integrates graduation requirements and career goals;
(e) Provide a course catalog that includes all courses necessary to meet graduation requirements;
(f) Offer remediation opportunities in literacy and numeracy, as applicable;
(g) Offer employability skills certification, as applicable;
(h) Offer career pathways coursework, as applicable;
(i) Ability to provide preparation for industry-recognized credentials or stackable credentials, a technical skills assessment, or a combination thereof; and
(j) Offer career placement services, as applicable.

(3) Upon confirmation by the department that an interested program provider meets all of the qualifications listed in subdivision (2) of this subsection, an interested program provider shall become an approved program provider.

4. (1) The department shall announce the approved program providers before October sixteenth annually, with authorization for the approved program providers to begin enrolling students before November fifteenth annually.

(2) Approved program providers shall maintain approval without reapplying annually if the approved program provider
has not been removed from the approved program provider list under this section.

5. All approved program providers shall comply with requirements as provided by the department to ensure:

   (1) An accurate accounting of a student's accumulated credits toward a high school diploma;
   (2) An accurate accounting of credits necessary to complete a high school diploma; and
   (3) The provision of coursework aligned to the academic performance standards of the state.

6. (1) Except as provided in subdivision (2) of this subsection, the department shall pay an amount as set by the department to approved program providers for the following milestones provided by the approved program provider:

   (a) Completion of each half unit of high school credit;
   (b) Attainment of an employability skills certification;
   (c) Attainment of an industry-recognized credential, technical skills assessment, or stackable credential requiring no more than fifty hours of training;
   (d) Attainment of an industry-recognized credential or stackable credential requiring at least fifty-one but no more than one hundred hours of training;
   (e) Attainment of an industry-recognized credential or stackable credential requiring more than one hundred hours of training; and
   (f) Attainment of an accredited high school diploma.

(2) No approved program provider shall receive funding for a student under this section if the approved program provider receives federal or state funding or private tuition for that student. No approved program provider shall charge student fees of any kind including, but not
limited to, textbook fees, tuition fees, lab fees, or participation fees unless the student chooses to obtain additional education offered by the approved program provider that is not included in the state-funded program.

    (3) Payments made under this subsection shall be subject to an appropriation made to the department for such purposes.

7. (1) Approved program providers shall submit monthly invoices to the department before the eleventh calendar day of each month for milestones met in the previous calendar month.

    (2) The department shall pay approved program providers in the order in which invoices are submitted until all available funds are exhausted.

    (3) The department shall provide a written update to approved program providers by the last calendar day of each month. The update shall include the aggregate total dollars that have been paid to approved program providers to date and the estimated number of enrollments still available for the program year.

8. Before July sixteenth of each year, each provider shall report the following metrics to the department for each individual cohort, on a cohort-by-cohort basis:

    (1) The total number of students who have been funded through the program;

    (2) The total number of credits earned;

    (3) The total number of employability skills certifications issued;

    (4) The total number of industry-recognized credentials, stackable credentials, and technical skills assessments earned for each tier of funding;

    (5) The total number of graduates;
(6) The average cost per graduate once the stipulated 
time to make such a calculation has passed; and 
(7) The graduation rate once the stipulated time to 
make such a calculation has passed.

9. (1) Before September sixteen of each year, each 
approved program provider shall conduct and submit to the 
department the aggregate results of a survey of each 
individual cohort, on a cohort-by-cohort basis, who 
graduated from the program of the approved program provider 
under this section. The survey shall be conducted in the 
year after the year in which the individuals graduate and 
the next four consecutive years.
(2) The survey shall include at least the following 
data collection elements for each year the survey is 
conducted:
(a) The individual's employment status, including 
whether the individual is employed full time or part time;
(b) The individual's hourly wages;
(c) The individual's access to employer-sponsored 
health care; and
(d) The individual's postsecondary enrollment status, 
including whether the individual has completed a 
postsecondary certificate or degree program.

10. (1) Beginning at the end of the second fiscal 
year of the program, the department shall review data from 
each approved program provider to ensure that each is 
achieving minimum program performance standards including, 
but not limited to:
(a) A minimum fifty percent average graduation rate 
per cohort; and
(b) An average cost per graduate per cohort of seven 
thousand dollars or less.
(2) Any approved program provider that fails to meet
the minimum program performance standards described in
subdivision (1) of this subsection shall be placed on
probationary status for the remainder of the fiscal year by
the department.

