

SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 727  
AN ACT

To repeal sections 135.713, 135.714, 135.715, 160.011, 160.041, 160.400, 160.415, 161.670, 162.471, 162.492, 162.611, 162.996, 163.011, 163.018, 163.021, 163.044, 163.172, 166.700, 167.031, 167.061, 167.071, 167.600, 167.619, 167.850, 168.021, 168.110, 168.400, 168.500, 169.560, 170.048, 171.031, 171.033, 173.232, 210.167, 210.211, 211.031, and 452.375, RSMo, and to enact in lieu thereof forty-two new sections relating to elementary and secondary education, with penalty provisions and an effective date for certain sections.

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

Section A. Sections 135.713, 135.714, 135.715, 160.011,  
2 160.041, 160.400, 160.415, 161.670, 162.471, 162.492, 162.611,  
3 162.996, 163.011, 163.018, 163.021, 163.044, 163.172, 166.700,  
4 167.031, 167.061, 167.071, 167.600, 167.619, 167.850, 168.021,  
5 168.110, 168.400, 168.500, 169.560, 170.048, 171.031, 171.033,  
6 173.232, 210.167, 210.211, 211.031, and 452.375, RSMo, are  
7 repealed and forty-two new sections enacted in lieu thereof, to  
8 be known as sections 135.713, 135.714, 135.715, 160.011,  
9 160.041, 160.400, 160.415, 161.239, 161.670, 162.471, 162.492,  
10 162.611, 162.996, 163.011, 163.018, 163.021, 163.044, 163.096,  
11 163.172, 166.700, 167.012, 167.013, 167.031, 167.061, 167.600,  
12 167.619, 167.850, 168.021, 168.110, 168.400, 168.500, 169.560,  
13 170.048, 171.028, 171.031, 171.033, 173.232, 210.167, 210.211,  
14 211.031, 452.375, and 1, to read as follows:

135.713. 1. Any taxpayer who makes a qualifying  
2 contribution to an educational assistance organization after  
3 August 28, 2021, may claim a credit against the tax  
4 otherwise due under chapter 143, other than taxes withheld  
5 under sections 143.191 to 143.265, and chapter 153 in an  
6 amount equal to one hundred percent of the amount the  
7 taxpayer contributed during the tax year for which the  
8 credit is claimed. No taxpayer shall claim a credit under  
9 sections 135.712 to 135.719 for any contribution made by the  
10 taxpayer, or an agent of the taxpayer, on behalf of the  
11 taxpayer's dependent or, in the case of a business taxpayer,  
12 on behalf of the business's agent's dependent.

13 2. The amount of the tax credit claimed shall not  
14 exceed fifty percent of the taxpayer's state tax liability  
15 for the tax year for which the credit is claimed. The state  
16 treasurer shall certify the tax credit amount to the  
17 taxpayer. A taxpayer may carry the credit forward to any of  
18 such taxpayer's four subsequent tax years. All tax credits  
19 authorized under the program shall not be transferred, sold,  
20 or assigned, and are not refundable.

21 3. The cumulative amount of tax credits that may be  
22 allocated to all taxpayers contributing to educational  
23 assistance organizations in any one calendar year shall not  
24 exceed [fifty] a maximum of seventy-five million dollars[, ,  
25 which]. Such maximum amount shall be annually adjusted by  
26 the state treasurer [for inflation based on the Consumer  
27 Price Index for All Urban Consumers for the Midwest region,  
28 as defined and officially recorded by the United States  
29 Department of Labor or its successor, such annual increase  
30 will cease when the amount of tax credits reach seventy-five  
31 million dollars] in an amount equal to the percent increase  
32 or decrease in the amount of state aid distributed to school  
33 districts pursuant to the provisions of section 163.031 in

34 the current fiscal year as compared to such amount in the  
35 preceding fiscal year, rounded to the nearest thousandth.

36 The state treasurer shall establish a procedure by which,  
37 from the beginning of the calendar year until August first,  
38 the cumulative amount of tax credits shall be allocated on a  
39 first-come, first-served basis among all educational  
40 assistance organizations. If an educational assistance  
41 organization fails to use all, or some percentage to be  
42 determined by the state treasurer, of its allocated tax  
43 credits during this period, the state treasurer may  
44 reallocate these unused tax credits to those educational  
45 assistance organizations that have used all, or some  
46 percentage to be determined by the state treasurer, of their  
47 allocated tax credits during this period. The state  
48 treasurer may establish more than one period and reallocate  
49 more than once during each calendar year. The state  
50 treasurer shall establish the procedure described in this  
51 subsection in such a manner as to ensure that taxpayers can  
52 claim all the tax credits possible up to the cumulative  
53 amount of tax credits available for the calendar year.

54 4. A taxpayer who makes a contribution to an education  
55 assistance organization shall not designate the student who  
56 will receive a scholarship grant.

57 [5. The provisions of sections 135.712 to 135.719 and  
58 sections 166.700 to 166.720 shall be effective in any fiscal  
59 year immediately subsequent to any fiscal year in which the  
60 amount appropriated for pupil transportation under section  
61 163.161 equals or exceeds forty percent of the projected  
62 amount necessary to fully fund transportation aid funding  
63 for fiscal year 2021. If the amount appropriated for  
64 transportation under section 163.161 in any succeeding year  
65 falls below such amount, no additional scholarships for  
66 newly qualified students shall be awarded.]

135.714. 1. Each educational assistance organization shall:

(1) Notify the state treasurer of [its] such organization's intent to provide scholarship accounts to qualified students;

(2) Demonstrate to the state treasurer that [it] such organization is exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended;

(3) Provide a state treasurer-approved receipt to taxpayers for contributions made to the organization;

(4) Ensure that grants are distributed to scholarship accounts of qualified students in the following order:

(a) Qualified students who received a scholarship grant in the previous school year;

(b) Qualified students who are siblings of qualified students who will receive a scholarship grant in the current school year;

(c) Qualified students that have an approved "individualized education plan" (IEP) developed under the federal Individuals with Disabilities Education Act (IDEA), 20 U.S.C. Section 1400, et seq., as amended, [or qualified students living in a household whose total annual income does not exceed an amount equal to one hundred percent of the income standard used to qualify for free and reduced price lunches;

(b) Qualified students living in a household whose total annual income does not exceed an amount equal to two hundred percent of the income standard used to qualify for free and reduced price lunches; and

(c) ] or who have been diagnosed with dyslexia, as the term "dyslexia" is defined in section 633.420;

(d) Qualified students who are eligible for free lunch as approved by the department of elementary and secondary

34 education in accordance with federal regulations and who  
35 reside in an unaccredited or provisionally accredited school  
36 district;

37 (e) Qualified students who are eligible for reduced  
38 price lunch as approved by the department of elementary and  
39 secondary education in accordance with federal regulations  
40 and who reside in an unaccredited or provisionally  
41 accredited school district;

42 (f) Qualified students who are eligible for free lunch  
43 as approved by the department of elementary and secondary  
44 education in accordance with federal regulations;

45 (g) Qualified students who are eligible for reduced  
46 price lunch as approved by the department of elementary and  
47 secondary education in accordance with federal regulations;

48 (h) Qualified students who are active duty military  
49 dependents who have relocated to Missouri and are enrolling  
50 in a school in the state for the first time; and

51 (i) All other qualified students;

52 (5) Ensure that:

53 (a) One hundred percent of [its] such organization's  
54 revenues from interest or investments is spent on  
55 scholarship accounts;

56 (b) At least ninety percent of [its] such  
57 organization's revenues from qualifying contributions is  
58 spent on scholarship accounts; and

59 (c) Marketing and administrative expenses do not  
60 exceed the following limits of [its] such organization's  
61 remaining revenue from contributions:

62 a. Ten percent for the first two hundred fifty  
63 thousand dollars;

64 b. Eight percent for the next five hundred thousand  
65 dollars; and

66 c. Three percent thereafter;

67           (6) (a) Distribute scholarship account payments  
68 either four times per year or in a single lump sum at the  
69 beginning of the year as requested by the parent of a  
70 qualified student, [not to exceed a total grant amount equal  
71 to] based on the state adequacy target as defined in section  
72 163.011 and calculated by the department of elementary and  
73 secondary education, subject to the following total grant  
74 amount limits:

75           a. For a qualified student who meets the criteria to  
76 be included in a school district's limited English  
77 proficiency pupil count as set forth in subdivision (8) of  
78 section 163.011, not more than one hundred sixty percent of  
79 the state adequacy target;

80           b. For a qualified student who is eligible for free or  
81 reduced price lunch as approved by the department of  
82 elementary and secondary education in accordance with  
83 federal regulations, not more than one hundred twenty-five  
84 percent of the state adequacy target;

85           c. For a qualified student who has an approved  
86 individualized education plan developed under the federal  
87 Individuals with Disabilities Education Act (IDEA), 20  
88 U.S.C. Section 1400 et seq., as amended, not more than one  
89 hundred seventy-five percent of the state adequacy target;  
90 and

91           d. For all other qualified students, not more than the  
92 state adequacy target;

93           (b) Scholarship account payments distributed under  
94 this subdivision shall be in the form of a deposit into the  
95 scholarship account of the qualified student;

96           (7) Provide the state treasurer, upon request, with  
97 criminal background checks on all [its] such organization's  
98 employees and board members and exclude from employment or

99 governance any individual who might reasonably pose a risk  
100 to the appropriate use of contributed funds;

101 (8) Demonstrate [its] such organization's financial  
102 accountability by:

103 (a) Submitting to the state treasurer annual audit  
104 financial statements by a certified public accountant within  
105 six months of the end of the educational assistance  
106 organization's fiscal year; and

107 (b) Having an auditor certify that the report is free  
108 of material misstatements; and

109 (9) Ensure that participating students take the state  
110 achievement tests or nationally norm-referenced tests that  
111 measure learning gains in math and English language arts,  
112 and provide for value-added assessment, in grades that  
113 require testing under the statewide assessment system set  
114 forth in section 160.518;

115 (10) Allow costs of the testing requirements to be  
116 covered by the scholarships distributed by the educational  
117 assistance organization;

118 (11) Provide the parents of each student who was  
119 tested with a copy of the results of the tests on an annual  
120 basis, beginning with the first year of testing;

121 (12) Provide the test results to the state treasurer,  
122 the department of elementary and secondary education, and  
123 the board established in section 135.715 on an annual basis,  
124 beginning with the first year of testing;

125 (13) Report student information that would allow the  
126 state treasurer, the department of elementary and secondary  
127 education, and the board established in section 135.715 to  
128 aggregate data by grade level, gender, family income level,  
129 and race;

130 (14) Provide rates of high school graduation, college  
131 attendance, and college graduation for participating

132 students to the state treasurer, the department of  
133 elementary and secondary education, and the board  
134 established in section 135.715 in a manner consistent with  
135 nationally recognized standards;

136 (15) Provide to the state treasurer, the department of  
137 elementary and secondary education, and the board  
138 established in section 135.715 the results from an annual  
139 parental satisfaction survey, including information about  
140 the number of years that the parent's child has participated  
141 in the scholarship program. The annual satisfaction survey  
142 shall ask parents of scholarship students to express:

143 (a) Their level of satisfaction with the child's  
144 academic achievement, including academic achievement at the  
145 schools the child attends through the scholarship program  
146 versus academic achievement at the school previously  
147 attended;

148 (b) Their level of satisfaction with school safety at  
149 the schools the child attends through the scholarship  
150 program versus safety at the schools previously attended;

151 (16) Demonstrate [its] such organization's financial  
152 viability, if [it] such organization is to receive donations  
153 of fifty thousand dollars or more during the school year, by  
154 filing with the state treasurer before the start of the  
155 school year a surety bond payable to the state in an amount  
156 equal to the aggregate amount of contributions expected to  
157 be received during the school year or other financial  
158 information that demonstrates the financial viability of the  
159 educational assistance organization.

160 2. The annual audit required under this section shall  
161 include:

162 (1) The name and address of the educational assistance  
163 organization;

164 (2) The name and address of each qualified student for  
165 whom a parent opened a scholarship account with the  
166 organization;

167 (3) The total number and total dollar amount of  
168 contributions received during the previous calendar year; and

169 (4) The total number and total dollar amount of  
170 scholarship accounts opened during the previous calendar  
171 year.

172 3. The state treasurer shall:

173 (1) Ensure compliance with all student privacy laws  
174 for data in the state treasurer's possession;

175 (2) Collect all test results;

176 (3) Provide the test results and associated learning  
177 gains to the public via a state website after the third year  
178 of test and test-related data collection. The findings  
179 shall be aggregated by the students' grade level, gender,  
180 family income level, number of years of participation in the  
181 scholarship program, and race; and

182 (4) Provide graduation rates to the public via a state  
183 website after the third year of test and test-related data  
184 collection.

185 4. The state treasurer shall cause the following  
186 information to be posted on the state treasurer's website  
187 annually, provided that no personally identifiable  
188 information of any student is released:

189 (1) The number of students who have been awarded a  
190 scholarship to date, and the number of students who have  
191 been awarded a scholarship in the current school year;

192 (2) The number of scholarship recipients enrolled in  
193 each qualified school, along with the number of recipients  
194 who qualify for free and reduced price lunch and the number  
195 of recipients who receive special education services and the  
196 type of special education services received. Such

197 information shall be broken down by school year and the  
198 total to date;

199 (3) The total number of scholarship recipients who are  
200 eligible for free and reduced price lunch as approved by the  
201 department of elementary and secondary education in  
202 accordance with federal guidelines, broken down by school  
203 year and the total to date;

204 (4) The total number of scholarship recipients who  
205 have an individualized education plan ("IEP") developed  
206 under the federal Individuals with Disabilities Education  
207 Act, 20 U.S.C. Section 1400, et seq., as amended, broken  
208 down by school year and the total to date;

209 (5) The number of scholarship recipients who have  
210 received a grant from each educational assistance  
211 organization, broken down by school year and the total to  
212 date;

213 (6) The student test scores required to be posted  
214 online pursuant to subdivision (3) of subsection 3 of this  
215 section;

216 (7) The results of the parent satisfaction survey  
217 required annually pursuant to subdivision (15) of subsection  
218 1 of this section;

219 (8) The average dollar amount of a scholarship grant  
220 for all students who participate in the program;

221 (9) The average dollar amount of a scholarship grant  
222 for all students who participate in the program and who have  
223 an IEP;

224 (10) The average duration of a student's participation  
225 in the program;

226 (11) The number of students who are in their first  
227 year of participation in the program;

228 (12) A list of the educational assistance  
229 organizations that make contributions to the empowerment

230 scholarship accounts of students enrolled in each qualified  
231 school; and

232 (13) The total amount of money that has been remitted  
233 from qualified students' empowerment scholarship accounts to  
234 each qualified school, broken down by school year and the  
235 total aggregate amount.

236 5. An educational assistance organization may contract  
237 with private financial management firms to manage  
238 scholarship accounts with the supervision of the state  
239 treasurer, provided that all laws and regulations that apply  
240 to employees of such educational assistance organization  
241 shall also apply to the actions of any employees of the  
242 management firm while they are conducting work relating to  
243 the direct decision-making of the operation of such  
244 educational assistance organization.

135.715. 1. **[Notwithstanding any provision in section**  
2 **135.713 to the contrary, the annual increase to the**  
3 **cumulative amount of tax credits under subsection 3 of**  
4 **section 135.713 shall cease when the amount of tax credits**  
5 **reaches fifty million dollars.]** The cumulative amount of  
6 tax credits that may be allocated to all taxpayers  
7 contributing to educational assistance organizations in the  
8 first year of the program shall not exceed twenty-five  
9 million dollars.

10 2. The state treasurer shall limit the number of  
11 educational assistance organizations that are certified to  
12 administer scholarship accounts to no more than ten such  
13 organizations in any single school year**[, with]**. If the  
14 total contributions to educational assistance organizations  
15 exceed twenty-five million dollars in any school year, the  
16 state treasurer may certify one additional educational  
17 assistance organization to administer scholarship accounts.

18 No more than ~~[six]~~ seven of such organizations ~~[having]~~  
19 shall have their principal place of business in:

20 (1) A county of the first classification with more  
21 than two hundred sixty thousand but fewer than three hundred  
22 thousand inhabitants;

23 (2) A county with a charter form of government and  
24 with more than six hundred thousand but fewer than seven  
25 hundred thousand inhabitants;

26 (3) A county with a charter form of government and  
27 with more than three hundred thousand but fewer than four  
28 hundred fifty thousand inhabitants;

29 (4) A county with a charter form of government and  
30 with more than nine hundred fifty thousand inhabitants; or

31 (5) A city not within a county.

32 3. The state treasurer may delegate any duties  
33 assigned to the state treasurer under sections 135.712 to  
34 135.719 and sections 166.700 to 166.720 to the "Missouri  
35 Empowerment Scholarship Accounts Board", which is hereby  
36 established. The Missouri empowerment scholarship accounts  
37 board shall consist of the state treasurer, who shall serve  
38 as chair, the commissioner of the department of higher  
39 education and workforce development, the commissioner of  
40 education, ~~[the commissioner of the office of~~  
41 ~~administration,]~~ one member appointed by the president pro  
42 tempore of the senate, one member appointed by the speaker  
43 of the house of representatives, ~~[and]~~ one member appointed  
44 by the governor with the advice and consent of the senate,  
45 and one member appointed by the six aforementioned board  
46 members who is an employee of an educational assistance  
47 organization and whose responsibilities are directly related  
48 to such organization's involvement in the empowerment  
49 scholarship accounts program. The appointed members shall  
50 serve terms of four years or until their successors have

51 been appointed and qualified. The board shall have all  
52 powers and duties assigned to the state treasurer under  
53 sections 135.712 to 135.719 and sections 166.700 to 166.720  
54 that are delegated to the board by the state treasurer. The  
55 board shall assist the state treasurer with data collection,  
56 collaboration with the department of elementary and  
57 secondary education, making recommendations to the state  
58 treasurer regarding the promulgation of rules concerning the  
59 program. Members of the board shall not receive  
60 compensation for their service, but may receive  
61 reimbursement for necessary expenses.

62 4. Notwithstanding the provisions of subsection 7 of  
63 section 135.716 to the contrary, four percent of the total  
64 qualifying contributions received by each educational  
65 assistance organization per calendar year shall be deposited  
66 in the Missouri empowerment scholarship accounts fund to be  
67 used by the state treasurer for marketing and administrative  
68 expenses or the costs incurred in administering the program,  
69 whichever is less.

70 5. Notwithstanding the provisions of subdivision (5)  
71 of subsection 2 of section 135.712 to the contrary, the term  
72 "qualifying contribution" shall mean a donation of cash,  
73 including, but not limited to, checks drawn on a banking  
74 institution located in the continental United States in U.S.  
75 dollars (other than cashier checks, or third-party checks  
76 exceeding ten thousand dollars), money orders, payroll  
77 deductions, and electronic fund transfers. This term shall  
78 not include stocks, bonds, other marketable securities, or  
79 property.

160.011. As used in chapters 160, 161, 162, 163, 164,  
2 165, 167, 168, 170, 171, 177 and 178, the following terms  
3 mean:

4           (1) "District" or "school district", when used alone,  
5 may include seven-director, urban, and metropolitan school  
6 districts;

7           (2) "Elementary school", a public school giving  
8 instruction in a grade or grades not higher than the eighth  
9 grade;

10          (3) "Family literacy programs", services of sufficient  
11 intensity in terms of hours, and of sufficient duration, to  
12 make sustainable changes in families that include:

13           (a) Interactive literacy activities between parents  
14 and their children;

15           (b) Training of parents regarding how to be the  
16 primary teacher of their children and full partners in the  
17 education of their children;

18           (c) Parent literacy training that leads to high school  
19 completion and economic self sufficiency; and

20           (d) An age-appropriate education to prepare children  
21 of all ages for success in school;

22          (4) "Graduation rate", the quotient of the number of  
23 graduates in the current year as of June thirtieth divided  
24 by the sum of the number of graduates in the current year as  
25 of June thirtieth plus the number of twelfth graders who  
26 dropped out in the current year plus the number of eleventh  
27 graders who dropped out in the preceding year plus the  
28 number of tenth graders who dropped out in the second  
29 preceding year plus the number of ninth graders who dropped  
30 out in the third preceding year;

31          (5) "High school", a public school giving instruction  
32 in a grade or grades not lower than the ninth nor higher  
33 than the twelfth grade;

34          (6) "Metropolitan school district", any school  
35 district the boundaries of which are coterminous with the  
36 limits of any city which is not within a county;

37 (7) "Public school" includes all elementary and high  
38 schools operated at public expense;

39 (8) "School board", the board of education having  
40 general control of the property and affairs of any school  
41 district;

42 (9) "School term", a minimum of [one hundred seventy-  
43 four school days, as that term is defined in section  
44 160.041, for schools with a five-day school week or a  
45 minimum of one hundred forty-two school days, as that term  
46 is defined in section 160.041, for schools with a four-day  
47 school week, and] one thousand forty-four hours of actual  
48 pupil attendance as scheduled by the board pursuant to  
49 section 171.031 during a twelve-month period in which the  
50 academic instruction of pupils is actually and regularly  
51 carried on for a group of students in the public schools of  
52 any school district[. In school year 2019-20 and subsequent  
53 years, one thousand forty-four hours of actual pupil  
54 attendance shall be required with no minimum number of  
55 school days required], and, for a school district that is  
56 located wholly or partially in a county with a charter form  
57 of government or a school district that is located wholly or  
58 partially in a city with more than thirty thousand  
59 inhabitants, a minimum of one hundred and sixty-nine school  
60 days, as that term is defined in section 160.041, unless the  
61 district has adopted a four-day school week as provided in  
62 section 171.028, in which case the district school term  
63 shall have a minimum of one hundred forty-two school days,  
64 as such term is defined in section 160.041. A school term  
65 may be within a school year or may consist of parts of two  
66 consecutive school years, but does not include summer  
67 school. A district may choose to operate two or more terms  
68 for different groups of children. A school term for  
69 students participating in a school flex program as

70 established in section 160.539 may consist of a combination  
71 of actual pupil attendance and attendance at college or  
72 technical career education or approved employment aligned  
73 with the student's career academic plan for a total of the  
74 required number of hours as provided in this subdivision;

75 (10) "Secretary", the secretary of the board of a  
76 school district;

77 (11) "Seven-director district", any school district  
78 which has seven directors and includes urban districts  
79 regardless of the number of directors an urban district may  
80 have unless otherwise provided by law;

81 (12) "Taxpayer", any individual who has paid taxes to  
82 the state or any subdivision thereof within the immediately  
83 preceding twelve-month period or the spouse of such  
84 individual;

85 (13) "Town", any town or village, whether or not  
86 incorporated, the plat of which has been filed in the office  
87 of the recorder of deeds of the county in which it is  
88 situated;

89 (14) "Urban school district", any district which  
90 includes more than half of the population or land area of  
91 any city which has not less than seventy thousand  
92 inhabitants, other than a city which is not within a county.

160.041. 1. [The "minimum school day" consists of  
2 three hours for schools with a five-day school week or four  
3 hours for schools with a four-day school week in which the  
4 pupils are under the guidance and direction of teachers in  
5 the teaching process.] A "school month" consists of four  
6 weeks of five days each for schools with a five-day school  
7 week or four weeks of four days each for schools with a four-  
8 day school week. [In school year 2019-20 and subsequent  
9 years, no minimum number of school days shall be required,  
10 and] The term "school day" shall mean any day in which, for

11 any amount of time, pupils are under the guidance and  
12 direction of teachers in the teaching process. The "school  
13 year" commences on the first day of July and ends on the  
14 thirtieth day of June following.

15 2. Notwithstanding the provisions of subsection 1 of  
16 this section, the commissioner of education is authorized to  
17 reduce the required number of hours or days in which the  
18 pupils are under the guidance and direction of teachers in  
19 the teaching process if:

20 (1) There is damage to or destruction of a public  
21 school facility which requires the dual utilization of  
22 another school facility; or

23 (2) Flooding or other inclement weather as defined in  
24 subsection 1 of section 171.033 prevents students from  
25 attending the public school facility.

26 Such reduction shall not extend beyond two calendar years in  
27 duration.

160.400. 1. A charter school is an independent public  
2 school.

3 2. Except as further provided in subsection 4 of this  
4 section, charter schools may be operated only:

5 (1) In a metropolitan school district;

6 (2) In an urban school district containing most or all  
7 of a city with a population greater than three hundred fifty  
8 thousand inhabitants;

9 (3) In a school district that has been classified as  
10 unaccredited by the state board of education;

11 (4) In a school district that has been classified as  
12 provisionally accredited by the state board of education and  
13 has received scores on its annual performance report  
14 consistent with a classification of provisionally accredited  
15 or unaccredited for three consecutive school years beginning

16 with the 2012-13 accreditation year under the following  
17 conditions:

18 (a) The eligibility for charter schools of any school  
19 district whose provisional accreditation is based in whole  
20 or in part on financial stress as defined in sections  
21 161.520 to 161.529, or on financial hardship as defined by  
22 rule of the state board of education, shall be decided by a  
23 vote of the state board of education during the third  
24 consecutive school year after the designation of provisional  
25 accreditation; and

26 (b) The sponsor is limited to the local school board  
27 or a sponsor who has met the standards of accountability and  
28 performance as determined by the department based on  
29 sections 160.400 to 160.425 and section 167.349 and properly  
30 promulgated rules of the department; [or]

31 (5) In a school district located within a county with  
32 more than one hundred fifty thousand but fewer than two  
33 hundred thousand inhabitants, provided that the provisions  
34 of subsections 15 to 18 of section 160.415 shall not apply  
35 to any charter school operated in such county; or

36 (6) In a school district that has been accredited  
37 without provisions, sponsored only by the local school  
38 board; provided that no board with a current year enrollment  
39 of one thousand five hundred fifty students or greater shall  
40 permit more than thirty-five percent of its student  
41 enrollment to enroll in charter schools sponsored by the  
42 local board under the authority of this subdivision, except  
43 that this restriction shall not apply to any school district  
44 that subsequently becomes eligible under subdivision (3) or  
45 (4) of this subsection or to any district accredited without  
46 provisions that sponsors charter schools prior to having a  
47 current year student enrollment of one thousand five hundred  
48 fifty students or greater.

49           3. Except as further provided in subsection 4 of this  
50 section, the following entities are eligible to sponsor  
51 charter schools:

52           (1) The school board of the district in any district  
53 which is sponsoring a charter school as of August 27, 2012,  
54 as permitted under subdivision (1) or (2) of subsection 2 of  
55 this section, the special administrative board of a  
56 metropolitan school district during any time in which powers  
57 granted to the district's board of education are vested in a  
58 special administrative board, or if the state board of  
59 education appoints a special administrative board to retain  
60 the authority granted to the board of education of an urban  
61 school district containing most or all of a city with a  
62 population greater than three hundred fifty thousand  
63 inhabitants, the special administrative board of such school  
64 district;

65           (2) A public four-year college or university with an  
66 approved teacher education program that meets regional or  
67 national standards of accreditation;

68           (3) A community college, the service area of which  
69 encompasses some portion of the district;

70           (4) Any private four-year college or university with  
71 an enrollment of at least one thousand students, with its  
72 primary campus in Missouri, and with an approved teacher  
73 preparation program;

74           (5) Any two-year private vocational or technical  
75 school designated as a 501(c)(3) nonprofit organization  
76 under the Internal Revenue Code of 1986, as amended, and  
77 accredited by the Higher Learning Commission, with its  
78 primary campus in Missouri;

79           (6) The Missouri charter public school commission  
80 created in section 160.425.

81 4. Changes in a school district's accreditation status  
82 that affect charter schools shall be addressed as follows,  
83 except for the districts described in subdivisions (1) and  
84 (2) of subsection 2 of this section:

85 (1) As a district transitions from unaccredited to  
86 provisionally accredited, the district shall continue to  
87 fall under the requirements for an unaccredited district  
88 until it achieves three consecutive full school years of  
89 provisional accreditation;

90 (2) As a district transitions from provisionally  
91 accredited to full accreditation, the district shall  
92 continue to fall under the requirements for a provisionally  
93 accredited district until it achieves three consecutive full  
94 school years of full accreditation;

95 (3) In any school district classified as unaccredited  
96 or provisionally accredited where a charter school is  
97 operating and is sponsored by an entity other than the local  
98 school board, when the school district becomes classified as  
99 accredited without provisions, a charter school may continue  
100 to be sponsored by the entity sponsoring it prior to the  
101 classification of accredited without provisions and shall  
102 not be limited to the local school board as a sponsor.

103 A charter school operating in a school district identified  
104 in subdivision (1) [or], (2), or (5) of subsection 2 of this  
105 section may be sponsored by any of the entities identified  
106 in subsection 3 of this section, irrespective of the  
107 accreditation classification of the district in which it is  
108 located. A charter school in a district described in this  
109 subsection whose charter provides for the addition of grade  
110 levels in subsequent years may continue to add levels until  
111 the planned expansion is complete to the extent of grade  
112 levels in comparable schools of the district in which the  
113 charter school is operated.

114           5. The mayor of a city not within a county may request  
115 a sponsor under subdivision (2), (3), (4), (5), or (6) of  
116 subsection 3 of this section to consider sponsoring a  
117 "workplace charter school", which is defined for purposes of  
118 sections 160.400 to 160.425 as a charter school with the  
119 ability to target prospective students whose parent or  
120 parents are employed in a business district, as defined in  
121 the charter, which is located in the city.

122           6. No sponsor shall receive from an applicant for a  
123 charter school any fee of any type for the consideration of  
124 a charter, nor may a sponsor condition its consideration of  
125 a charter on the promise of future payment of any kind.

126           7. The charter school shall be organized as a Missouri  
127 nonprofit corporation incorporated pursuant to chapter 355.  
128 The charter provided for herein shall constitute a contract  
129 between the sponsor and the charter school.

130           8. As a nonprofit corporation incorporated pursuant to  
131 chapter 355, the charter school shall select the method for  
132 election of officers pursuant to section 355.326 based on  
133 the class of corporation selected. Meetings of the  
134 governing board of the charter school shall be subject to  
135 the provisions of sections 610.010 to 610.030.

136           9. A sponsor of a charter school, its agents and  
137 employees are not liable for any acts or omissions of a  
138 charter school that it sponsors, including acts or omissions  
139 relating to the charter submitted by the charter school, the  
140 operation of the charter school and the performance of the  
141 charter school.

142           10. A charter school may affiliate with a four-year  
143 college or university, including a private college or  
144 university, or a community college as otherwise specified in  
145 subsection 3 of this section when its charter is granted by  
146 a sponsor other than such college, university or community

147 college. Affiliation status recognizes a relationship  
148 between the charter school and the college or university for  
149 purposes of teacher training and staff development,  
150 curriculum and assessment development, use of physical  
151 facilities owned by or rented on behalf of the college or  
152 university, and other similar purposes. A university,  
153 college or community college may not charge or accept a fee  
154 for affiliation status.

155 11. The expenses associated with sponsorship of  
156 charter schools shall be defrayed by the department of  
157 elementary and secondary education retaining one and five-  
158 tenths percent of the amount of state and local funding  
159 allocated to the charter school under section 160.415, not  
160 to exceed one hundred twenty-five thousand dollars, adjusted  
161 for inflation. The department of elementary and secondary  
162 education shall remit the retained funds for each charter  
163 school to the school's sponsor, provided the sponsor remains  
164 in good standing by fulfilling its sponsorship obligations  
165 under sections 160.400 to 160.425 and 167.349 with regard to  
166 each charter school it sponsors, including appropriate  
167 demonstration of the following:

168 (1) Expends no less than ninety percent of its charter  
169 school sponsorship funds in support of its charter school  
170 sponsorship program, or as a direct investment in the  
171 sponsored schools;

172 (2) Maintains a comprehensive application process that  
173 follows fair procedures and rigorous criteria and grants  
174 charters only to those developers who demonstrate strong  
175 capacity for establishing and operating a quality charter  
176 school;

177 (3) Negotiates contracts with charter schools that  
178 clearly articulate the rights and responsibilities of each  
179 party regarding school autonomy, expected outcomes, measures

180 for evaluating success or failure, performance consequences  
181 based on the annual performance report, and other material  
182 terms;

183 (4) Conducts contract oversight that evaluates  
184 performance, monitors compliance, informs intervention and  
185 renewal decisions, and ensures autonomy provided under  
186 applicable law; and

187 (5) Designs and implements a transparent and rigorous  
188 process that uses comprehensive data to make merit-based  
189 renewal decisions.

190 12. Sponsors receiving funds under subsection 11 of  
191 this section shall be required to submit annual reports to  
192 the joint committee on education demonstrating they are in  
193 compliance with subsection 17 of this section.

194 13. No university, college or community college shall  
195 grant a charter to a nonprofit corporation if an employee of  
196 the university, college or community college is a member of  
197 the corporation's board of directors.

198 14. No sponsor shall grant a charter under sections  
199 160.400 to 160.425 and 167.349 without ensuring that a  
200 criminal background check and family care safety registry  
201 check are conducted for all members of the governing board  
202 of the charter schools or the incorporators of the charter  
203 school if initial directors are not named in the articles of  
204 incorporation, nor shall a sponsor renew a charter without  
205 ensuring a criminal background check and family care safety  
206 registry check are conducted for each member of the  
207 governing board of the charter school.

208 15. No member of the governing board of a charter  
209 school shall hold any office or employment from the board or  
210 the charter school while serving as a member, nor shall the  
211 member have any substantial interest, as defined in section  
212 105.450, in any entity employed by or contracting with the

213 board. No board member shall be an employee of a company  
214 that provides substantial services to the charter school.  
215 All members of the governing board of the charter school  
216 shall be considered decision-making public servants as  
217 defined in section 105.450 for the purposes of the financial  
218 disclosure requirements contained in sections 105.483,  
219 105.485, 105.487, and 105.489.

220 16. A sponsor shall develop the policies and  
221 procedures for:

222 (1) The review of a charter school proposal including  
223 an application that provides sufficient information for  
224 rigorous evaluation of the proposed charter and provides  
225 clear documentation that the education program and academic  
226 program are aligned with the state standards and grade-level  
227 expectations, and provides clear documentation of effective  
228 governance and management structures, and a sustainable  
229 operational plan;

230 (2) The granting of a charter;

231 (3) The performance contract that the sponsor will use  
232 to evaluate the performance of charter schools. Charter  
233 schools shall meet current state academic performance  
234 standards as well as other standards agreed upon by the  
235 sponsor and the charter school in the performance contract;

236 (4) The sponsor's intervention, renewal, and  
237 revocation policies, including the conditions under which  
238 the charter sponsor may intervene in the operation of the  
239 charter school, along with actions and consequences that may  
240 ensue, and the conditions for renewal of the charter at the  
241 end of the term, consistent with subsections 8 and 9 of  
242 section 160.405;

243 (5) Additional criteria that the sponsor will use for  
244 ongoing oversight of the charter; and

245 (6) Procedures to be implemented if a charter school  
246 should close, consistent with the provisions of subdivision  
247 (15) of subsection 1 of section 160.405.

248 The department shall provide guidance to sponsors in  
249 developing such policies and procedures.

250 17. (1) A sponsor shall provide timely submission to  
251 the state board of education of all data necessary to  
252 demonstrate that the sponsor is in material compliance with  
253 all requirements of sections 160.400 to 160.425 and section  
254 167.349. The state board of education shall ensure each  
255 sponsor is in compliance with all requirements under  
256 sections 160.400 to 160.425 and 167.349 for each charter  
257 school sponsored by any sponsor. The state board shall  
258 notify each sponsor of the standards for sponsorship of  
259 charter schools, delineating both what is mandated by  
260 statute and what best practices dictate. The state board  
261 shall evaluate sponsors to determine compliance with these  
262 standards every three years. The evaluation shall include a  
263 sponsor's policies and procedures in the areas of charter  
264 application approval; required charter agreement terms and  
265 content; sponsor performance evaluation and compliance  
266 monitoring; and charter renewal, intervention, and  
267 revocation decisions. Nothing shall preclude the department  
268 from undertaking an evaluation at any time for cause.

269 (2) If the department determines that a sponsor is in  
270 material noncompliance with its sponsorship duties, the  
271 sponsor shall be notified and given reasonable time for  
272 remediation. If remediation does not address the compliance  
273 issues identified by the department, the commissioner of  
274 education shall conduct a public hearing and thereafter  
275 provide notice to the charter sponsor of corrective action  
276 that will be recommended to the state board of education.  
277 Corrective action by the department may include withholding

278 the sponsor's funding and suspending the sponsor's authority  
279 to sponsor a school that it currently sponsors or to sponsor  
280 any additional school until the sponsor is reauthorized by  
281 the state board of education under section 160.403.

282 (3) The charter sponsor may, within thirty days of  
283 receipt of the notice of the commissioner's recommendation,  
284 provide a written statement and other documentation to show  
285 cause as to why that action should not be taken. Final  
286 determination of corrective action shall be determined by  
287 the state board of education based upon a review of the  
288 documentation submitted to the department and the charter  
289 sponsor.

290 (4) If the state board removes the authority to  
291 sponsor a currently operating charter school under any  
292 provision of law, the Missouri charter public school  
293 commission shall become the sponsor of the school.

294 18. If a sponsor notifies a charter school of closure  
295 under subsection 8 of section 160.405, the department of  
296 elementary and secondary education shall exercise its  
297 financial withholding authority under subsection 12 of  
298 section 160.415 to assure all obligations of the charter  
299 school shall be met. The state, charter sponsor, or  
300 resident district shall not be liable for any outstanding  
301 liability or obligations of the charter school.

160.415. 1. For the purposes of calculation and  
2 distribution of state school aid under section 163.031,  
3 pupils enrolled in a charter school shall be included in the  
4 pupil enrollment of the school district within which each  
5 pupil resides. Each charter school shall report the  
6 eligibility for free and reduced price lunch, special  
7 education, or limited English proficiency status, as well as  
8 eligibility for categorical aid, of pupils resident in a  
9 school district who are enrolled in the charter school to

10 the school district in which those pupils reside. The  
11 charter school shall report the average daily attendance  
12 data, free and reduced price lunch count, special education  
13 pupil count, and limited English proficiency pupil count to  
14 the state department of elementary and secondary education.  
15 Each charter school shall promptly notify the state  
16 department of elementary and secondary education and the  
17 pupil's school district when a pupil discontinues enrollment  
18 at a charter school.

19 2. Except as provided in subsections 3 and 4 of this  
20 section, the aid payments for charter schools shall be as  
21 described in this subsection.

22 (1) A school district having one or more resident  
23 pupils attending a charter school shall pay to the charter  
24 school an annual amount equal to the product of the charter  
25 school's weighted average daily attendance and the state  
26 adequacy target, multiplied by the dollar value modifier for  
27 the district, plus local tax revenues per weighted average  
28 daily attendance from the incidental and teachers' funds in  
29 excess of the performance levy as defined in section 163.011  
30 plus all other state aid attributable to such pupils.

31 (2) The district of residence of a pupil attending a  
32 charter school shall also pay to the charter school any  
33 other federal or state aid that the district receives on  
34 account of such pupil.

35 (3) If the department overpays or underpays the amount  
36 due to the charter school, such overpayment or underpayment  
37 shall be repaid by the charter school or credited to the  
38 charter school in twelve equal payments in the next fiscal  
39 year.

40 (4) The amounts provided pursuant to this subsection  
41 shall be prorated for partial year enrollment for a pupil.

42           (5) A school district shall pay the amounts due  
43 pursuant to this subsection as the disbursal agent and no  
44 later than twenty days following the receipt of any such  
45 funds. The department of elementary and secondary education  
46 shall pay the amounts due when it acts as the disbursal  
47 agent within five days of the required due date.

48           3. A workplace charter school shall receive payment  
49 for each eligible pupil as provided under subsection 2 of  
50 this section, except that if the pupil is not a resident of  
51 the district and is participating in a voluntary  
52 interdistrict transfer program, the payment for such pupils  
53 shall be the same as provided under section 162.1060.