(3) Any approved program provider that fails to meet
the minimum program performance standards described in
subdivision (1) of this subsection for two consecutive years
shall be removed from the approved program provider list by
the department.

11. (1) No approved program provider shall
discriminate against a student on the basis of race, color,
religion, national origin, ancestry, sex, sexuality, gender,
or age.

(2) If an approved program provider determines that a
student would be better served by participating in a
different program, the approved program provider may refer
the student to the state's adult basic education services.

12. (1) There is hereby created in the state treasury
the "Workforce Diploma Program Fund", which shall consist of
any grants, gifts, donations, bequests, or moneys
appropriated under this section. The state treasurer shall
be custodian of the fund. In accordance with sections
30.170 and 30.180, the state treasurer may approve
disbursements. The fund shall be a dedicated fund and, upon
appropriation, moneys in the fund shall be used solely as
provided in this section.

(2) Notwithstanding the provisions of section 33.080
to the contrary, any moneys remaining in the fund at the end
of the biennium shall not revert to the credit of the
general revenue fund.
The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

13. The department may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2022, shall be invalid and void.

14. Under section 23.253 of the Missouri sunset act:
   (1) The provisions of the new program authorized under this section shall automatically sunset six years after the effective date of this section unless reauthorized by an act of the general assembly; and
   (2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and
   (3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.

186.080. 1. The commissioner of education shall establish a literacy advisory council. The council shall consist of no more than twenty members, appointed by the
commissioner, and shall include members representing the following stakeholder groups:

1. School boards;
2. Charter schools;
3. School superintendents;
4. Elementary and secondary building principals;
5. At least three teachers, including at least two teachers with expertise in reading instruction;
6. At least two special education educators;
7. At least two parents of elementary and secondary school-age pupils who have struggled with literacy proficiency;
8. At least two community members who have struggled with literacy proficiency or supported others who have struggled with literacy proficiency, at least one of whom shall be a high school student;
9. One member from a dyslexia advocacy group;
10. Faculty members of institutions of higher education with approved teacher preparation programs;
11. Professionals with expertise in reading instruction, reading interventions, and how students learn to read, including one certified academic language therapist; and
12. Professionals with expertise in educational assessment data analysis.

2. The council shall meet at least twice per year to review best practices in literacy instruction and related policy provisions. The department shall provide necessary staff and resources for the work of the advisory council.

3. The council shall periodically provide recommendations to the commissioner and the state board of education regarding any identified improvements to literacy
instruction and policy for students. The recommendations may include recommendations for changes to state law, and the commissioner shall furnish any such recommendations to the joint committee on education.

4. The council recommendations shall:
   (1) Advise the department of elementary and secondary education on how to implement and maintain the statewide literacy plan required under section 161.241 and advise the department, school districts and charter schools on ways to inform and engage parents and other community members about the literacy plan;
   (2) Provide advice as to what services the department should provide to school districts and charter schools to support implementation of the plan and on staffing levels and resources needed at the department to support the statewide effort to improve literacy;
   (3) Provide advice regarding the statewide plan for collecting literacy-related data that informs:
      (a) Literacy instructional practices;
      (b) Teacher professional development in the field of literacy;
      (c) What proficiencies and skills should be measured through literacy assessments and how those assessments are incorporated into local assessment plans; and
      (d) How to identify school progress in achieving literacy outcomes, including closing literacy gaps for students from historically underserved populations;
   (4) Recommend best practices for tiered literacy instruction within a multi-tiered system of supports to best improve and sustain literacy proficiency;
(5) Review literacy assessments and outcomes and provide ongoing advice as to how to continuously improve those outcomes and sustain improvement; and

(6) Provide a means for members of the public to provide input and ask questions concerning literacy issues.