54           4. A charter school that has declared itself as a  
55 local educational agency shall receive from the department  
56 of elementary and secondary education an annual amount equal  
57 to the product of the charter school's weighted average  
58 daily attendance and the state adequacy target, multiplied  
59 by the dollar value modifier for the district, plus local  
60 tax revenues per weighted average daily attendance from the  
61 incidental and teachers funds in excess of the performance  
62 levy as defined in section 163.011 plus all other state aid  
63 attributable to such pupils. If a charter school declares  
64 itself as a local educational agency, the department of  
65 elementary and secondary education shall, upon notice of the  
66 declaration, reduce the payment made to the school district  
67 by the amount specified in this subsection and pay directly  
68 to the charter school the annual amount reduced from the  
69 school district's payment.

70           5. If a school district fails to make timely payments  
71 of any amount for which it is the disbursal agent, the state  
72 department of elementary and secondary education shall  
73 authorize payment to the charter school of the amount due  
74 pursuant to subsection 2 of this section and shall deduct

75 the same amount from the next state school aid apportionment  
76 to the owing school district. If a charter school is paid  
77 more or less than the amounts due pursuant to this section,  
78 the amount of overpayment or underpayment shall be adjusted  
79 equally in the next twelve payments by the school district  
80 or the department of elementary and secondary education, as  
81 appropriate. Any dispute between the school district and a  
82 charter school as to the amount owing to the charter school  
83 shall be resolved by the department of elementary and  
84 secondary education, and the department's decision shall be  
85 the final administrative action for the purposes of review  
86 pursuant to chapter 536. During the period of dispute, the  
87 department of elementary and secondary education shall make  
88 every administrative and statutory effort to allow the  
89 continued education of students in their current charter  
90 school setting.

91 6. The charter school and a local school board may  
92 agree by contract for services to be provided by the school  
93 district to the charter school. The charter school may  
94 contract with any other entity for services. Such services  
95 may include but are not limited to food service, custodial  
96 service, maintenance, management assistance, curriculum  
97 assistance, media services and libraries and shall be  
98 subject to negotiation between the charter school and the  
99 local school board or other entity. Documented actual costs  
100 of such services shall be paid for by the charter school.

101 7. In the case of a proposed charter school that  
102 intends to contract with an education service provider for  
103 substantial educational services or management services, the  
104 request for proposals shall additionally require the charter  
105 school applicant to:

106 (1) Provide evidence of the education service  
107 provider's success in serving student populations similar to

108 the targeted population, including demonstrated academic  
109 achievement as well as successful management of nonacademic  
110 school functions, if applicable;

111 (2) Provide a term sheet setting forth the proposed  
112 duration of the service contract; roles and responsibilities  
113 of the governing board, the school staff, and the service  
114 provider; scope of services and resources to be provided by  
115 the service provider; performance evaluation measures and  
116 time lines; compensation structure, including clear  
117 identification of all fees to be paid to the service  
118 provider; methods of contract oversight and enforcement;  
119 investment disclosure; and conditions for renewal and  
120 termination of the contract;

121 (3) Disclose any known conflicts of interest between  
122 the school governing board and proposed service provider or  
123 any affiliated business entities;

124 (4) Disclose and explain any termination or nonrenewal  
125 of contracts for equivalent services for any other charter  
126 school in the United States within the past five years;

127 (5) Ensure that the legal counsel for the charter  
128 school shall report directly to the charter school's  
129 governing board; and

130 (6) Provide a process to ensure that the expenditures  
131 that the education service provider intends to bill to the  
132 charter school shall receive prior approval of the governing  
133 board or its designee.

134 8. A charter school may enter into contracts with  
135 community partnerships and state agencies acting in  
136 collaboration with such partnerships that provide services  
137 to students and their families linked to the school.

138 9. A charter school shall be eligible for  
139 transportation state aid pursuant to section 163.161 and  
140 shall be free to contract with the local district, or any

141 other entity, for the provision of transportation to the  
142 students of the charter school.

143 10. (1) The proportionate share of state and federal  
144 resources generated by students with disabilities or staff  
145 serving them shall be paid in full to charter schools  
146 enrolling those students by their school district where such  
147 enrollment is through a contract for services described in  
148 this section. The proportionate share of money generated  
149 under other federal or state categorical aid programs shall  
150 be directed to charter schools serving such students  
151 eligible for that aid.

152 (2) A charter school shall provide the special  
153 services provided pursuant to section 162.705 and may  
154 provide the special services pursuant to a contract with a  
155 school district or any provider of such services.

156 11. A charter school shall not charge tuition or  
157 impose fees that a school district is prohibited from  
158 charging or imposing, except that a charter school may  
159 receive tuition payments from districts in the same or an  
160 adjoining county for nonresident students who transfer to an  
161 approved charter school, as defined in section 167.895, from  
162 an unaccredited district.

163 12. A charter school is authorized to incur debt in  
164 anticipation of receipt of funds. A charter school may also  
165 borrow to finance facilities and other capital items. A  
166 school district may incur bonded indebtedness or take other  
167 measures to provide for physical facilities and other  
168 capital items for charter schools that it sponsors or  
169 contracts with. Except as otherwise specifically provided  
170 in sections 160.400 to 160.425, upon the dissolution of a  
171 charter school, any liabilities of the corporation will be  
172 satisfied through the procedures of chapter 355. A charter  
173 school shall satisfy all its financial obligations within

174 twelve months of notice from the sponsor of the charter  
175 school's closure under subsection 8 of section 160.405.  
176 After satisfaction of all its financial obligations, a  
177 charter school shall return any remaining state and federal  
178 funds to the department of elementary and secondary  
179 education for disposition as stated in subdivision (17) of  
180 subsection 1 of section 160.405. The department of  
181 elementary and secondary education may withhold funding at a  
182 level the department determines to be adequate during a  
183 school's last year of operation until the department  
184 determines that school records, liabilities, and reporting  
185 requirements, including a full audit, are satisfied.

186 13. Charter schools shall not have the power to  
187 acquire property by eminent domain.

188 14. The governing board of a charter school is  
189 authorized to accept grants, gifts or donations of any kind  
190 and to expend or use such grants, gifts or donations. A  
191 grant, gift or donation shall not be accepted by the  
192 governing board if it is subject to any condition contrary  
193 to law applicable to the charter school or other public  
194 schools, or contrary to the terms of the charter.

195 15. In addition to any state aid remitted to charter  
196 schools under this section, the department of elementary and  
197 secondary education shall remit to any charter school an  
198 amount equal to the weighted average daily attendance of the  
199 charter school multiplied by the difference of:

200 (1) The amount of state aid and local aid per weighted  
201 average daily attendance received by the school district in  
202 which the charter school is located, not including any funds  
203 remitted to charter schools in the district. For the  
204 purposes of this subdivision, the weighted average daily  
205 attendance of the school district shall not include the

206 weighted average daily attendance of the charter schools  
207 located in the district; and

208 (2) The amount of state aid and local aid per weighted  
209 average daily attendance of the charter school received by  
210 the charter school.

211 16. Charter schools may adjust weighted average daily  
212 attendance pursuant to section 163.036.

213 17. When calculating the amounts in subdivisions (1)  
214 and (2) of subsection 15 of this section, the department  
215 shall utilize the most current data to which the department  
216 has access.

217 18. For the purposes of subsection 15 of this section:

218 (1) The definitions contained in section 163.011,  
219 shall apply;

220 (2) The term "local aid" shall mean all local and  
221 county revenue received, including, but not limited to, the  
222 following:

223 (a) Property taxes and delinquent taxes;

224 (b) Merchants' and manufacturers' tax revenues;

225 (c) Financial institutions' tax revenues;

226 (d) City sales tax revenue, including city sales tax  
227 collected in any city not within a county;

228 (e) Payments in lieu of taxes; and

229 (f) Revenues from state-assessed railroad and  
230 utilities tax;

231 (3) The term local aid shall not be construed to  
232 include:

233 (a) Charitable contributions, gifts, and grants made  
234 to school districts;

235 (b) Interest earnings of school districts and student  
236 fees paid to school districts;

237 (c) Debt service authorized by a public vote for the  
238 purpose of making payments on a bond issuance of a school  
239 district;

240 (d) Proposition C revenues received for school  
241 purposes from the school district trust fund under section  
242 163.087; or

243 (e) Any other funding solely intended for a particular  
244 school district or their respective employees, schools,  
245 foundations, or organizations;

246 (4) The term "state aid" shall mean any revenues  
247 received pursuant to this section and sections 163.043 and  
248 163.087.

249 19. Notwithstanding any other provision of law to the  
250 contrary, subsections 15 to 18 of this section shall be  
251 applicable to charter schools operated only in the following  
252 school districts, provided that no such school district  
253 shall be located in a county with more than one hundred  
254 fifty thousand but fewer than two hundred thousand  
255 inhabitants:

256 (1) In a metropolitan school district;

257 (2) In an urban school district containing most or all  
258 of a city with more than four hundred thousand inhabitants  
259 and located in more than one county;

260 (3) In a school district that has been classified as  
261 unaccredited by the state board of education;

262 (4) In a school district that has been classified as  
263 provisionally accredited by the state board of education and  
264 has received scores on its annual performance report  
265 consistent with a classification of provisionally accredited  
266 or unaccredited for three consecutive school years beginning  
267 with the 2012-13 accreditation year under the conditions  
268 described in paragraphs (a) and (b) of subdivision (4) of  
269 subsection 2 of section 160.400; or

270 (5) In a school district that has been accredited  
271 without provisions, sponsored only by the local school board  
272 under the conditions described in subdivision (5) of  
273 subsection 2 of section 160.400.

274 20. (1) The members of the governing board of a  
275 charter school shall be residents of the state of Missouri.

276 (2) Any current member of a governing board of a  
277 charter school who does not meet the requirements in  
278 subdivision (1) of this subsection may complete their term.  
279 Such individual shall not be renominated as a member of the  
280 governing board on which he or she sits.

281 21. (1) Any charter school management company  
282 operating a charter school in the state shall be a nonprofit  
283 corporation incorporated pursuant to chapter 355.

284 (2) Notwithstanding any provision of law to the  
285 contrary, if a charter school is operated by a charter  
286 school management company, all laws and regulations that  
287 apply to employees of such charter school shall apply to the  
288 actions of any employees of the management company while  
289 they are conducting any work relating to the direct decision-  
290 making of the operation of such charter school.

291 22. Beginning July 1, 2023, the provisions of section  
292 160.995 shall be applicable to charter schools.

293 23. Each charter school shall publish its annual  
294 performance report on the school's website in a downloadable  
295 format.

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

3 (1) "Department", the department of elementary and  
4 secondary education;

5 (2) "Local educational agency", as such term is  
6 defined in section 161.1085.

7           2. There is hereby created in the state treasury the  
8 "Elementary Literacy Fund", which shall consist of moneys  
9 appropriated by the general assembly from general revenue  
10 and any gifts, bequests, or donations. The state treasurer  
11 shall be custodian of the fund. In accordance with sections  
12 30.170 and 30.180, the state treasurer may approve  
13 disbursements. The fund shall be a dedicated fund and money  
14 in the fund shall be used solely for the purpose of  
15 providing grants to local educational agencies for home  
16 reading programs as provided in this section.  
17 Notwithstanding the provisions of section 33.080 to the  
18 contrary, any moneys remaining in the fund at the end of the  
19 biennium shall not revert to the credit of the general  
20 revenue fund. The state treasurer shall invest moneys in  
21 the fund in the same manner as other funds are invested.  
22 Any interest and moneys earned on such investments shall be  
23 credited to the fund.

24           3. The general assembly shall annually appropriate to  
25 the fund an amount not to exceed five million dollars. The  
26 department shall develop a process by which a local  
27 educational agency may apply for a grant from the fund for  
28 an eligible home reading program that meets the conditions  
29 set forth in subsection 4 of this section, provided that the  
30 local educational agency shall match any such funds if such  
31 funds are granted.

32           4. A home reading program shall be considered eligible  
33 for a grant from the fund if the program is provided by a  
34 nonprofit organization that meets all of the following  
35 conditions:

36           (1) The program's objective is to deliver an evidence-  
37 based reading program consisting of books that are  
38 individually mailed to the residences of students in  
39 kindergarten to grade five following the selection of such

40 books by such students, provided that each student shall be  
41 allowed to select books that he or she can read on his or  
42 her own with ease;

43 (2) The program incorporates at least weekly phone  
44 calls, texts, or application notifications in multiple  
45 languages to the parent or guardian of each participating  
46 student to increase parental and family engagement  
47 throughout the duration of the program;

48 (3) The program provides at least six, but not more  
49 than nine, student-selected new books that students are  
50 allowed to keep;

51 (4) The program builds on pedagogical and literacy  
52 principles to improve reading comprehension with student  
53 exercises;

54 (5) The program includes a customizable portal that  
55 generates individualized data reports for analysis of  
56 student progress;

57 (6) The program collects, disaggregates, and  
58 distributes detailed data on all metrics of the program,  
59 such as parental engagement, books read, and demographic  
60 data;

61 (7) The program provides summary data to the general  
62 assembly and to the department for all students served by  
63 the program;

64 (8) The program provider agrees to secure the required  
65 matching funds from the local educational agency, to  
66 maintain verification of the receipt of such matching funds,  
67 and to provide such verification in the event of an audit;  
68 and

69 (9) The combined total cost of the program, including  
70 matching funds from the local educational agency, does not  
71 exceed sixty dollars per student per semester.

161.670. 1. Notwithstanding any other law, prior to  
2 July 1, 2007, the state board of education shall establish  
3 the "Missouri Course Access and Virtual School Program" to  
4 serve school-age students residing in the state. The  
5 Missouri course access and virtual school program shall  
6 offer nonclassroom-based instruction in a virtual setting  
7 using technology, intranet, or internet methods of  
8 communication. Any student under the age of twenty-one in  
9 grades kindergarten through twelve who resides in this state  
10 shall be eligible to enroll in the Missouri course access  
11 and virtual school program pursuant to subsection 3 of this  
12 section.

13 2. (1) For purposes of calculation and distribution  
14 of state school aid, students enrolled in the Missouri  
15 course access and virtual school program shall be included  
16 in the student enrollment of the school district in which  
17 the student is enrolled under the relevant provisions of  
18 subsection 3 of this section [; provided that any such] for  
19 such enrollment. Student attendance for full-time virtual  
20 program students shall only be included in any district  
21 pupil attendance calculation under chapter 163 [and any  
22 charter school pupil attendance calculation under section  
23 160.415,] using current-year pupil attendance for such full-  
24 time virtual program pupils [; and further provided that].  
25 For the purpose of calculating average daily attendance in  
26 full time virtual programs under this section, average daily  
27 attendance shall be defined as the quotient or the sum of  
28 the quotients obtained by dividing the total number of hours  
29 attended in a term by enrolled pupils between the ages of  
30 five and twenty-one by the actual number of hours that the  
31 program was in session in that term, and the provisions of  
32 section 162.1250 shall not apply to such funding  
33 calculation. Such calculation shall be generated by the

34 virtual provider and provided to the host district for  
35 submission to the department of elementary and secondary  
36 education. Such students may complete their instructional  
37 activities, as defined in subsection 4 of this section,  
38 during any hour of the day and during any day of the week.  
39 The hours attended for each enrolled pupil shall be  
40 documented by the pupil's weekly progress in the educational  
41 program according to a process determined by the virtual  
42 program and published annually in the virtual program's  
43 enrollment handbook or policy. To the average daily  
44 attendance of the following school term shall be added the  
45 full-time equivalent average daily attendance of summer  
46 school students. In the case of a host school district  
47 enrolling one or more full-time virtual school students,  
48 such enrolling district shall, as part of its monthly state  
49 allocation, receive no less under the state aid calculation  
50 for such students than an amount equal to the state adequacy  
51 target multiplied by the weighted average daily attendance  
52 of such full-time students. Students residing in Missouri  
53 and enrolled in a full-time virtual school program operated  
54 by a public institution of higher education in this state  
55 shall be counted for a state aid calculation by the  
56 department, and the department shall pay, from funds  
57 dedicated to state school aid payments made under section  
58 163.031, to such institution an amount equal to the state  
59 adequacy target multiplied by the weighted average daily  
60 attendance of such full-time students.

61 (2) The Missouri course access and virtual school  
62 program shall report to the district of residence the  
63 following information about each student served by the  
64 Missouri course access and virtual school program: name,  
65 address, eligibility for free or reduced-price lunch,  
66 limited English proficiency status, special education needs,

67 and the number of courses in which the student is enrolled.  
68 The Missouri course access and virtual school program shall  
69 promptly notify the resident district when a student  
70 discontinues enrollment. A "full-time equivalent student"  
71 is a student who is enrolled in the instructional equivalent  
72 of six credits per regular term. Each Missouri course  
73 access and virtual school program course shall count as one  
74 class and shall generate that portion of a full-time  
75 equivalent that a comparable course offered by the school  
76 district would generate.

77 (3) Pursuant to an education services plan and  
78 collaborative agreement under subsection 3 of this section,  
79 full-time equivalent students may be allowed to use a  
80 physical location of the resident school district for all or  
81 some portion of ongoing instructional activity, and the  
82 enrollment plan shall provide for reimbursement of costs of  
83 the resident district for providing such access pursuant to  
84 rules promulgated under this section by the department.

85 (4) In no case shall more than the full-time  
86 equivalency of a regular term of attendance for a single  
87 student be used to claim state aid. Full-time equivalent  
88 student credit completed shall be reported to the department  
89 of elementary and secondary education in the manner  
90 prescribed by the department. Nothing in this section shall  
91 prohibit students from enrolling in additional courses under  
92 a separate agreement that includes terms for paying tuition  
93 or course fees.

94 (5) A full-time virtual school program serving full-  
95 time equivalent students shall be considered an attendance  
96 center in the host school district and shall participate in  
97 the statewide assessment system as defined in section  
98 160.518. The academic performance of students enrolled in a  
99 full-time virtual school program shall be assigned to the

100 designated attendance center of the full-time virtual school  
101 program and shall be considered in like manner to other  
102 attendance centers. The academic performance of any student  
103 who disenrolls from a full-time virtual school program and  
104 enrolls in a public school or charter school shall not be  
105 used in determining the annual performance report score of  
106 the attendance center or school district in which the  
107 student enrolls for twelve months from the date of  
108 enrollment.

109 (6) For the purposes of this section, a public  
110 institution of higher education operating a full-time  
111 virtual school program shall be subject to all requirements  
112 applicable to a host school district with respect to its  
113 full-time equivalent students.

114 3. (1) A student who resides in this state may enroll  
115 in Missouri course access and virtual school program courses  
116 of his or her choice as a part of the student's annual  
117 course load each school year, with any costs associated with  
118 such course or courses to be paid by the school district or  
119 charter school if:

120 (a) The student is enrolled full-time in a public  
121 school, including any charter school; and

122 (b) Prior to enrolling in any Missouri course access  
123 and virtual school program course, a student has received  
124 approval from his or her school district or charter school  
125 through the procedure described under subdivision (2) of  
126 this subsection.

127 (2) Each school district or charter school shall adopt  
128 a policy that delineates the process by which a student may  
129 enroll in courses provided by the Missouri course access and  
130 virtual school program that is substantially similar to the  
131 typical process by which a district student would enroll in  
132 courses offered by the school district and a charter school

133 student would enroll in courses offered by the charter  
134 school. The policy may include consultation with the  
135 school's counselor and may include parental notification or  
136 authorization. The policy shall ensure that available  
137 opportunities for in-person instruction are considered prior  
138 to moving a student to virtual courses. The policy shall  
139 allow for continuous enrollment throughout the school year.  
140 If the school district or charter school disapproves a  
141 student's request to enroll in a course or courses provided  
142 by the Missouri course access and virtual school program,  
143 the reason shall be provided in writing and it shall be for  
144 good cause. Good cause justification to disapprove a  
145 student's request for enrollment in a course shall be a  
146 determination that doing so is not in the best educational  
147 interest of the student, and shall be consistent with the  
148 determination that would be made for such course request  
149 under the process by which a district student would enroll  
150 in a similar course offered by the school district and a  
151 charter school student would enroll in a similar course  
152 offered by the charter school, except that the determination  
153 may consider the suitability of virtual courses for the  
154 student based on prior participation in virtual courses by  
155 the student. Appeals of any course denials under this  
156 subsection shall be considered under a policy that is  
157 substantially similar to the typical process by which  
158 appeals would be considered for a student seeking to enroll  
159 in courses offered by the school district and a charter  
160 school student seeking to enroll in courses offered by the  
161 charter school.

162 (3) For students enrolled in any Missouri course  
163 access and virtual school program course in which costs  
164 associated with such course are to be paid by the school  
165 district or charter school as described under this

166 subdivision, the school district or charter school shall pay  
167 the content provider directly on a pro rata monthly basis  
168 based on a student's completion of assignments and  
169 assessments. If a student discontinues enrollment, the  
170 district or charter school may stop making monthly payments  
171 to the content provider. No school district or charter  
172 school shall pay, for any one course for a student, more  
173 than the market necessary costs but in no case shall pay  
174 more than fourteen percent of the state adequacy target, as  
175 defined under section 163.011, as calculated at the end of  
176 the most recent school year for any single, year-long course  
177 and no more than seven percent of the state adequacy target  
178 as described above for any single semester equivalent course.

179 (4) [For students enrolling in a full-time virtual  
180 program, the department of elementary and secondary  
181 education shall adopt a policy that delineates the process  
182 by which] (a) A student who lives in this state may enroll  
183 in a virtual program of their choice as provided in this  
184 subdivision, and the provisions of subdivisions (1) to (3)  
185 of this subsection shall not apply to such enrollment in a  
186 full-time virtual program. Each host school district  
187 operating a full-time virtual program under this section  
188 shall adopt, operate and implement [the state] an enrollment  
189 policy[, subject to] as specified by the provisions of this  
190 subdivision. [The policy shall:

191 (a) Require the good faith collaboration of] The  
192 student, the student's parent or guardian if the student is  
193 not considered homeless, the virtual program, the host  
194 district, and the resident district[;] shall collaborate in  
195 good faith to implement the enrollment policy regarding the  
196 student's enrollment, and the resident school district and  
197 the host school district may mutually agree that the  
198 resident district shall offer or continue to offer services

199 for the student under an agreement that includes financial  
200 terms for reimbursement by the host school district for the  
201 necessary costs of the resident school district providing  
202 such services. An enrollment policy specified under this  
203 subsection shall:

204 [(b)] a. Require a student's parent or guardian, if  
205 the student is not considered homeless, to apply for  
206 enrollment in a full-time virtual program directly with the  
207 virtual program;

208 b. Specify timelines for timely participation by the  
209 virtual program, the host district, and resident district;  
210 provided that the resident district shall provide any  
211 relevant information and input on the enrollment within ten  
212 business days of notice from the virtual program of the  
213 enrollment application;

214 [(c)] c. Include a survey of the reasons for the  
215 student's and parent's interests in participating in the  
216 virtual program;

217 [(d)] d. Include consideration of available  
218 opportunities for in-person instruction prior to enrolling a  
219 student in a virtual program;

220 [(e)] e. Evaluate requests for enrollment based on  
221 meeting the needs for a student to be successful considering  
222 all relevant factors;

223 [(f)] f. Ensure that, for any enrolling student with a  
224 covered disability, an individualized education [services  
225 plan and collaborative agreement is] program and a related  
226 services agreement, in cases where such agreement is needed,  
227 are created to provide all services required to ensure a  
228 free and appropriate public education, including financial  
229 terms for reimbursement by the host district for the  
230 necessary costs of any virtual program, school district, or

231 public or private entity providing all or a portion of such  
232 services;

233 [(g)] g. Require the virtual program to determine  
234 whether an enrolling student will be admitted, based on the  
235 enrollment policy, in consideration of all relevant factors  
236 and provide the basis for its determination and any service  
237 plan for the student, in writing, to the student, the  
238 student's parent or guardian, the host district, and the  
239 resident district; and

240 [(h)] h. Provide a process for reviewing appeals of  
241 decisions made under this subdivision[; and].

242 [(i) Require] (b) The department [to] shall publish  
243 an annual report based on the enrollments and enrollment  
244 surveys conducted under this subdivision that provides data  
245 at the statewide and district levels of sufficient detail to  
246 allow analysis of trends regarding the reasons for  
247 participation in the virtual program at the statewide and  
248 district levels; provided that no such survey results will  
249 be published in a manner that reveals individual student  
250 information. The department shall also include, in the  
251 annual report, data at the statewide and district levels of  
252 sufficient detail to allow detection and analysis of the  
253 racial, ethnic, and socio-economic balance of virtual  
254 program participation among schools and districts at the  
255 statewide and district levels, provided that no such survey  
256 results will be published in a manner that reveals  
257 individual student information.

258 (5) In the case of a student who is a candidate for A+  
259 tuition reimbursement and taking a virtual course under this  
260 section, the school shall attribute no less than ninety-five  
261 percent attendance to any such student who has completed  
262 such virtual course.

263 (6) The Missouri course access and virtual school  
264 program shall ensure that individual learning plans designed  
265 by certified teachers and professional staff are developed  
266 for all students enrolled in more than two full-time course  
267 access program courses or a full-time virtual school.

268 (7) Virtual school programs shall monitor individual  
269 student success and engagement of students enrolled in their  
270 program[, ] and, for students enrolled in virtual courses on  
271 a part-time basis, the virtual school program shall provide  
272 regular student progress reports for each student at least  
273 four times per school year to the school district or charter  
274 school, provide the host school district and the resident  
275 school district ongoing access to academic and other  
276 relevant information on student success and engagement, and  
277 shall terminate or alter the course offering if it is found  
278 the course [or full-time virtual school] is not meeting the  
279 educational needs of the students enrolled in the course.

280 (8) The department of elementary and secondary  
281 education shall monitor the aggregate performance of  
282 providers and make such information available to the public  
283 under subsection 11 of this section.

284 (9) Pursuant to rules to be promulgated by the  
285 department of elementary and secondary education, when a  
286 student transfers into a school district or charter school,  
287 credits previously gained through successful passage of  
288 approved courses under the Missouri course access and  
289 virtual school program shall be accepted by the school  
290 district or charter school.

291 (10) Pursuant to rules to be promulgated by the  
292 department of elementary and secondary education, if a  
293 student transfers into a school district or charter school  
294 while enrolled in a Missouri course access and virtual  
295 school program course or full-time virtual school, the

296 student shall continue to be enrolled in such course or  
297 school.

298 (11) Nothing in this section shall prohibit home  
299 school or FPE school students, private school students, or  
300 students wishing to take additional courses beyond their  
301 regular course load from enrolling in Missouri course access  
302 and virtual school program courses under an agreement that  
303 includes terms for paying tuition or course fees.

304 (12) Nothing in this subsection shall require any  
305 school district, charter school, virtual program, or the  
306 state to provide computers, equipment, or internet access to  
307 any student unless required under the education services  
308 plan created for an eligible student under subdivision (4)  
309 of this subsection or for an eligible student with a  
310 disability to comply with federal law. An education  
311 services plan may require an eligible student to have access  
312 to school facilities of the resident school district during  
313 regular school hours for participation and instructional  
314 activities of a virtual program under this section, and the  
315 education services plan shall provide for reimbursement of  
316 the resident school district for such access pursuant to  
317 rules adopted by the department under this section.

318 (13) The authorization process shall provide for  
319 continuous monitoring of approved providers and courses.  
320 The department shall revoke or suspend or take other  
321 corrective action regarding the authorization of any course  
322 or provider no longer meeting the requirements of the  
323 program. Unless immediate action is necessary, prior to  
324 revocation or suspension, the department shall notify the  
325 provider and give the provider a reasonable time period to  
326 take corrective action to avoid revocation or suspension.  
327 The process shall provide for periodic renewal of  
328 authorization no less frequently than once every three years.

329 (14) Courses approved as of August 28, 2018, by the  
330 department to participate in the Missouri virtual  
331 instruction program shall be automatically approved to  
332 participate in the Missouri course access and virtual school  
333 program, but shall be subject to periodic renewal.

334 (15) Any online course or virtual program offered by a  
335 school district or charter school, including those offered  
336 prior to August 28, 2018, which meets the requirements of  
337 section 162.1250 shall be automatically approved to  
338 participate in the Missouri course access and virtual school  
339 program. Such course or program shall be subject to  
340 periodic renewal. A school district or charter school  
341 offering such a course or virtual school program shall be  
342 deemed an approved provider.

343 (16) A host district may contract with a provider to  
344 perform any required services involved with delivering a  
345 full-time virtual education.

346 4. (1) As used in this subsection, the term  
347 "instructional activities" means classroom-based or  
348 nonclassroom-based activities that a student shall be  
349 expected to complete, participate in, or attend during any  
350 given school day, such as:

- 351 (a) Online logins to curricula or programs;
- 352 (b) Offline activities;
- 353 (c) Completed assignments within a particular program,  
354 curriculum, or class;
- 355 (d) Testing;
- 356 (e) Face-to-face communications or meetings with  
357 school staff;
- 358 (f) Telephone or video conferences with school staff;
- 359 (g) School-sanctioned field trips; or
- 360 (h) Orientation.

361 (2) A full-time virtual school shall submit a  
362 notification to the parent or guardian of any student who is  
363 not consistently engaged in instructional activities and  
364 shall provide regular student progress reports for each  
365 student at least four times per school year.

366 (3) Each full-time virtual school shall develop,  
367 adopt, and post on the school's website a policy setting  
368 forth the consequences for a student who fails to complete  
369 the required instructional activities. Such policy shall  
370 state, at a minimum, that if a student fails to complete the  
371 instructional activities after receiving a notification  
372 under subdivision (2) of this subsection, and after  
373 reasonable intervention strategies have been implemented,  
374 that the student shall be subject to certain consequences  
375 which may include disenrollment from the school. Prior to  
376 any disenrollment, the parent or guardian shall have the  
377 opportunity to present any information that the parent deems  
378 relevant, and such information shall be considered prior to  
379 any final decision.

380 (4) If a full-time virtual school disenrolls a student  
381 under subdivision (3) of this subsection, the school shall  
382 immediately provide written notification to such student's  
383 school district of residence. The student's school district  
384 of residence shall then provide to the parents or guardian  
385 of the student a written list of available educational  
386 options and promptly enroll the student in the selected  
387 option. Any student disenrolled from a full-time virtual  
388 school shall be prohibited from reenrolling in the same  
389 virtual school for the remainder of the school year.

390 5. School districts or charter schools shall inform  
391 parents of their child's right to participate in the  
392 program. Availability of the program shall be made clear in  
393 the parent handbook, registration documents, and featured on

394 the home page of the school district or charter school's  
395 website.

396 6. The department shall:

397 (1) Establish an authorization process for course or  
398 full-time virtual school providers that includes multiple  
399 opportunities for submission each year;

400 (2) Pursuant to the time line established by the  
401 department, authorize course or full-time virtual school  
402 providers that:

403 (a) Submit all necessary information pursuant to the  
404 requirements of the process; and

405 (b) Meet the criteria described in subdivision (3) of  
406 this subsection;

407 (3) Review, pursuant to the authorization process,  
408 proposals from providers to provide a comprehensive, full-  
409 time equivalent course of study for students through the  
410 Missouri course access and virtual school program. The  
411 department shall ensure that these comprehensive courses of  
412 study align to state academic standards and that there is  
413 consistency and compatibility in the curriculum used by all  
414 providers from one grade level to the next grade level;

415 (4) Within thirty days of any denial, provide a  
416 written explanation to any course or full-time virtual  
417 school providers that are denied authorization;

418 (5) Allow a course or full-time virtual school  
419 provider denied authorization to reapply at any point in the  
420 future.

421 7. The department shall publish the process  
422 established under this section, including any deadlines and  
423 any guidelines applicable to the submission and  
424 authorization process for course or full-time virtual school  
425 providers on its website.

426           8. If the department determines that there are  
427 insufficient funds available for evaluating and authorizing  
428 course or full-time virtual school providers, the department  
429 may charge applicant course or full-time virtual school  
430 providers a fee up to, but no greater than, the amount of  
431 the costs in order to ensure that evaluation occurs. The  
432 department shall establish and publish a fee schedule for  
433 purposes of this subsection.

434           9. Except as specified in this section and as may be  
435 specified by rule of the state board of education, the  
436 Missouri course access and virtual school program shall  
437 comply with all state laws and regulations applicable to  
438 school districts, including but not limited to the Missouri  
439 school improvement program (MSIP), annual performance report  
440 (APR), teacher certification, curriculum standards, audit  
441 requirements under chapter 165, access to public records  
442 under chapter 610, and school accountability report cards  
443 under section 160.522. Teachers and administrators employed  
444 by a virtual provider shall be considered to be employed in  
445 a public school for all certification purposes under chapter  
446 168.

447           10. The department shall submit and publicly publish  
448 an annual report on the Missouri course access and virtual  
449 school program and the participation of entities to the  
450 governor, the chair and ranking member of the senate  
451 education committee, and the chair and ranking member of the  
452 house of representatives elementary and secondary education  
453 committee. The report shall at a minimum include the  
454 following information:

455           (1) The annual number of unique students participating  
456 in courses authorized under this section and the total  
457 number of courses in which students are enrolled in;

458           (2) The number of authorized providers;

459           (3) The number of authorized courses and the number of  
460 students enrolled in each course;

461           (4) The number of courses available by subject and  
462 grade level;

463           (5) The number of students enrolled in courses broken  
464 down by subject and grade level;

465           (6) Student outcome data, including completion rates,  
466 student learning gains, student performance on state or  
467 nationally accepted assessments, by subject and grade level  
468 per provider. This outcome data shall be published in a  
469 manner that protects student privacy;

470           (7) The costs per course;

471           (8) Evaluation of in-school course availability  
472 compared to course access availability to ensure gaps in  
473 course access are being addressed statewide.

474           11. (1) The department shall be responsible for  
475 creating the Missouri course access and virtual school  
476 program catalog providing a listing of all courses  
477 authorized and available to students in the state, detailed  
478 information, including costs per course, about the courses  
479 to inform student enrollment decisions, and the ability for  
480 students to submit their course enrollments.

481           (2) On or before January 1, 2023, the department shall  
482 publish on its website, and distribute to all school  
483 districts and charter schools in this state, a guidance  
484 document that details the options for virtual course access  
485 and full-time virtual course access for all students in the  
486 state. The guidance document shall include a complete and  
487 readily understood description of the applicable enrollment  
488 processes including the opportunity for students to enroll  
489 and the roles and responsibilities of the student, parent,  
490 virtual provider, school district or districts, and charter  
491 schools, as appropriate. The guidance document shall be

492 distributed in written and electronic form to all school  
493 districts, charter schools, and virtual providers. School  
494 districts and charter schools shall provide a copy of the  
495 guidance document to every pupil and parent or legal  
496 guardian of every pupil enrolled in the district or charter  
497 school at the beginning of each school year and upon  
498 enrollment for every pupil enrolling at a different time of  
499 the school year. School districts and charter schools shall  
500 provide a readily viewable link to the electronic version of  
501 the guidance document on the main page of the district's or  
502 charter school's website.

503 12. The state board of education through the  
504 rulemaking process and the department of elementary and  
505 secondary education in its policies and procedures shall  
506 ensure that multiple content providers and learning  
507 management systems are allowed, ensure digital content  
508 conforms to accessibility requirements, provide an easily  
509 accessible link for providers to submit courses or full-time  
510 virtual schools on the Missouri course access and virtual  
511 school program website, and allow any person, organization,  
512 or entity to submit courses or full-time virtual schools for  
513 approval. No content provider shall be allowed that is  
514 unwilling to accept payments in the amount and manner as  
515 described under subdivision (3) of subsection 3 of this  
516 section or does not meet performance or quality standards  
517 adopted by the state board of education.

518 13. Any rule or portion of a rule, as that term is  
519 defined in section 536.010, that is created under the  
520 authority delegated in this section shall become effective  
521 only if it complies with and is subject to all of the  
522 provisions of chapter 536 and, if applicable, section  
523 536.028. This section and chapter 536 are nonseverable and  
524 if any of the powers vested with the general assembly

525 pursuant to chapter 536 to review, to delay the effective  
526 date, or to disapprove and annul a rule are subsequently  
527 held unconstitutional, then the grant of rulemaking  
528 authority and any rule proposed or adopted after August 28,  
529 2006, shall be invalid and void.

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

3 2. Except as provided in section 162.563, each  
4 director shall be a voter of the district who has resided  
5 within this state for one year next preceding the director's  
6 election or appointment and who is at least twenty-four  
7 years of age. All directors, except as otherwise provided  
8 in sections 162.481, 162.492, and 162.563, shall hold their  
9 offices for six years and until their successors are duly  
10 elected and qualified. All vacancies occurring in the  
11 board[, except as provided in section 162.492,] shall be  
12 filled by appointment by the board as soon as practicable,  
13 and the person appointed shall hold office until the next  
14 school board election, when a successor shall be elected for  
15 the remainder of the unexpired term. The power of the board  
16 to perform any official duty during the existence of a  
17 vacancy continues unimpaired thereby.

162.492. 1. In all urban districts containing the  
2 greater part of the population of a city which has more than  
3 three hundred thousand inhabitants, the election authority  
4 of the city in which the greater portion of the school  
5 district lies, and of the county if the district includes  
6 territory not within the city limits, shall serve ex officio  
7 as a redistricting commission. The commission shall on or  
8 before November 1, 2018, divide the school district into  
9 five subdistricts, all subdistricts being of compact and  
10 contiguous territory and as nearly equal in the number of  
11 inhabitants as practicable and thereafter the board shall

12 redistrict the district into subdivisions as soon as  
13 practicable after each United States decennial census. In  
14 establishing the subdistricts each member shall have one  
15 vote and a majority vote of the total membership of the  
16 commission is required to make effective any action of the  
17 commission.

18 2. School elections for the election of directors  
19 shall be held on municipal election days in 2014 and 2016.  
20 At the election in 2014, directors shall be elected to hold  
21 office until 2019 and until their successors are elected and  
22 qualified. At the election in 2016, directors shall be  
23 elected until 2019 and until their successors are elected  
24 and qualified. Beginning in 2019, school elections for the  
25 election of directors shall be held on the local election  
26 date as specified in the charter of a home rule city with  
27 more than four hundred thousand inhabitants and located in  
28 more than one county. Beginning at the election for school  
29 directors in 2019, the number of directors on the board  
30 shall be reduced from nine to seven. Two directors shall be  
31 at-large directors and five directors shall represent the  
32 subdistricts, with one director from each of the  
33 subdistricts. At the 2019 election, one of the at-large  
34 directors and the directors from subdistricts one, three,  
35 and five shall be elected for a two-year term, and the other  
36 at-large director and the directors from subdistricts two  
37 and four shall be elected for a four-year term. Thereafter,  
38 all seven directors shall serve a four-year term. Directors  
39 shall serve until the next election and until their  
40 successors, then elected, are duly qualified as provided in  
41 this section. In addition to other qualifications  
42 prescribed by law, each member elected from a subdistrict  
43 shall be a resident of the subdistrict from which he or she

44 is elected. The subdistricts shall be numbered from one to  
45 five.

46 3. The five candidates, one from each of the  
47 subdistricts, who receive a plurality of the votes cast by  
48 the voters of that subdistrict and the at-large candidates  
49 receiving a plurality of the at-large votes shall be  
50 elected. The name of no candidate for nomination shall be  
51 printed on the ballot unless the candidate has at least  
52 sixty days prior to the election filed a declaration of  
53 candidacy with the secretary of the board of directors  
54 containing the signatures of at least two hundred fifty  
55 registered voters who are residents of the subdistrict  
56 within which the candidate for nomination to a subdistrict  
57 office resides, and in case of at-large candidates the  
58 signatures of at least five hundred registered voters. The  
59 election authority shall determine the validity of all  
60 signatures on declarations of candidacy.