302.010. Except where otherwise provided, when used in this chapter, the following words and phrases mean:

(1) "Circuit court", each circuit court in the state;

(2) "Commercial motor vehicle", a motor vehicle designed or regularly used for carrying freight and merchandise, or more than fifteen passengers;

(3) "Conviction", any final conviction; also a forfeiture of bail or collateral deposited to secure a defendant's appearance in court, which forfeiture has not been vacated, shall be equivalent to a conviction, except that when any conviction as a result of which points are assessed pursuant to section 302.302 is appealed, the term "conviction" means the original judgment of conviction for the purpose of determining the assessment of points, and the date of final judgment affirming the conviction shall be the date determining the beginning of any license suspension or revocation pursuant to section 302.304;

(4) "Criminal history check", a search of criminal records, including criminal history record information as defined in section 43.500, maintained by the Missouri state highway patrol in the Missouri criminal records repository or by the Federal Bureau of Investigation as part of its criminal history records, including, but not limited to, any record of conviction, plea of guilty or nolo contendre, or finding of guilty in any state for any offense related to alcohol, controlled substances, or drugs;
(5) "Director", the director of revenue acting directly or through the director's authorized officers and agents;

(6) "Farm tractor", every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines and other implements of husbandry;

(7) "Highway", any public thoroughfare for vehicles, including state roads, county roads and public streets, avenues, boulevards, parkways, or alleys in any municipality;

(8) "Incompetent to drive a motor vehicle", a person who has become physically incapable of meeting the prescribed requirements of an examination for an operator's license, or who has been adjudged by a probate division of the circuit court in a capacity hearing of being incapacitated;

(9) "License", a license issued by a state to a person which authorizes a person to operate a motor vehicle;

(10) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks except motorized bicycles, as defined in section 307.180 and electric bicycles, as defined in section 301.010;

(11) "Motorcycle", a motor vehicle operated on two wheels; however, this definition shall not include motorized bicycles or electric bicycles as such terms are defined in section 301.010;

(12) "Motortricycle", a motor vehicle operated on three wheels, including a motorcycle operated with any conveyance, temporary or otherwise, requiring the use of a third wheel, but excluding an electric bicycle as defined in section 301.010;

(13) "Moving violation", that character of traffic violation where at the time of violation the motor vehicle
involved is in motion, except that the term does not include the driving of a motor vehicle without a valid motor vehicle registration license, or violations of sections 304.170 to 304.240, inclusive, relating to sizes and weights of vehicles;

(14) "Municipal court", every division of the circuit court having original jurisdiction to try persons for violations of city ordinances;

(15) "Nonresident", every person who is not a resident of this state;

(16) "Operator", every person who is in actual physical control of a motor vehicle upon a highway;

(17) "Owner", a person who holds the legal title of a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of sections 302.010 to 302.540;

(18) "Record" includes, but is not limited to, papers, documents, facsimile information, microphotographic process, electronically generated or electronically recorded information, digitized images, deposited or filed with the department of revenue;

(19) "Residence address", "residence", or "resident address" shall be the location at which a person has been physically present, and that the person regards as home. A residence address is a person's true, fixed, principal, and
permanent home, to which a person intends to return and
remain, even though currently residing elsewhere;

(20) "Restricted driving privilege", a sixty-day
driving privilege issued by the director of revenue
following a suspension of driving privileges for the limited
purpose of driving in connection with the driver's business,
occupation, employment, formal program of secondary,
postsecondary or higher education, or for an alcohol
education or treatment program or certified ignition
interlock provider, or a ninety-day interlock restricted
privilege issued by the director of revenue for the limited
purpose of driving in connection with the driver's business,
occupation, employment, seeking medical treatment for such
driver or a dependent family member, attending school or
other institution of higher education, attending alcohol- or
drug-treatment programs, seeking the required services of a
certified ignition interlock provider, fulfilling court
obligations, including required appearances and probation
and parole obligations, religious services, the care of a
child or children, including scheduled visitation or
custodial obligations pursuant to a court order, fueling
requirements for any vehicle utilized, and seeking basic
nutritional requirements;