61 4. In any election either for at-large candidates or  
62 candidates elected by the voters of subdistricts, if there  
63 are more than two candidates, a majority of the votes are  
64 not required to elect but the candidate having a plurality  
65 of the votes shall be elected.

66 5. The names of all candidates shall appear upon the  
67 ballot without party designation and in the order of the  
68 priority of the times of filing their petitions of  
69 nomination. No candidate may file both at large and from a  
70 subdistrict and the names of all candidates shall appear  
71 only once on the ballot, nor may any candidate file more  
72 than one declaration of candidacy. All declarations shall  
73 designate the candidate's residence and whether the  
74 candidate is filing at large or from a subdistrict and the  
75 numerical designation of the subdistrict or at-large area.

76           6. The provisions of all sections relating to seven-  
77 director school districts shall also apply to and govern  
78 urban districts in cities of more than three hundred  
79 thousand inhabitants, to the extent applicable and not in  
80 conflict with the provisions of those sections specifically  
81 relating to such urban districts.

82           7. Vacancies which occur on the school board [between  
83 the dates of election shall be filled by special election if  
84 such vacancy happens more than six months prior to the time  
85 of holding an election as provided in subsection 2 of this  
86 section. The state board of education shall order a special  
87 election to fill such a vacancy. A letter from the  
88 commissioner of education, delivered by certified mail to  
89 the election authority or authorities that would normally  
90 conduct an election for school board members shall be the  
91 authority for the election authority or authorities to  
92 proceed with election procedures. If a vacancy occurs less  
93 than six months prior to the time of holding an election as  
94 provided in subsection 2 of this section, no special  
95 election shall occur and the vacancy shall be filled at the  
96 next election day on which local elections are held as  
97 specified in the charter of any home rule city with more  
98 than four hundred thousand inhabitants and located in more  
99 than one county] shall be filled in the manner provided in  
100 section 162.471.

          162.611. Any member failing to attend the meetings of  
2 the board for three consecutive regular meetings, unless  
3 excused by the board for reasons satisfactory to the board,  
4 shall be deemed to have vacated his seat; and the secretary  
5 of the board shall certify that fact to the [mayor] board.  
6 The secretary shall likewise certify to the [mayor] board  
7 any other vacancy occurring in the board. Any vacancy shall

8 be filled by the [mayor] board by appointment for the  
9 remainder of the term.

162.996. 1. Special educational services may be  
2 offered during the regular school day. Children who attend  
3 special educational services in the district and who  
4 otherwise attend a private, parochial, parish [or], home  
5 school, or FPE school shall be in compliance with section  
6 167.031.

7 2. A public school district shall be entitled to state  
8 aid for resident handicapped children who attend special  
9 educational services and who otherwise attend private,  
10 parochial, parish, FPE, or home schools. State aid shall be  
11 calculated on the basis of full-time equivalent average  
12 daily attendance of part-time students as provided in  
13 section 163.011.

14 3. Nothing in this section shall change the authority  
15 of a public school board to set the schedule of classes for  
16 full-time or part-time public school pupils including pupils  
17 receiving services under this section.

18 4. Nothing herein shall be construed to require  
19 transportation for these services.

20 5. No resident child shall be denied or discriminated  
21 against in special educational services offered by a school  
22 district on the grounds that the child regularly attends a  
23 private, parochial, parish [or], home school, or FPE school.

163.011. As used in this chapter unless the context  
2 requires otherwise:

3 (1) "Adjusted operating levy", the sum of tax rates  
4 for the current year for teachers' and incidental funds for  
5 a school district as reported to the proper officer of each  
6 county pursuant to section 164.011;

7 (2) "Average daily attendance", the quotient or the  
8 sum of the quotients obtained by dividing the total number

9 of hours attended in a term by resident pupils between the  
10 ages of five and twenty-one by the actual number of hours  
11 school was in session in that term. To the average daily  
12 attendance of the following school term shall be added the  
13 full-time equivalent average daily attendance of summer  
14 school students. "Full-time equivalent average daily  
15 attendance of summer school students" shall be computed by  
16 dividing the total number of hours, except for physical  
17 education hours that do not count as credit toward  
18 graduation for students in grades nine, ten, eleven, and  
19 twelve, attended by all summer school pupils by the number  
20 of hours required in section 160.011 in the school term.  
21 For purposes of determining average daily attendance under  
22 this subdivision, the term "resident pupil" shall include  
23 all children between the ages of five and twenty-one who are  
24 residents of the school district and who are attending  
25 kindergarten through grade twelve in such district. If a  
26 child is attending school in a district other than the  
27 district of residence and the child's parent is teaching in  
28 the school district or is a regular employee of the school  
29 district which the child is attending, then such child shall  
30 be considered a resident pupil of the school district which  
31 the child is attending for such period of time when the  
32 district of residence is not otherwise liable for tuition.  
33 Average daily attendance for students below the age of five  
34 years for which a school district may receive state aid  
35 based on such attendance shall be computed as regular school  
36 term attendance unless otherwise provided by law;

37 (3) "Current operating expenditures":

38 (a) For the fiscal year 2007 calculation, "current  
39 operating expenditures" shall be calculated using data from  
40 fiscal year 2004 and shall be calculated as all expenditures  
41 for instruction and support services except capital outlay

42 and debt service expenditures minus the revenue from federal  
43 categorical sources; food service; student activities;  
44 categorical payments for transportation costs pursuant to  
45 section 163.161; state reimbursements for early childhood  
46 special education; the career ladder entitlement for the  
47 district, as provided for in sections 168.500 to 168.515;  
48 the vocational education entitlement for the district, as  
49 provided for in section 167.332; and payments from other  
50 districts;

51 (b) In every fiscal year subsequent to fiscal year  
52 2007, current operating expenditures shall be the amount in  
53 paragraph (a) of this subdivision plus any increases in  
54 state funding pursuant to sections 163.031 and 163.043  
55 subsequent to fiscal year 2005, not to exceed five percent,  
56 per recalculation, of the state revenue received by a  
57 district in the 2004-05 school year from the foundation  
58 formula, line 14, gifted, remedial reading, exceptional  
59 pupil aid, fair share, and free textbook payments for any  
60 district from the first preceding calculation of the state  
61 adequacy target;

62 (4) "District's tax rate ceiling", the highest tax  
63 rate ceiling in effect subsequent to the 1980 tax year or  
64 any subsequent year. Such tax rate ceiling shall not  
65 contain any tax levy for debt service;

66 (5) "Dollar-value modifier", an index of the relative  
67 purchasing power of a dollar, calculated as one plus fifteen  
68 percent of the difference of the regional wage ratio minus  
69 one, provided that the dollar value modifier shall not be  
70 applied at a rate less than 1.0:

71 (a) "County wage per job", the total county wage and  
72 salary disbursements divided by the total county wage and  
73 salary employment for each county and the City of St. Louis  
74 as reported by the Bureau of Economic Analysis of the United

75 States Department of Commerce for the fourth year preceding  
76 the payment year;

77 (b) "Regional wage per job":

78 a. The total Missouri wage and salary disbursements of  
79 the metropolitan area as defined by the Office of Management  
80 and Budget divided by the total Missouri metropolitan wage  
81 and salary employment for the metropolitan area for the  
82 county signified in the school district number or the City  
83 of St. Louis, as reported by the Bureau of Economic Analysis  
84 of the United States Department of Commerce for the fourth  
85 year preceding the payment year and recalculated upon every  
86 decennial census to incorporate counties that are newly  
87 added to the description of metropolitan areas; or if no  
88 such metropolitan area is established, then:

89 b. The total Missouri wage and salary disbursements of  
90 the micropolitan area as defined by the Office of Management  
91 and Budget divided by the total Missouri micropolitan wage  
92 and salary employment for the micropolitan area for the  
93 county signified in the school district number, as reported  
94 by the Bureau of Economic Analysis of the United States  
95 Department of Commerce for the fourth year preceding the  
96 payment year, if a micropolitan area for such county has  
97 been established and recalculated upon every decennial  
98 census to incorporate counties that are newly added to the  
99 description of micropolitan areas; or

100 c. If a county is not part of a metropolitan or  
101 micropolitan area as established by the Office of Management  
102 and Budget, then the county wage per job, as defined in  
103 paragraph (a) of this subdivision, shall be used for the  
104 school district, as signified by the school district number;

105 (c) "Regional wage ratio", the ratio of the regional  
106 wage per job divided by the state median wage per job;

107 (d) "State median wage per job", the fifty-eighth  
108 highest county wage per job;

109 (6) "Free and reduced price lunch pupil count", for  
110 school districts not eligible for and those that do not  
111 choose the USDA Community Eligibility Option, the number of  
112 pupils eligible for free and reduced price lunch on the last  
113 Wednesday in January for the preceding school year who were  
114 enrolled as students of the district, as approved by the  
115 department in accordance with applicable federal  
116 regulations. For eligible school districts that choose the  
117 USDA Community Eligibility Option, the free and reduced  
118 price lunch pupil count shall be the percentage of free and  
119 reduced price lunch students calculated as eligible on the  
120 last Wednesday in January of the most recent school year  
121 that included household applications to determine free and  
122 reduced price lunch count multiplied by the district's  
123 average daily attendance figure;

124 (7) "Free and reduced price lunch threshold" shall be  
125 calculated by dividing the total free and reduced price  
126 lunch pupil count of every performance district that falls  
127 entirely above the bottom five percent and entirely below  
128 the top five percent of average daily attendance, when such  
129 districts are rank-ordered based on their current operating  
130 expenditures per average daily attendance, by the total  
131 average daily attendance of all included performance  
132 districts;

133 (8) "Limited English proficiency pupil count", the  
134 number in the preceding school year of pupils aged three  
135 through twenty-one enrolled or preparing to enroll in an  
136 elementary school or secondary school who were not born in  
137 the United States or whose native language is a language  
138 other than English or are Native American or Alaskan native,  
139 or a native resident of the outlying areas, and come from an

140 environment where a language other than English has had a  
141 significant impact on such individuals' level of English  
142 language proficiency, or are migratory, whose native  
143 language is a language other than English, and who come from  
144 an environment where a language other than English is  
145 dominant; and have difficulties in speaking, reading,  
146 writing, or understanding the English language sufficient to  
147 deny such individuals the ability to meet the state's  
148 proficient level of achievement on state assessments  
149 described in Public Law 107-10, the ability to achieve  
150 successfully in classrooms where the language of instruction  
151 is English, or the opportunity to participate fully in  
152 society;

153 (9) "Limited English proficiency threshold" shall be  
154 calculated by dividing the total limited English proficiency  
155 pupil count of every performance district that falls  
156 entirely above the bottom five percent and entirely below  
157 the top five percent of average daily attendance, when such  
158 districts are rank-ordered based on their current operating  
159 expenditures per average daily attendance, by the total  
160 average daily attendance of all included performance  
161 districts;

162 (10) "Local effort":

163 (a) For the fiscal year 2007 calculation, "local  
164 effort" shall be computed as the equalized assessed  
165 valuation of the property of a school district in calendar  
166 year 2004 divided by one hundred and multiplied by the  
167 performance levy less the percentage retained by the county  
168 assessor and collector plus one hundred percent of the  
169 amount received in fiscal year 2005 for school purposes from  
170 intangible taxes, fines, escheats, payments in lieu of taxes  
171 and receipts from state-assessed railroad and utility tax,  
172 one hundred percent of the amount received for school

173 purposes pursuant to the merchants' and manufacturers' taxes  
174 under sections 150.010 to 150.370, one hundred percent of  
175 the amounts received for school purposes from federal  
176 properties under sections 12.070 and 12.080 except when such  
177 amounts are used in the calculation of federal impact aid  
178 pursuant to P.L. 81-874, fifty percent of Proposition C  
179 revenues received for school purposes from the school  
180 district trust fund under section 163.087, and one hundred  
181 percent of any local earnings or income taxes received by  
182 the district for school purposes. Under this paragraph, for  
183 a special district established under sections 162.815 to  
184 162.940 in a county with a charter form of government and  
185 with more than one million inhabitants, a tax levy of zero  
186 shall be utilized in lieu of the performance levy for the  
187 special school district;

188 (b) In every year subsequent to fiscal year 2007,  
189 "local effort" shall be the amount calculated under  
190 paragraph (a) of this subdivision plus any increase in the  
191 amount received for school purposes from fines. If a  
192 district's assessed valuation has decreased subsequent to  
193 the calculation outlined in paragraph (a) of this  
194 subdivision, the district's local effort shall be calculated  
195 using the district's current assessed valuation in lieu of  
196 the assessed valuation utilized in the calculation outlined  
197 in paragraph (a) of this subdivision. When a change in a  
198 school district's boundary lines occurs because of a  
199 boundary line change, annexation, attachment, consolidation,  
200 reorganization, or dissolution under section 162.071,  
201 162.081, sections 162.171 to 162.201, section 162.221,  
202 162.223, 162.431, 162.441, or 162.451, or in the event that  
203 a school district assumes any territory from a district that  
204 ceases to exist for any reason, the department of elementary  
205 and secondary education shall make a proper adjustment to

206 each affected district's local effort, so that each  
207 district's local effort figure conforms to the new boundary  
208 lines of the district. The department shall compute the  
209 local effort figure by applying the calendar year 2004  
210 assessed valuation data to the new land areas resulting from  
211 the boundary line change, annexation, attachment,  
212 consolidation, reorganization, or dissolution and otherwise  
213 follow the procedures described in this subdivision;

214 (11) "Membership" shall be the average of:

215 (a) The number of resident full-time students and the  
216 full-time equivalent number of part-time students who were  
217 enrolled in the public schools of the district on the last  
218 Wednesday in September of the previous year and who were in  
219 attendance one day or more during the preceding ten school  
220 days; and

221 (b) The number of resident full-time students and the  
222 full-time equivalent number of part-time students who were  
223 enrolled in the public schools of the district on the last  
224 Wednesday in January of the previous year and who were in  
225 attendance one day or more during the preceding ten school  
226 days, plus the full-time equivalent number of summer school  
227 pupils. "Full-time equivalent number of part-time students"  
228 is determined by dividing the total number of hours for  
229 which all part-time students are enrolled by the number of  
230 hours in the school term. "Full-time equivalent number of  
231 summer school pupils" is determined by dividing the total  
232 number of hours for which all summer school pupils were  
233 enrolled by the number of hours required pursuant to section  
234 160.011 in the school term. Only students eligible to be  
235 counted for average daily attendance shall be counted for  
236 membership;

237 (12) "Operating levy for school purposes", the sum of  
238 tax rates levied for teachers' and incidental funds plus the

239 operating levy or sales tax equivalent pursuant to section  
240 162.1100 of any transitional school district containing the  
241 school district, in the payment year, not including any  
242 equalized operating levy for school purposes levied by a  
243 special school district in which the district is located;

244 (13) "Performance district", any district that has met  
245 performance standards and indicators as established by the  
246 department of elementary and secondary education for  
247 purposes of accreditation under section 161.092 and as  
248 reported on the final annual performance report for that  
249 district each year; for calculations to be utilized for  
250 payments in fiscal years subsequent to fiscal year 2018, the  
251 number of performance districts shall not exceed twenty-five  
252 percent of all public school districts;

253 (14) "Performance levy", three dollars and forty-three  
254 cents;

255 (15) "School purposes" pertains to teachers' and  
256 incidental funds;

257 (16) "Special education pupil count", the number of  
258 public school students with a current individualized  
259 education program or services plan and receiving services  
260 from the resident district as of December first of the  
261 preceding school year, except for special education services  
262 provided through a school district established under  
263 sections 162.815 to 162.940 in a county with a charter form  
264 of government and with more than one million inhabitants, in  
265 which case the sum of the students in each district within  
266 the county exceeding the special education threshold of each  
267 respective district within the county shall be counted  
268 within the special district and not in the district of  
269 residence for purposes of distributing the state aid derived  
270 from the special education pupil count;

271           (17) "Special education threshold" shall be calculated  
272 by dividing the total special education pupil count of every  
273 performance district that falls entirely above the bottom  
274 five percent and entirely below the top five percent of  
275 average daily attendance, when such districts are rank-  
276 ordered based on their current operating expenditures per  
277 average daily attendance, by the total average daily  
278 attendance of all included performance districts;

279           (18) "State adequacy target", the sum of the current  
280 operating expenditures of every performance district that  
281 falls entirely above the bottom five percent and entirely  
282 below the top five percent of average daily attendance, when  
283 such districts are rank-ordered based on their current  
284 operating expenditures per average daily attendance, divided  
285 by the total average daily attendance of all included  
286 performance districts. The department of elementary and  
287 secondary education shall first calculate the state adequacy  
288 target for fiscal year 2007 and recalculate the state  
289 adequacy target every two years using the most current  
290 available data. The recalculation shall never result in a  
291 decrease from the state adequacy target as calculated for  
292 fiscal years 2017 and 2018 and any state adequacy target  
293 figure calculated subsequent to fiscal year 2018. Should a  
294 recalculation result in an increase in the state adequacy  
295 target amount, fifty percent of that increase shall be  
296 included in the state adequacy target amount in the year of  
297 recalculation, and fifty percent of that increase shall be  
298 included in the state adequacy target amount in the  
299 subsequent year. The state adequacy target may be adjusted  
300 to accommodate available appropriations as provided in  
301 subsection 7 of section 163.031;

302           (19) "Teacher", any teacher, teacher-secretary,  
303 substitute teacher, supervisor, principal, supervising

304 principal, superintendent or assistant superintendent,  
305 school nurse, social worker, counselor or librarian who  
306 shall, regularly, teach or be employed for no higher than  
307 grade twelve more than one-half time in the public schools  
308 and who is certified under the laws governing the  
309 certification of teachers in Missouri;

310 (20) "Weighted average daily attendance" [ , ]:

311 (a) For fiscal years prior to the 2026 fiscal year,  
312 paragraph (g) of this subdivision;

313 (b) For the 2026 fiscal year, the sum of nine tenths  
314 multiplied by paragraph (g) of this subdivision plus one  
315 tenth multiplied by the weighted membership;

316 (c) For the 2027 fiscal year, the sum of eight tenths  
317 multiplied by paragraph (g) of this subdivision plus two  
318 tenths multiplied by the weighted membership;

319 (d) For the 2028 fiscal year, the sum of seven tenths  
320 multiplied by paragraph (g) of this subdivision plus three  
321 tenths multiplied by the weighted membership;

322 (e) For the 2029 fiscal year, the sum of six tenths  
323 multiplied by paragraph (g) of this subdivision plus four  
324 tenths multiplied by the weighted membership;

325 (f) For the 2030 fiscal year and all subsequent fiscal  
326 years, the sum of five tenths multiplied by paragraph (g) of  
327 this subdivision plus five tenths multiplied by the weighted  
328 membership;

329 (g) The average daily attendance plus the product of  
330 twenty-five hundredths multiplied by the free and reduced  
331 price lunch pupil count that exceeds the free and reduced  
332 price lunch threshold, plus the product of seventy-five  
333 hundredths multiplied by the number of special education  
334 pupil count that exceeds the special education threshold,  
335 plus the product of six-tenths multiplied by the number of  
336 limited English proficiency pupil count that exceeds the

337 limited English proficiency threshold. For special  
338 districts established under sections 162.815 to 162.940 in a  
339 county with a charter form of government and with more than  
340 one million inhabitants, weighted average daily attendance  
341 shall be the average daily attendance plus the product of  
342 twenty-five hundredths multiplied by the free and reduced  
343 price lunch pupil count that exceeds the free and reduced  
344 price lunch threshold, plus the product of seventy-five  
345 hundredths multiplied by the sum of the special education  
346 pupil count that exceeds the threshold for each county  
347 district, plus the product of six-tenths multiplied by the  
348 limited English proficiency pupil count that exceeds the  
349 limited English proficiency threshold. None of the  
350 districts comprising a special district established under  
351 sections 162.815 to 162.940 in a county with a charter form  
352 of government and with more than one million inhabitants,  
353 shall use any special education pupil count in calculating  
354 their weighted average daily attendance;

355 (21) "Weighted membership", the membership plus the  
356 product of twenty-five hundredths multiplied by the free and  
357 reduced price lunch pupil count that exceeds the free and  
358 reduced price lunch threshold, plus the product of seventy-  
359 five hundredths multiplied by the number of special  
360 education pupil count that exceeds the special education  
361 threshold, plus the product of six-tenths multiplied by the  
362 number of limited English proficiency pupil count that  
363 exceeds the limited English proficiency threshold. For  
364 special districts established under sections 162.815 to  
365 162.940 in a county with more than one million inhabitants,  
366 weighted membership shall be the membership plus the product  
367 of twenty-five hundredths multiplied by the free and reduced  
368 price lunch pupil count that exceeds the free and reduced  
369 price lunch threshold, plus the product of seventy-five

370 hundredths multiplied by the sum of the special education  
371 pupil count that exceeds the threshold for each county  
372 district, plus the product of six-tenths multiplied by the  
373 limited English proficiency pupil count that exceeds the  
374 limited English proficiency threshold. None of the  
375 districts comprising a special district established under  
376 sections 162.815 to 162.940 in a county with more than one  
377 million inhabitants shall use any special education pupil  
378 count in calculating their weighted membership.

163.018. 1. (1) Notwithstanding the definition of  
2 average daily attendance in subdivision (2) of section  
3 163.011 to the contrary, pupils between the ages of three  
4 and five who are eligible for free and reduced price lunch  
5 and attend an early childhood education program:

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

10 or

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

15 shall be included in the district's or charter school's  
16 calculation of average daily attendance. The total number  
17 of such pupils included in the district's or charter  
18 school's calculation of average daily attendance shall not  
19 exceed **[four]** eight percent of the total number of pupils  
20 who are eligible for free and reduced price lunch between  
21 the ages of five and eighteen who are included in the  
22 district's or charter school's calculation of average daily  
23 attendance.

24           (2) If a pupil described under subdivision (1) of this  
25 subsection leaves an early childhood education program  
26 during the school year, a district or charter school shall  
27 be allowed to fill the vacant enrollment spot with another  
28 pupil between the ages of three and five who is eligible for  
29 free and reduced price lunch without affecting the  
30 district's or charter school's calculation of average daily  
31 attendance.

32           2. In establishing standards for any early childhood  
33 education program that is under contract with a district or  
34 charter school that has declared itself as a local  
35 educational agency, the state board of education shall  
36 consider:

37           (1) Whether a program offers full-day and full-year  
38 programming;

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

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

44           (4) Whether a program uses appropriately credentialed  
45 educators;

46           (5) Whether a program uses an early childhood  
47 education curriculum that has been approved by the  
48 department of elementary and secondary education and whether  
49 the curriculum is developmentally appropriate; and

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

53 The state board of education shall require that staff  
54 members of any early childhood education program that is  
55 under contract with a district or charter school that has

56 declared itself as a local educational agency undergo  
57 background checks as described in section 168.133.

58 3. This section shall not require school attendance  
59 beyond that mandated under section 167.031 and shall not  
60 change or amend the provisions of sections 160.051, 160.053,  
61 160.054, and 160.055 relating to kindergarten attendance.

163.021. 1. A school district shall receive state aid  
2 for its education program only if it:

3 (1) Provides for [a minimum of one hundred seventy-  
4 four days and one thousand forty-four hours of actual pupil  
5 attendance in a term scheduled by the board pursuant to  
6 section 160.041 for each pupil or group of pupils, except  
7 that the board shall provide a minimum of one hundred  
8 seventy-four days and five hundred twenty-two hours of  
9 actual pupil attendance in a term for kindergarten pupils.  
10 If any school is dismissed because of inclement weather  
11 after school has been in session for three hours, that day  
12 shall count as a school day including afternoon session  
13 kindergarten students] at least a minimum school term as  
14 provided in section 171.031. When the aggregate hours lost  
15 in a term due to inclement weather decreases the total hours  
16 of the school term below the required minimum number of  
17 hours by more than twelve hours for all-day students or six  
18 hours for one-half-day kindergarten students, all such hours  
19 below the minimum must be made up [in one-half day or full  
20 day additions to the term, except] as provided in section  
21 171.033[. In school year 2019-20 and subsequent years, one  
22 thousand forty-four hours of actual pupil attendance with no  
23 minimum number of school days shall be required for each  
24 pupil or group of pupils; except that, the board shall  
25 provide a minimum of five hundred twenty-two hours of actual  
26 pupil attendance in a term for kindergarten pupils with no  
27 minimum number of school days];

28           (2) Maintains adequate and accurate records of  
29 attendance, personnel and finances, as required by the state  
30 board of education, which shall include the preparation of a  
31 financial statement which shall be submitted to the state  
32 board of education the same as required by the provisions of  
33 section 165.111 for districts;

34           (3) Levies an operating levy for school purposes of  
35 not less than one dollar and twenty-five cents after all  
36 adjustments and reductions on each one hundred dollars  
37 assessed valuation of the district; and

38           (4) Computes average daily attendance as defined in  
39 subdivision (2) of section 163.011 as modified by section  
40 171.031. Whenever there has existed within the district an  
41 infectious disease, contagion, epidemic, plague or similar  
42 condition whereby the school attendance is substantially  
43 reduced for an extended period in any school year, the  
44 apportionment of school funds and all other distribution of  
45 school moneys shall be made on the basis of the school year  
46 next preceding the year in which such condition existed.

47           2. For the 2006-07 school year and thereafter, no  
48 school district shall receive more state aid, as calculated  
49 under subsections 1 and 2 of section 163.031, for its  
50 education program, exclusive of categorical add-ons, than it  
51 received per weighted average daily attendance for the  
52 school year 2005-06 from the foundation formula, line 14,  
53 gifted, remedial reading, exceptional pupil aid, fair share,  
54 and free textbook payment amounts, unless it has an  
55 operating levy for school purposes, as determined pursuant  
56 to section 163.011, of not less than two dollars and seventy-  
57 five cents after all adjustments and reductions. Any  
58 district which is required, pursuant to Article X, Section  
59 22 of the Missouri Constitution, to reduce its operating  
60 levy below the minimum tax rate otherwise required under

61 this subsection shall not be construed to be in violation of  
62 this subsection for making such tax rate reduction.  
63 Pursuant to Section 10(c) of Article X of the state  
64 constitution, a school district may levy the operating levy  
65 for school purposes required by this subsection less all  
66 adjustments required pursuant to Article X, Section 22 of  
67 the Missouri Constitution if such rate does not exceed the  
68 highest tax rate in effect subsequent to the 1980 tax year.  
69 Nothing in this section shall be construed to mean that a  
70 school district is guaranteed to receive an amount not less  
71 than the amount the school district received per eligible  
72 pupil for the school year 1990-91. The provisions of this  
73 subsection shall not apply to any school district located in  
74 a county of the second classification which has a nuclear  
75 power plant located in such district or to any school  
76 district located in a county of the third classification  
77 which has an electric power generation unit with a rated  
78 generating capacity of more than one hundred fifty megawatts  
79 which is owned or operated or both by a rural electric  
80 cooperative except that such school districts may levy for  
81 current school purposes and capital projects an operating  
82 levy not to exceed two dollars and seventy-five cents less  
83 all adjustments required pursuant to Article X, Section 22  
84 of the Missouri Constitution.

85 3. No school district shall receive more state aid, as  
86 calculated in section 163.031, for its education program,  
87 exclusive of categorical add-ons, than it received per  
88 eligible pupil for the school year 1993-94, if the state  
89 board of education determines that the district was not in  
90 compliance in the preceding school year with the  
91 requirements of section 163.172, until such time as the  
92 board determines that the district is again in compliance  
93 with the requirements of section 163.172.

94 4. No school district shall receive state aid,  
95 pursuant to section 163.031, if such district was not in  
96 compliance, during the preceding school year, with the  
97 requirement, established pursuant to section 160.530 to  
98 allocate revenue to the professional development committee  
99 of the district.

100 5. No school district shall receive more state aid, as  
101 calculated in subsections 1 and 2 of section 163.031, for  
102 its education program, exclusive of categorical add-ons,  
103 than it received per weighted average daily attendance for  
104 the school year 2005-06 from the foundation formula, line  
105 14, gifted, remedial reading, exceptional pupil aid, fair  
106 share, and free textbook payment amounts, if the district  
107 did not comply in the preceding school year with the  
108 requirements of subsection 5 of section 163.031.

109 6. Any school district that levies an operating levy  
110 for school purposes that is less than the performance levy,  
111 as such term is defined in section 163.011, shall provide  
112 written notice to the department of elementary and secondary  
113 education asserting that the district is providing an  
114 adequate education to the students of such district. If a  
115 school district asserts that it is not providing an adequate  
116 education to its students, such inadequacy shall be deemed  
117 to be a result of insufficient local effort. The provisions  
118 of this subsection shall not apply to any special district  
119 established under sections 162.815 to 162.940.

163.044. 1. Beginning with the 2007 fiscal year and  
2 each subsequent fiscal year, the general assembly shall  
3 appropriate ~~fifteen~~ thirty million dollars to be directed  
4 in the following manner to school districts with an average  
5 daily attendance of three hundred fifty students or less in  
6 the school year preceding the payment year:

7 (1) **Ten** Twenty million dollars shall be distributed  
8 to the eligible districts in proportion to their average  
9 daily attendance; and

10 (2) **Five** Ten million dollars shall be directed to  
11 the eligible districts that have an operating levy for  
12 school purposes in the current year equal to or greater than  
13 the performance levy and any school districts which have an  
14 operating levy for school purposes in the current year less  
15 than the performance levy solely due to a modification of  
16 such district's levy required under subdivision (4) of  
17 subsection 5 of section 137.073. A tax-rate-weighted  
18 average daily attendance shall be calculated for each  
19 eligible district in proportion to its operating levy for  
20 school purposes for the current year divided by the  
21 performance levy with that result multiplied by the  
22 district's average daily attendance in the school year  
23 preceding the payment year. The total appropriation  
24 pursuant to this subdivision shall then be divided by the  
25 sum of the tax-rate-weighted average daily attendance of the  
26 eligible districts, and the resulting amount per tax-rate-  
27 weighted average daily attendance shall be multiplied by  
28 each eligible district's tax-rate-weighted average daily  
29 attendance to determine the amount to be paid to each  
30 eligible district.

31 2. The payment under this section shall not be  
32 transferred to the capital projects fund.

33 3. Except as provided in subsection 2 of this section,  
34 districts receiving payments under this section may use the  
35 moneys for, including but not limited to, the following:

- 36 (1) Distance learning;
- 37 (2) Extraordinary transportation costs;
- 38 (3) Rural teacher recruitment; and

39 (4) Student learning opportunities not available  
40 within the district.

163.096. For any school district that, during fiscal  
2 year 2005, recorded revenues from intangible taxes, the  
3 merchants' and manufacturers' surcharge, and payments in  
4 lieu of taxes other than tax increment financing surplus to  
5 the district's teacher and incidental funds and, as a  
6 result, caused an elevation of the district's "local effort"  
7 figure, as the term "local effort" is defined in section  
8 163.011, the department of elementary and secondary  
9 education shall calculate the amount of state aid the  
10 district would have received had the district placed such  
11 revenues in its capital projects fund or debt service fund.  
12 The department shall use this revised local effort figure  
13 for all state aid payments subsequent to August 28, 2024.

163.172. 1. (1) In school year 1994-95 and  
2 thereafter until school year 2006-07, the minimum teacher's  
3 salary shall be eighteen thousand dollars. Beginning in  
4 school year 2006-07, the minimum teacher's salary shall be  
5 twenty-two thousand dollars; in school year 2007-08, the  
6 minimum teacher's salary shall be twenty-three thousand  
7 dollars; in school year 2008-09, the minimum teacher's  
8 salary shall be twenty-four thousand dollars; in school year  
9 2009-10 and [thereafter] in each subsequent school year  
10 through the 2024-25 school year, the minimum teacher's  
11 salary shall be twenty-five thousand dollars.

12 (2) For the 2025-26 school year and in all subsequent  
13 school years, the minimum teacher's salary shall be forty  
14 thousand dollars.

15 (3) Beginning in the school year 1996-97 until school  
16 year 2006-07, for any full-time teacher with a master's  
17 degree and at least ten years' teaching experience in a  
18 public school or combination of public schools, the minimum

19 salary shall be twenty-four thousand dollars. Beginning in  
20 the school year 2006-07, for any full-time teacher with a  
21 master's degree in an academic teaching field and at least  
22 ten years' teaching experience in a public school or  
23 combination of public schools, the minimum salary shall be  
24 thirty thousand dollars; in the 2007-08 school year such  
25 minimum salary shall be thirty-one thousand dollars; in the  
26 2008-09 school year such minimum salary shall be thirty-two  
27 thousand dollars; and in the 2009-10 school year and in each  
28 subsequent school year through the 2024-25 school year, such  
29 minimum salary shall be thirty-three thousand dollars.

30 (4) For the 2025-26 school year and in all subsequent  
31 school years, the minimum teacher's salary for any full-time  
32 teacher with a master's degree in an academic teaching field  
33 directly related to the teacher's assignment and at least  
34 ten years' teaching experience in a public school or  
35 combination of public schools shall be as follows:

36 (a) In the 2025-26 school year, forty-six thousand  
37 dollars;

38 (b) In the 2026-27 school year, forty-seven thousand  
39 dollars; and

40 (c) In the 2027-28 school year, forty-eight thousand  
41 dollars.

42 2. (1) As used in this subsection, "CPI" means the  
43 Consumer Price Index for All Urban Consumers for the United  
44 States as reported by the Bureau of Labor Statistics, or its  
45 successor index.

46 (2) In the 2028-29 school year and in all subsequent  
47 school years, the minimum salaries identified in subdivision  
48 (2) of subsection 1 of this section and in paragraph (c) of  
49 subdivision (4) of subsection 1 of this section shall be  
50 adjusted annually by the percentage increase in inflation as  
51 described in subdivision (3) of this subsection.

52           (3) If the CPI report for January of a given year  
53 indicates that inflation increased over the previous twelve  
54 months by at least one percent, the department of elementary  
55 and secondary education shall increase the minimum salaries  
56 described in subdivision (2) of this subsection by the same  
57 percentage increase in inflation, except that no minimum  
58 salary increase shall exceed three percent.

59           (4) The state board of education shall publish such  
60 minimum salaries annually in February beginning in calendar  
61 year 2026. Modifications to the minimum salaries shall take  
62 effect on July first of each calendar year.

63           [2. Beginning with the budget requests for fiscal year  
64 1991,] 3. The commissioner of education shall present to  
65 the appropriate committees of the general assembly  
66 information on the average Missouri teacher's salary,  
67 regional average salary data, and national average salary  
68 data.

69           [3.] 4. All school salary information shall be public  
70 information.

71           [4.] 5. As used in this section, the term "salary"  
72 shall be defined as the salary figure which appears on the  
73 teacher's contract and as determined by the local school  
74 district's basic salary schedule and does not include  
75 supplements for extra duties.

76           [5.] 6. The minimum salary for any fully certificated  
77 teacher employed on a less than full-time basis by a school  
78 district, state school for the severely handicapped, the  
79 Missouri School for the Deaf, or the Missouri School for the  
80 Blind shall be prorated to reflect the amounts provided in  
81 subsection 1 of this section.

82           7. (1) There is hereby created in the state treasury  
83 the "Teacher Baseline Salary Grant Fund", which shall  
84 consist of moneys appropriated under subsection 8 of this

85 section. The state treasurer shall be custodian of the  
86 fund. In accordance with sections 30.170 and 30.180, the  
87 state treasurer may approve disbursements. The fund shall  
88 be a dedicated fund and, upon appropriation, moneys in this  
89 fund shall be used solely to increase minimum teacher's  
90 salaries as provided in this section.

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

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

99 8. (1) There is hereby created the "Teacher Baseline  
100 Salary Grant" program. The general assembly may appropriate  
101 amounts to the teacher baseline salary grant fund created in  
102 subsection 7 of this section. The total amount appropriated  
103 to such fund shall not exceed the amount necessary to assist  
104 each school district in increasing minimum teacher's  
105 salaries to the minimum amount as required under this  
106 section.

107 (2) Subject to the appropriation of moneys to the  
108 teacher baseline salary grant fund, each school district may  
109 apply to the department of elementary and secondary  
110 education for a grant of moneys from the teacher baseline  
111 salary grant fund to assist such district in increasing  
112 minimum teacher's salaries as required under this section.

166.700. As used in sections 166.700 to 166.720, the  
2 following terms mean:

3 (1) "Curriculum", a complete course of study for a  
4 particular content area or grade level, including any  
5 supplemental materials;

6 (2) "District", the same meaning as used in section  
7 160.011;

8 (3) "Educational assistance organization", the same  
9 meaning as used in section 135.712;

10 (4) "Illegal alien", any person who is not lawfully  
11 present in the United States, according to the terms of 8  
12 U.S.C. 1101, et seq., as in existence on January 1, 2024;

13 (5) "Parent", the same meaning as used in section  
14 135.712;

15 [(5)] (6) "Private school", a school that is not a  
16 part of the public school system of the state of Missouri  
17 and that charges tuition for the rendering of elementary or  
18 secondary educational services;

19 [(6)] (7) "Program", the same meaning as used in  
20 section 135.712;

21 [(7)] (8) "Qualified school", [a home school as  
22 defined in section 167.031] an FPE school or any of the  
23 following entities that is incorporated in Missouri and that  
24 does not discriminate on the basis of race, color, or  
25 national origin:

26 (a) A charter school as defined in section 160.400;

27 (b) A private school;

28 (c) A public school as defined in section 160.011; or

29 (d) A public or private virtual school;

30 [(8)] (9) "Qualified student", any elementary or  
31 secondary school student who is a resident of this state,  
32 who is not an illegal alien, and [resides in any county with  
33 a charter form of government or any city with at least  
34 thirty thousand inhabitants] who:

35 (a) Has an approved "individualized education plan"

36 (IEP) developed under the federal Individuals with

37 Disabilities Education Act (IDEA), 20 U.S.C. Section 1400[.,]

38 et seq., as amended; or

39 (b) Is a member of a household whose total annual  
40 income does not exceed an amount equal to [two] three  
41 hundred percent of the income standard used to qualify for  
42 free and reduced price lunches, and that meets at least one  
43 of the following qualifications:

44 a. Attended a public school as a full-time student for  
45 at least one semester during the previous twelve months; [or]

46 b. Is a child who is eligible to begin kindergarten or  
47 first grade under sections 160.051 to 160.055; or

48 c. Is a sibling of a qualified student who received a  
49 scholarship grant in the previous school year and will  
50 receive a scholarship grant in the current school year.

167.012. 1. For purposes of state law, a "home  
2 school" is a school, whether incorporated or unincorporated,  
3 that:

4 (1) Has as its primary purpose the provision of  
5 private or religious-based instruction;

6 (2) Enrolls children between the ages of seven years  
7 and the compulsory attendance age for the school district in  
8 which the home school is located, of which no more than four  
9 are unrelated by affinity or consanguinity in the third  
10 degree;

11 (3) Does not charge or receive consideration in the  
12 form of tuition, fees, or other remuneration in a genuine  
13 and fair exchange for provision of instruction;

14 (4) Does not enroll children who participate in the  
15 program established in sections 135.712 to 135.719 and  
16 sections 166.700 to 166.720; and

17 (5) Is not an FPE school.