(21) "School bus", when used in sections 302.010 to
302.540, means any motor vehicle, either publicly or
privately owned, designed for carrying more than ten
passengers, that is used to transport students to and from
school, or to transport pupils properly chaperoned to and
from any place within the state for educational purposes.
The term "school bus" shall not include a bus operated by a
public utility, municipal corporation or common carrier
authorized to conduct local or interstate transportation of
passengers when such bus is not traveling a specific school
bus route but is:
   (a) On a regularly scheduled route for the
transportation of fare-paying passengers; or
   (b) Furnishing charter service for the transportation
of persons enrolled as students on field trips or other
special trips or in connection with other special events;
(22) "School bus operator", an operator who operates a
school bus as defined in subdivision (21) of this section in
the transportation of any schoolchildren and who receives
compensation for such service. The term "school bus
operator" shall not include any person who transports
schoolchildren as an incident to employment with a school or
school district, such as a teacher, coach, administrator,
secretary, school nurse, or janitor unless such person is
under contract with or employed by a school or school
district as a school bus operator;
(23) "Signature", any method determined by the
director of revenue for the signing, subscribing or
verifying of a record, report, application, driver's
license, or other related document that shall have the same
validity and consequences as the actual signing by the
person providing the record, report, application, driver's
license or related document;
(24) "Substance abuse traffic offender program", a
program certified by the division of alcohol and drug abuse
of the department of mental health to provide education or
rehabilitation services pursuant to a professional
assessment screening to identify the individual needs of the
person who has been referred to the program as the result of
an alcohol- or drug-related traffic offense. Successful
completion of such a program includes participation in any
education or rehabilitation program required to meet the
needs identified in the assessment screening. The
assignment recommendations based upon such assessment shall
be subject to judicial review as provided in subsection 14
of section 302.304 and subsections 1 and 5 of section
302.540;

(25) “Vehicle”, any mechanical device on wheels,
designed primarily for use, or used on highways, except
motorized bicycles, electric bicycles, vehicles propelled or
drawn by horses or human power, or vehicles used exclusively
on fixed rails or tracks, or cotton trailers or motorized
wheelchairs operated by handicapped persons.

304.060. 1. The state board of education shall adopt
and enforce regulations not inconsistent with law to cover
the design and operation of all school buses used for the
transportation of school children when owned and operated by
any school district or privately owned and operated under
contract with any school district in this state, and such
regulations shall by reference be made a part of any such
contract with a school district. School districts shall
have the authority to use vehicles other than school buses
for the purpose of transporting school children. The state
board of education may adopt rules and regulations governing
the use of other vehicles owned by a district or operated
under contract with any school district in this state and
used for the purpose of transporting school children, except
motor vehicles operating under sections 387.400 to 387.440.
[The operator of such vehicle shall be licensed in
accordance with section 302.272, and such vehicle] Vehicles
other than school buses shall transport no more children
than the manufacturer suggests as appropriate for such
vehicle, and shall meet any additional requirements of the
school district. The state board of education may also adopt rules and regulations governing the use of authorized common carriers for the transportation of students on field trips or other special trips for educational purposes. Every school district, its officers and employees, and every person employed under contract by a school district shall be subject to such regulations. The state board of education shall cooperate with the state transportation department and the state highway patrol in placing suitable warning signs at intervals on the highways of the state.

2. Notwithstanding the provisions of subsection 1 of this section, any school board in the state of Missouri in an urban district containing the greater part of the population of a city which has more than three hundred thousand inhabitants may contract with any municipality, bi-state agency, or other governmental entity for the purpose of transporting school children attending a grade or grades not lower than the ninth nor higher than the twelfth grade, provided that such contract shall be for additional transportation services, and shall not replace or fulfill any of the school district's obligations pursuant to section 167.231. The school district may notify students of the option to use district-contracted transportation services.

3. Any officer or employee of any school district who violates any of the regulations or fails to include obligation to comply with such regulations in any contract executed by him on behalf of a school district shall be guilty of misconduct and subject to removal from office or employment. Any person operating a school bus under contract with a school district who fails to comply with any such regulations shall be guilty of breach of contract and
such contract shall be cancelled after notice and hearing by the responsible officers of such school district.

4. Any other provision of the law to the contrary notwithstanding, in any county of the first class with a charter form of government adjoining a city not within a county, school buses may bear the word "special".

Section B. Because immediate action is necessary to provide for the safety and education of school children and increase the number of substitute teachers, the enactment of section 168.036 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 168.036 of this act shall be in full force and effect upon its passage and approval.

Section C. The repeal and reenactment of section 167.645 of this act shall become effective January 1, 2023.