18 2. Except as otherwise provided in this subsection, as  
19 evidence that a child is receiving regular instruction, the  
20 child's parent, guardian, or other person having control or  
21 custody of the child shall:

22           (1) Maintain the following records:  
23           (a) a. A plan book, diary, or other written record  
24 indicating subjects taught and activities engaged in;  
25           b. A portfolio of samples of the child's academic  
26 work; and  
27           c. A record of evaluations of the child's academic  
28 progress; or  
29           (b) Other written or credible evidence equivalent to  
30 subparagraphs a. to c. of paragraph (a) of this subdivision;  
31 and  
32           (2) Offer at least one thousand hours of instruction,  
33 at least six hundred hours of which shall be in reading,  
34 language arts, mathematics, social studies, science, or  
35 academic courses that are related to such subject areas and  
36 consonant with the child's age and ability. At least four  
37 hundred of the six hundred hours shall occur at the regular  
38 home school location;  
39           (3) The requirements of this subsection shall not  
40 apply to any pupil sixteen years of age or older.  
41           3. The production of a daily log by a parent,  
42 guardian, or other person having control or custody of a  
43 child showing that a home school has a course of instruction  
44 that satisfies the requirements of this section and section  
45 167.031 or, in the case of a pupil sixteen years of age or  
46 older who attended a metropolitan school district the  
47 previous year, a written statement that the pupil is  
48 attending home school in compliance with section 167.031  
49 shall be a defense to any prosecution under section 167.031  
50 and to any charge or action for educational neglect brought  
51 under chapter 210. Home school education enforcement and  
52 records pursuant to this section, and sections 210.167 and  
53 211.031, shall be subject to review only by the local  
54 prosecuting attorney.

167.013. 1. For purposes of state law, a "Family Paced Education (FPE) school" or "FPE school" is a school, whether incorporated or unincorporated, that:

(1) Has as its primary purpose the provision of private or religious-based instruction;

(2) Enrolls children between the ages of seven years and the compulsory attendance age for the school district in which the FPE school is located, of which no more than four are unrelated by affinity or consanguinity in the third degree;

(3) Does not charge or receive consideration in the form of tuition, fees, or other remuneration in a genuine and fair exchange for provision of instruction; and

(4) May enroll children who participate in the program established in sections 135.712 to 135.719 and sections 166.700 to 166.720.

2. Except as otherwise provided in this subsection, as evidence that a child is receiving regular instruction, the child's parent, guardian, or other person having control or custody of the child shall:

(1) Maintain the following records:

(a) a. A plan book, diary, or other written record indicating subjects taught and activities engaged in;

b. A portfolio of samples of the child's academic work; and

c. A record of evaluations of the child's academic progress; or

(b) Other written or credible evidence equivalent to subparagraphs a. to c. of paragraph (a) of this subdivision; and

(2) Offer at least one thousand hours of instruction, at least six hundred hours of which shall be in reading, language arts, mathematics, social studies, science, or

34 academic courses that are related to such subject areas and  
35 consonant with the child's age and ability. At least four  
36 hundred of the six hundred hours shall occur at the regular  
37 FPE school location;

38 (3) The requirements of this subsection shall not  
39 apply to any pupil sixteen years of age or older.

40 3. The production of a daily log by a parent,  
41 guardian, or other person having control or custody of a  
42 child showing that a FPE school has a course of instruction  
43 that satisfies the requirements of this section and section  
44 167.031 or, in the case of a pupil sixteen years of age or  
45 older who attended a metropolitan school district the  
46 previous year, a written statement that the pupil is  
47 attending a FPE school in compliance with section 167.031  
48 shall be a defense to any prosecution under section 167.031  
49 and to any charge or action for educational neglect brought  
50 under chapter 210. FPE school education enforcement and  
51 records pursuant to this section, and sections 210.167 and  
52 211.031, shall be subject to review only by the local  
53 prosecuting attorney.

167.031. 1. (1) Every parent, guardian, or other  
2 person in this state having charge, control, or custody of a  
3 child [not enrolled] is responsible for enrolling the child  
4 in a program of academic instruction in a public, private,  
5 parochial, parish school, home school, FPE school, or full-  
6 time equivalent attendance in a combination of such schools  
7 [and] between the ages of seven years and the compulsory  
8 attendance age for the district [is responsible for  
9 enrolling the child in a program of academic instruction  
10 which complies with subsection 2 of this section].

11 (2) Any parent, guardian, or other person who enrolls  
12 a child between the ages of five and seven years in a public  
13 school program of academic instruction shall cause such

14 child to attend the academic program on a regular basis,  
15 according to this section. Nonattendance by such child  
16 shall cause such parent, guardian, or other responsible  
17 person to be in violation of the provisions of section  
18 167.061, except as provided by this section. A parent,  
19 guardian, or other person in this state having charge,  
20 control, or custody of a child between the ages of seven  
21 years of age and the compulsory attendance age for the  
22 district shall cause the child to attend regularly some  
23 public, private, parochial, parish, home school, FPE school,  
24 or a combination of such schools not less than the entire  
25 school term of the school ~~[which]~~ that the child attends;  
26 except that:

27 ~~[(1)]~~ (a) A child who, to the satisfaction of the  
28 superintendent of public schools of the district in which  
29 ~~[he]~~ such child resides, or if there is no superintendent  
30 then the chief school officer, is determined to be mentally  
31 or physically incapacitated may be excused from attendance  
32 at school for the full time required, or any part thereof;

33 ~~[(2)]~~ (b) A child between fourteen years of age and  
34 the compulsory attendance age for the district may be  
35 excused from attendance at school for the full time  
36 required, or any part thereof, by the superintendent of  
37 public schools of the district, or if there is none then by  
38 a court of competent jurisdiction, when legal employment has  
39 been obtained by the child and found to be desirable, and  
40 after the parents or guardian of the child have been advised  
41 of the pending action; or

42 ~~[(3)]~~ (c) A child between five and seven years of age  
43 shall be excused from attendance at school if a parent,  
44 guardian, or other person having charge, control, or custody  
45 of the child makes a written request that the child be  
46 dropped from the school's rolls; or

47           (d) A child may be excused from attendance at school  
48 for the full time required, or any part thereof, if the  
49 child is unable to attend school due to mental or behavioral  
50 health concerns, provided that the school receives  
51 documentation from a mental health professional licensed  
52 under chapters 334 or 337 acting within his or her  
53 authorized scope of practice stating that the child is not  
54 able to attend school due to such concerns.

55           2. [(1) As used in sections 167.031 to 167.071, a  
56 "home school" is a school, whether incorporated or  
57 unincorporated, that:

58           (a) Has as its primary purpose the provision of  
59 private or religious-based instruction;

60           (b) Enrolls pupils between the ages of seven years and  
61 the compulsory attendance age for the district, of which no  
62 more than four are unrelated by affinity or consanguinity in  
63 the third degree; and

64           (c) Does not charge or receive consideration in the  
65 form of tuition, fees, or other remuneration in a genuine  
66 and fair exchange for provision of instruction.

67           (2) As evidence that a child is receiving regular  
68 instruction, the parent shall, except as otherwise provided  
69 in this subsection:

70           (a) Maintain the following records:

71           a. A plan book, diary, or other written record  
72 indicating subjects taught and activities engaged in; and

73           b. A portfolio of samples of the child's academic  
74 work; and

75           c. A record of evaluations of the child's academic  
76 progress; or

77           d. Other written, or credible evidence equivalent to  
78 subparagraphs a., b. and c.; and

79 (b) Offer at least one thousand hours of instruction,  
80 at least six hundred hours of which will be in reading,  
81 language arts, mathematics, social studies and science or  
82 academic courses that are related to the aforementioned  
83 subject areas and consonant with the pupil's age and  
84 ability. At least four hundred of the six hundred hours  
85 shall occur at the regular home school location.

86 (3) The requirements of subdivision (2) of this  
87 subsection shall not apply to any pupil above the age of  
88 sixteen years.

89 3.] Nothing in this section shall require a private,  
90 parochial, parish [or], home school, or FPE school to  
91 include in its curriculum any concept, topic, or practice in  
92 conflict with the school's religious doctrines or to exclude  
93 from its curriculum any concept, topic, or practice  
94 consistent with the school's religious doctrines. Any other  
95 provision of the law to the contrary notwithstanding, all  
96 departments or agencies of the state of Missouri shall be  
97 prohibited from dictating through rule, regulation, or other  
98 device any statewide curriculum for private, parochial,  
99 parish [or], home schools, or FPE schools.

100 [4.] 3. A school year begins on the first day of July  
101 and ends on the thirtieth day of June following.

102 [5. The production by a parent of a daily log showing  
103 that a home school has a course of instruction which  
104 satisfies the requirements of this section or, in the case  
105 of a pupil over the age of sixteen years who attended a  
106 metropolitan school district the previous year, a written  
107 statement that the pupil is attending home school in  
108 compliance with this section shall be a defense to any  
109 prosecution under this section and to any charge or action  
110 for educational neglect brought pursuant to chapter 210.

111 6.] 4. (1) As used in [sections 167.031 to 167.051]  
112 this section, the term "compulsory attendance age for the  
113 district" shall mean:

114 [(1)] (a) Seventeen years of age for any metropolitan  
115 school district for which the school board adopts a  
116 resolution to establish such compulsory attendance age;  
117 provided that such resolution shall take effect no earlier  
118 than the school year next following the school year during  
119 which the resolution is adopted; and

120 [(2)] (b) Seventeen years of age or having  
121 successfully completed sixteen credits towards high school  
122 graduation in all other cases.

123 (2) The school board of a metropolitan school district  
124 for which the compulsory attendance age is seventeen years  
125 may adopt a resolution to lower the compulsory attendance  
126 age to sixteen years; provided that such resolution shall  
127 take effect no earlier than the school year next following  
128 the school year during which the resolution is adopted.

129 [7.] 5. For purposes of [subsection 2 of this section]  
130 home school or FPE school credits toward high school  
131 graduation, as applied in subsection [6 herein] 4 of this  
132 section, a "completed credit towards high school graduation"  
133 shall be defined as one hundred hours or more of instruction  
134 in a course. [Home school education enforcement and records  
135 pursuant to this section, and sections 210.167 and 211.031,  
136 shall be subject to review only by the local prosecuting  
137 attorney.]

167.061. Any parent, guardian or other person having  
2 charge, control or custody of a child, who violates the  
3 provisions of section 167.031 is guilty of a class C  
4 misdemeanor. Upon conviction and pending any judicial  
5 appeal, the defendant shall be required to enroll the child  
6 in a public, private, parochial, parish [or], home school, \_\_

7 or FPE school within three public school days, after which  
8 each successive school day shall constitute a separate  
9 violation of section 167.031. The fine or imprisonment, or  
10 both, may be suspended and finally remitted by the court,  
11 with or without the payment of costs, at the discretion of  
12 the court, if the child is immediately placed and kept in  
13 regular attendance at a public, private, parochial, parish  
14 [or], home school, or FPE school and if the fact of regular  
15 attendance is proved subsequently to the satisfaction of the  
16 court. A certificate stating that the child is regularly  
17 attending a public, private, parochial or parish school and  
18 properly attested by the superintendent, principal or person  
19 in charge of the school is prima facie evidence of regular  
20 attendance by the child.

167.600. 1. As used in sections 167.600 to 167.621,  
2 the following terms mean:

3 (1) "Family practitioner", a primary care provider,  
4 including a licensed physician, nurse practitioner or  
5 primary care physician sponsor as defined in subdivision (4)  
6 of subsection 1 of section 208.166, or a primary care  
7 contracted health provider plan, approved by the parent,  
8 guardian or legal custodian of a school age child pursuant  
9 to section 167.611;

10 (2) "Most accessible care", that care or services  
11 which reach the most children where they normally are during  
12 school hours or where children are most likely to  
13 participate with the least obstacles to participation and  
14 may include, but shall not be limited to, private, public or  
15 parochial schools, learning centers, preschools, child care  
16 facilities, common community gathering places, licensed  
17 health care facilities, physicians' offices and community  
18 centers and may also include the use of traveling medical  
19 professionals;

20 (3) "School age children", all children under the age  
21 of nineteen without regard to whether they are currently  
22 enrolled in any school and without regard to what public,  
23 private, parochial [or], home school, or FPE school they may  
24 attend;

25 (4) "School children health services", services,  
26 including immunization, screening for physical or mental  
27 disease, disability or injury, treatment of pathological  
28 disease or injury, emergency medical treatment or first aid,  
29 or administration of drugs or treatment as ordered by the  
30 child's family practitioner, provided that the term shall  
31 only include the enumerated services and services directly  
32 related to the services enumerated herein;

33 (5) "Service area", the public school district, if the  
34 school district elects to be a Medicaid provider, or an area  
35 determined by the department of social services at the time  
36 a public school within a school district elects to be a  
37 Medicaid provider.

38 2. Sections 167.600 to 167.621 shall not be severable  
39 from each other.

167.619. When a school or school district enrolls as a  
2 Medicaid provider pursuant to section 167.606 or receives a  
3 grant under section 167.603, the department of social  
4 services shall assure that the grants or funds are used to  
5 provide the most accessible care to school age children. No  
6 resident child shall be denied or discriminated against in  
7 school children health services or Medicaid services offered  
8 by a school district or a local health department under  
9 sections 167.600 to 167.621 on the grounds that the child  
10 regularly attends or does not attend a public, private,  
11 parochial, parish [or], home school, or an FPE school.

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

- 3 (1) "Board", the state board of education;
- 4 (2) "Commissioner", the commissioner of education;
- 5 (3) "Recovery high school", a public high school that
- 6 serves eligible students diagnosed with substance use
- 7 disorder or dependency as defined by the most recent
- 8 Diagnostic and Statistical Manual of Mental Disorders and
- 9 that provides both a comprehensive four-year high school
- 10 education in an alternative public school setting and a
- 11 structured plan of recovery;
- 12 (4) "Sending district", the school district where a
- 13 student attending or planning to attend the recovery high
- 14 school resides and from which the student is referred for
- 15 enrollment in a recovery high school.

16 2. (1) The commissioner may approve and authorize up

17 to four pilot recovery high schools, geographically located

18 in metropolitan areas throughout the state, to be

19 established by school districts or groups of school

20 districts for the purpose of demonstrating the effectiveness

21 of the recovery high school model in this state. The

22 commissioner shall issue a request for proposals from school

23 districts to operate a pilot recovery high school. Such

24 proposals may be submitted by an individual school district

25 proposing to operate a recovery high school or by a group of

26 school districts proposing to jointly operate such a

27 school. Such proposals shall be submitted to the

28 commissioner no later than [December] July first of the

29 school year prior to the school year in which the recovery

30 high school is proposed to begin operation. The approval of

31 the board shall be required for the recovery high school to

32 begin operation.

33 (2) Proposals shall detail how the district or

34 districts will satisfy the criteria for a high school

35 education program under state law and board rule and how the

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

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

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

68 meeting the requirements of this section or the requirements  
69 of the school's proposal.

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

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

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

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

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

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

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

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

112           (b) The state adequacy target, as defined in section  
113 163.011, plus the average sum produced per child by the  
114 local tax effort above the state adequacy target of the  
115 sending district.

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

121           (4) The commissioner may enter into an agreement with  
122 the appropriate official or agency of another state to  
123 develop a reciprocity agreement for otherwise eligible,  
124 nonresident students seeking to attend a recovery high  
125 school in this state. A recovery high school may enroll  
126 otherwise eligible students residing in a state other than  
127 this state as provided in such reciprocity agreement. Such  
128 reciprocity agreement shall require the out-of-state  
129 student's district of residence to pay to the recovery high  
130 school an annual amount equal to one hundred five percent of  
131 the tuition rate for the recovery high school established  
132 under this subsection. If an otherwise eligible student

133 resides in a state that is not subject to a reciprocity  
134 agreement, such student may attend a recovery high school  
135 provided such student pays to the school one hundred five  
136 percent of the tuition rate for the recovery high school  
137 established under this subsection. No student enrolled and  
138 attending a recovery high school under this subdivision  
139 shall be included as a resident pupil for any state aid  
140 purpose under chapter 163.

141 5. The board, in consultation with the department of  
142 mental health, may promulgate rules to implement the  
143 provisions of this section. Any rule or portion of a rule,  
144 as that term is defined in section 536.010, that is created  
145 under the authority delegated in this section shall become  
146 effective only if it complies with and is subject to all of  
147 the provisions of chapter 536 and, if applicable, section  
148 536.028. This section and chapter 536 are nonseverable and  
149 if any of the powers vested with the general assembly  
150 pursuant to chapter 536 to review, to delay the effective  
151 date, or to disapprove and annul a rule are subsequently  
152 held unconstitutional, then the grant of rulemaking  
153 authority and any rule proposed or adopted after August 28,  
154 2022, shall be invalid and void.

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

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

5 (a) Upon the basis of college credit;

6 (b) Upon the basis of examination;

7 (2) By the state board, under rules and regulations  
8 prescribed by the state board with advice from the advisory  
9 council established by section 168.015 to any individual who  
10 presents to the state board a valid doctoral degree from an  
11 accredited institution of higher education accredited by a

12 regional accrediting association such as North Central  
13 Association. Such certificate shall be limited to the major  
14 area of postgraduate study of the holder, shall be issued  
15 only after successful completion of the examination required  
16 for graduation pursuant to rules adopted by the state board  
17 of education, and shall be restricted to those certificates  
18 established pursuant to subdivision (2) of subsection 3 of  
19 this section;

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

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

28 b. The department of elementary and secondary  
29 education shall develop and maintain an eighteen hour (one  
30 thousand eighty minutes) online teacher preparation program  
31 related to subjects appropriate for elementary and secondary  
32 education settings. Any charitable organization registered  
33 in Missouri that is exempt from federal taxation under the  
34 Internal Revenue Code of 1986, as amended, may submit a  
35 teacher preparation program to the department of elementary  
36 and secondary education for approval. Once approved, the  
37 charitable organization shall be certified to develop and  
38 maintain a teacher preparedness program. Approved teacher  
39 preparedness programs created by a charitable organization  
40 shall be made available by the department of elementary and  
41 secondary education. An individual with a bachelor's degree  
42 may complete an eighteen hour online training program,  
43 either created by the department or by a charitable  
44 organization, and receive a teacher certificate. Such

45 certificate shall not be accepted by Missouri public  
46 schools, but shall be accepted by private schools and  
47 private school accrediting agencies;

48 (b) a. Successful attainment of the Missouri  
49 qualifying score on the exit assessment for teachers or  
50 administrators designated by the state board of education;

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

54 (ii) During the two-year nonrenewable provisional  
55 certification, an individual teacher may gain full  
56 professional certification by:

57 i. Achieving a qualifying score on the designated  
58 exam; or

59 ii. Successfully achieving an acceptable score on the  
60 state-approved teacher evaluation system from seven walk-  
61 through evaluations, two formative evaluations, and one  
62 summative evaluation for each of the two probationary years  
63 and being offered a third contract by the employing  
64 district. For any applicant who has a change in job status  
65 because of a reduction in the workforce or a change in life  
66 circumstances, the scores required under this item may be  
67 scores achieved in any school district during the two-year  
68 nonrenewable provisional certification period; and

69 (iii) The employing school district shall recommend to  
70 the department of elementary and secondary education that  
71 the individual teacher be awarded a full professional  
72 certification by the state board under rules prescribed by  
73 the state board; and

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

78           (4) By the state board, under rules prescribed by it,  
79 on the basis of a relevant bachelor's degree, or higher  
80 degree, and a passing score for the designated exit  
81 examination, for individuals whose academic degree and  
82 professional experience are suitable to provide a basis for  
83 instruction solely in the subject matter of banking or  
84 financial responsibility, at the discretion of the state  
85 board. Such certificate shall be limited to the major area  
86 of study of the holder and shall be restricted to those  
87 certificates established under subdivision (2) of subsection  
88 3 of this section. Holders of certificates granted under  
89 this subdivision shall be exempt from the teacher tenure act  
90 under sections 168.102 to 168.130 and each school district  
91 shall have the decision-making authority on whether to hire  
92 the holders of such certificates;

93           (5) By the state board, under rules and regulations  
94 prescribed by it, on the basis of certification by the  
95 American Board for Certification of Teacher Excellence  
96 (ABCTE) and verification of ability to work with children as  
97 demonstrated by sixty contact hours in any one of the  
98 following areas as validated by the school principal: sixty  
99 contact hours in the classroom, of which at least forty-five  
100 must be teaching; sixty contact hours as a substitute  
101 teacher, with at least thirty consecutive hours in the same  
102 classroom; sixty contact hours of teaching in a private  
103 school; or sixty contact hours of teaching as a  
104 paraprofessional, for an initial four-year ABCTE certificate  
105 of license to teach, except that such certificate shall not  
106 be granted for the areas of early childhood education, or  
107 special education. For certification in the area of  
108 elementary education, ninety contact hours in the classroom  
109 shall be required, of which at least thirty shall be in an  
110 elementary classroom. Upon the completion of the following

111 requirements, an applicant shall be eligible to apply for a  
112 career continuous professional certificate under subdivision  
113 (3) of subsection 3 of this section:

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

117 (b) Validated completion of two years of the mentoring  
118 program of the American Board for Certification of Teacher  
119 Excellence or a district mentoring program approved by the  
120 state board of education;

121 (c) Attainment of a successful performance-based  
122 teacher evaluation; and

123 (d) Participation in a beginning teacher assistance  
124 program; [or]

125 (6) (a) By the state board, under rules and  
126 regulations prescribed by the board, which shall issue an  
127 initial visiting scholars certificate at the discretion of  
128 the board, based on the following criteria:

129 a. Verification from the hiring school district that  
130 the applicant will be employed as part of a business-  
131 education partnership initiative designed to build career  
132 pathways systems or employed as part of an initiative  
133 designed to fill vacant positions in hard-to-staff public  
134 schools or hard-to-fill subject areas for students in a  
135 grade or grades not lower than the ninth grade for which the  
136 applicant's academic degree or professional experience  
137 qualifies the applicant;

138 b. Appropriate and relevant bachelor's degree or  
139 higher, occupational license, or industry-recognized  
140 credential;

141 c. Completion of the application for a one-year  
142 visiting scholars certificate; and

143 d. Completion of a background check as prescribed  
144 under section 168.133.

145 (b) The initial visiting scholars certificate shall  
146 certify the holder of such certificate to teach for one  
147 year. An applicant shall be eligible to renew an initial  
148 visiting scholars certificate a maximum of two times, based  
149 upon the completion of the requirements listed under  
150 subparagraphs a., b., and d. of paragraph (a) of this  
151 subdivision; completion of professional development required  
152 by the school district and school; and attainment of a  
153 satisfactory performance-based teacher evaluation; or

154 (7) By the state board, which shall issue an  
155 additional professional subject-area certification for  
156 specific content knowledge or for a specialty area to a  
157 certificate holder who:

158 (a) Applies for an additional professional subject-  
159 area certification;

160 (b) Successfully achieves an acceptable score on the  
161 state-approved teacher evaluation system from seven walk-  
162 through evaluations, two formative evaluations, and one  
163 summative evaluation of the applicant teaching specific  
164 content knowledge or the specialty area for which the  
165 additional professional subject-area certification is sought;

166 (c) Receives a recommendation from the applicant's  
167 employing school district that the applicant be awarded an  
168 additional professional subject area-certification by the  
169 state board under rules prescribed by the state board; and

170 (d) Completes a background check as prescribed in  
171 section 168.133.

172 2. All valid teaching certificates issued pursuant to  
173 law or state board policies and regulations prior to  
174 September 1, 1988, shall be exempt from the professional  
175 development requirements of this section and shall continue

176 in effect until they expire, are revoked or suspended, as  
177 provided by law. When such certificates are required to be  
178 renewed, the state board or its designee shall grant to each  
179 holder of such a certificate the certificate most nearly  
180 equivalent to the one so held. Anyone who holds, as of  
181 August 28, 2003, a valid PC-I, PC-II, or continuous  
182 professional certificate shall, upon expiration of such  
183 person's current certificate, be issued the appropriate  
184 level of certificate based upon the classification system  
185 established pursuant to subsection 3 of this section.

186 3. (1) Certificates of license to teach in the public  
187 schools of the state shall be based upon minimum  
188 requirements prescribed by the state board of education  
189 which shall include completion of a background check as  
190 prescribed in section 168.133. The state board shall  
191 provide for the following levels of professional  
192 certification: an initial professional certificate and a  
193 career continuous professional certificate.

194 (2) The initial professional certificate shall be  
195 issued upon completion of requirements established by the  
196 state board of education and shall be valid based upon  
197 verification of actual teaching within a specified time  
198 period established by the state board of education. The  
199 state board shall require holders of the four-year initial  
200 professional certificate to:

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

203 (b) Complete thirty contact hours of professional  
204 development, which may include hours spent in class in an  
205 appropriate college curriculum, or for holders of a  
206 certificate under subdivision (4) of subsection 1 of this  
207 section, an amount of professional development in proportion

208 to the certificate holder's hours in the classroom, if the  
209 certificate holder is employed less than full time; and

210 (c) Participate in a beginning teacher assistance  
211 program.

212 (3) (a) The career continuous professional  
213 certificate shall be issued upon verification of completion  
214 of four years of teaching under the initial professional  
215 certificate and upon verification of the completion of the  
216 requirements articulated in paragraphs (a) to (c) of  
217 subdivision (2) of this subsection or paragraphs (a) to (d)  
218 of subdivision (5) of subsection 1 of this section.

219 (b) The career continuous professional certificate  
220 shall be continuous based upon verification of actual  
221 employment in an educational position as provided for in  
222 state board guidelines and completion of fifteen contact  
223 hours of professional development per year which may include  
224 hours spent in class in an appropriate college curriculum.  
225 Should the possessor of a valid career continuous  
226 professional certificate fail, in any given year, to meet  
227 the fifteen-hour professional development requirement, the  
228 possessor may, within two years, make up the missing hours.  
229 In order to make up for missing hours, the possessor shall  
230 first complete the fifteen-hour requirement for the current  
231 year and then may count hours in excess of the current year  
232 requirement as make-up hours. Should the possessor fail to  
233 make up the missing hours within two years, the certificate  
234 shall become inactive. In order to reactivate the  
235 certificate, the possessor shall complete twenty-four  
236 contact hours of professional development which may include  
237 hours spent in the classroom in an appropriate college  
238 curriculum within the six months prior to or after  
239 reactivating the possessor's certificate. The requirements  
240 of this paragraph shall be monitored and verified by the

241 local school district which employs the holder of the career  
242 continuous professional certificate.

243 (c) A holder of a career continuous professional  
244 certificate shall be exempt from the professional  
245 development contact hour requirements of paragraph (b) of  
246 this subdivision if such teacher has a local professional  
247 development plan in place within such teacher's school  
248 district and meets two of the three following criteria:

249 a. Has ten years of teaching experience as defined by  
250 the state board of education;

251 b. Possesses a master's degree; or

252 c. Obtains a rigorous national certification as  
253 approved by the state board of education.

254 4. Policies and procedures shall be established by  
255 which a teacher who was not retained due to a reduction in  
256 force may retain the current level of certification. There  
257 shall also be established policies and procedures allowing a  
258 teacher who has not been employed in an educational position  
259 for three years or more to reactivate the teacher's last  
260 level of certification by completing twenty-four contact  
261 hours of professional development which may include hours  
262 spent in the classroom in an appropriate college curriculum  
263 within the six months prior to or after reactivating the  
264 teacher's certificate.

265 5. The state board shall, upon completion of a  
266 background check as prescribed in section 168.133, issue a  
267 professional certificate classification in the areas most  
268 closely aligned with an applicant's current areas of  
269 certification, commensurate with the years of teaching  
270 experience of the applicant, to any person who is hired to  
271 teach in a public school in this state and who possesses a  
272 valid teaching certificate from another state or  
273 certification under subdivision (4) of subsection 1 of this

274 section, provided that the certificate holder shall annually  
275 complete the state board's requirements for such level of  
276 certification, and shall establish policies by which  
277 residents of states other than the state of Missouri may be  
278 assessed a fee for a certificate of license to teach in the  
279 public schools of Missouri. Such fee shall be in an amount  
280 sufficient to recover any or all costs associated with the  
281 issuing of a certificate of license to teach. The board  
282 shall promulgate rules to authorize the issuance of a  
283 provisional certificate of license, which shall be valid for  
284 three years and shall allow the holder to assume classroom  
285 duties pending the completion of a criminal background check  
286 under section 168.133, for any applicant who:

287 (1) Is the spouse of a member of the Armed Forces  
288 stationed in Missouri;

289 (2) Relocated from another state within one year of  
290 the date of application;

291 (3) Underwent a criminal background check in order to  
292 be issued a teaching certificate of license from another  
293 state; and

294 (4) Otherwise qualifies under this section.

295 6. The state board may assess to holders of an initial  
296 professional certificate a fee, to be deposited into the  
297 excellence in education fund established pursuant to section  
298 160.268, for the issuance of the career continuous  
299 professional certificate. However, such fee shall not  
300 exceed the combined costs of issuance and any criminal  
301 background check required as a condition of issuance.  
302 Applicants for the initial ABCTE certificate shall be  
303 responsible for any fees associated with the program leading  
304 to the issuance of the certificate, but nothing in this  
305 section shall prohibit a district from developing a policy  
306 that permits fee reimbursement.

307           7. Any member of the public school retirement system  
308 of Missouri who entered covered employment with ten or more  
309 years of educational experience in another state or states  
310 and held a certificate issued by another state and  
311 subsequently worked in a school district covered by the  
312 public school retirement system of Missouri for ten or more  
313 years who later became certificated in Missouri shall have  
314 that certificate dated back to the member's original date of  
315 employment in a Missouri public school.

316           8. Within thirty days of receiving an application from  
317 a spouse of an active duty member of the Armed Forces of the  
318 United States who has been transferred or is scheduled to be  
319 transferred to the state of Missouri, or who has been  
320 transferred or is scheduled to be transferred to an adjacent  
321 state and is or will be domiciled in the state of Missouri,  
322 or has moved to the state of Missouri on a permanent change-  
323 of-station basis and has successfully completed the  
324 background check described under subsection 5 of this  
325 section and section 168.133, the state board shall issue to  
326 such applicant a full certificate of license to teach,  
327 provided that the applicant has paid all necessary fees and  
328 has otherwise met all requirements to be issued such a  
329 certificate.

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

3           (1) "Hard-to-staff schools", attendance centers where  
4 the percentage of certificated positions in the attendance  
5 center that were left vacant or were filled with a teacher  
6 not fully qualified in the prior academic year exceeds ten  
7 percent as reported to the department of elementary and  
8 secondary education;

9           (2) "Hard-to-staff subject areas", content areas for  
10 which positions were left vacant or were filled with a

11 teacher not fully qualified in the prior academic year as  
12 reported to the department of elementary and secondary  
13 education.

14 2. The board of education of a school district may  
15 modify an indefinite contract annually on or before the  
16 fifteenth day of May in the following particulars:

17 (1) Determination of the date of beginning and length  
18 of the next school year;

19 (2) Fixing the amount of annual compensation for the  
20 following school year as provided by the salary schedule  
21 adopted by the board of education applicable to all  
22 teachers.

23 3. The board of education of a school district may  
24 include differentiated placement of teachers on the salary  
25 schedule to increase compensation in order to recruit and  
26 retain teachers in hard-to-staff subject areas or hard-to-  
27 staff schools. The board may annually review its hard-to-  
28 staff subject areas and hard-to-staff schools. No  
29 modifications to the identification of hard-to-staff subject  
30 areas or hard-to-staff schools, or both, for the purpose of  
31 placement on the salary schedule shall result in the  
32 demotion of a teacher in the salary schedule.

33 4. Any salary schedule that includes differentiated  
34 placement of teachers on the salary schedule under  
35 subsection 3 of this section for hard-to-staff subject areas  
36 or hard-to-staff schools, or both, shall be set prior to  
37 approval by such board of education.

38 5. The modifications shall be effective at the  
39 beginning of the next school year. All teachers affected by  
40 the modification shall be furnished written copies of the  
41 modifications within thirty days after their adoption by the  
42 board of education.

43           6. Each school district that includes differentiated  
44 placement of teachers on the district salary schedule shall  
45 annually provide to the department of elementary and  
46 secondary education a report containing the following  
47 information:

- 48           (1) The salary schedule adopted by the district;
- 49           (2) The number of positions filled by differentiated  
50 placement of teachers for hard-to-staff subject areas;
- 51           (3) The number of positions filled with differentiated  
52 placement of teachers for hard-to-staff schools;
- 53           (4) The number of steps and additional compensation  
54 that teachers with differentiated placement received for the  
55 school year; and
- 56           (5) Any other relevant information required by the  
57 department.

168.400. 1. Sections 168.400 to 168.415 shall be  
2 known and may be cited as the "Missouri Professional Teacher  
3 and Administrator Act". This section shall become effective  
4 September 1, 1988, and shall establish programs for the  
5 following public school personnel:

- 6           (1) The preservice teacher or student in training;
- 7           (2) The beginning teacher;
- 8           (3) The practicing teacher; and
- 9           (4) The administrator.

10           2. **[Preservice teacher programs established under this**  
11 **section shall include, but need not be limited to, the**  
12 **following provisions:**

- 13           **(1) A program of entry-level testing of all**  
14 **prospective teacher education students shall be established**  
15 **at all colleges and universities offering approved teacher**  
16 **education programs and, with the advice of the advisory**  
17 **council as provided in section 168.015, shall be**  
18 **administered by the commissioner of education, who shall**

19 cause the department of elementary and secondary education  
20 to develop or select such tests to establish abilities  
21 necessary to receive a satisfactory rating, and to establish  
22 procedures for the administering of the test;

23 (2) The entry-level tests developed under this  
24 subsection shall include, but need not be limited to, an  
25 examination of basic oral and written communication skills  
26 and of basic mathematics skills, and may include both oral  
27 and written examinations;

28 (3) Each prospective teacher education student shall  
29 be required to obtain a satisfactory rating prior to  
30 admission into the approved teacher education program;

31 (4)] The department of elementary and secondary  
32 education, with the advice of the advisory council as  
33 provided in section 168.015, shall establish and monitor  
34 exit requirements from approved teacher education programs  
35 which shall be met by all preservice teacher education  
36 students seeking certification in Missouri, and specific  
37 criteria for a preservice teacher assessment that all  
38 candidates for certification shall meet. The preservice  
39 teacher assessment established under this [subdivision]  
40 subsection shall include, but need not be limited to,  
41 classroom achievement, practice teaching evaluation and  
42 observation, successful participation in assessment centers,  
43 interviews, tests and other evaluation measures. The  
44 department of elementary and secondary education shall  
45 promulgate rules to allow all preservice teacher education  
46 students who have been employed for at least two years as  
47 teacher assistants to utilize their teacher assistant  
48 experience to bypass the practice teaching evaluation and  
49 observation process. These rules shall allow the certified  
50 teacher working with the teacher assistant to observe and  
51 evaluate the teacher assistant's practice teaching. No rule

52 or portion of a rule promulgated pursuant to the authority  
53 of this section shall become effective unless it has been  
54 promulgated pursuant to chapter 536. The preservice teacher  
55 assessment shall be reviewed by the certifying authority  
56 prior to issuance of a certificate. An unsatisfactory  
57 assessment shall result in the nonissuance of a  
58 certificate. Persons who are aggrieved by the nonissuance  
59 of a certificate may appeal such nonissuance in the manner  
60 provided in section 168.071. Any costs associated with [the  
61 entry-level tests or] the exit requirements established  
62 under this subsection shall be borne by each institution and  
63 costs defrayal included in the incidental fees charged to  
64 the student.

65 3. Each approved teacher education program shall  
66 require the faculty teaching preservice teacher education  
67 courses to further their professional development through  
68 direct personal involvement in the public schools in grades  
69 kindergarten through twelve on a periodic basis. As used in  
70 this subsection, the term "faculty" shall include, but need  
71 not be limited to, full- and part-time classroom  
72 instructors, and supervisors of practice teaching at  
73 institutions offering an approved teacher education program.

74 4. Beginning teacher assistance programs established  
75 under this section shall include, but need not be limited  
76 to, the following provisions:

77 (1) Such programs shall require each school district  
78 to provide a plan of professional development for the first  
79 two years of teaching for any teacher who does not have  
80 prior teaching experience. The professional development  
81 plan shall include assistance from a professional  
82 development committee, which is hereby established in each  
83 school district, which committee shall work with beginning  
84 teachers and experienced teachers in identifying

85 instructional concerns and remedies; serve as a confidential  
86 consultant upon a teacher's request; assess faculty needs  
87 and develop in-service opportunities for school staff; and  
88 present to the proper authority faculty suggestions, ideas  
89 and recommendations pertaining to classroom instruction  
90 within the school district. The members of each  
91 professional development committee shall be selected by the  
92 teachers employed by the school district in question. The  
93 professional development plan may include guidance from a  
94 district-designated faculty member employed at a grade level  
95 comparable to the instructional grade level of the beginning  
96 teacher, and such other forms of assistance which the school  
97 district may choose to offer. The professional development  
98 committee may apply to the state board of education for a  
99 grant, which shall be in addition to any state aid provided  
100 to the committee for activities identified in this  
101 subdivision. The grant thus awarded shall be used by the  
102 committee to provide in-service training to the teachers of  
103 the district on teaching children identified as at risk of  
104 failing in school as defined in section 167.273. The  
105 department of elementary and secondary education shall  
106 provide resource materials and assist the committee if such  
107 assistance is requested;

108 (2) Such programs shall include assistance from the  
109 teacher education program which provided the teacher's  
110 training if such training was provided in a Missouri college  
111 or university. Such assistance from the college or  
112 university may include retraining, internships, counseling,  
113 and in-service training.

114 5. The practicing teacher assistance programs  
115 established under this section shall include, but need not  
116 be limited to, programs of professional development and  
117 improvement as provided for experienced teachers by the

118 professional development committee established under  
119 subsection 4 of this section, and in-service opportunities  
120 as provided by the local school district for all practicing  
121 teachers.

122         6. (1) The administrator assistance programs  
123 established under this section shall include, but shall not  
124 be limited to, programs of professional development and  
125 improvement for superintendents, principals, assistant  
126 principals, and other school district personnel charged with  
127 administrative duties.

128         (2) Establishment of programs by local districts and  
129 organizations for the training of school board members are  
130 encouraged and recommended.

168.500. 1. For the purpose of providing career pay,  
2 which shall be a salary supplement, for public school  
3 teachers, which for the purpose of sections 168.500 to  
4 168.515 shall include classroom teachers, librarians, school  
5 counselors and certificated teachers who hold positions as  
6 school psychological examiners, parents as teachers  
7 educators, school psychologists, special education  
8 diagnosticians and speech pathologists, and are on the  
9 district salary schedule, there is hereby created and  
10 established a career advancement program which shall be  
11 known as the "Missouri Career Development and Teacher  
12 Excellence Plan", hereinafter known as the "career plan or  
13 program". Participation by local school districts in the  
14 career advancement program established under this section  
15 shall be voluntary. The career advancement program is a  
16 matching fund program. The general assembly may make an  
17 annual appropriation to the excellence in education fund  
18 established under section 160.268 for the purpose of  
19 providing the state's portion for the career advancement  
20 program. The "Career Ladder Forward Funding Fund" is hereby

21 established in the state treasury. Beginning with fiscal  
22 year 1998 and until the career ladder forward funding fund  
23 is terminated pursuant to this subsection, the general  
24 assembly may appropriate funds to the career ladder forward  
25 funding fund. Notwithstanding the provisions of section  
26 33.080 to the contrary, moneys in the fund shall not be  
27 transferred to the credit of the general revenue fund at the  
28 end of the biennium. All interest or other gain received  
29 from investment of moneys in the fund shall be credited to  
30 the fund. All funds deposited in the fund shall be  
31 maintained in the fund until such time as the balance in the  
32 fund at the end of the fiscal year is equal to or greater  
33 than the appropriation for the career ladder program for the  
34 following year, at which time all such revenues shall be  
35 used to fund, in advance, the career ladder program for such  
36 following year and the career ladder forward funding fund  
37 shall thereafter be terminated.

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

- 43 (1) Contain three steps or stages of career  
44 advancement;
- 45 (2) Contain a detailed procedure for the admission of  
46 teachers to the career program;
- 47 (3) Contain specific criteria for career step  
48 qualifications and attainment. These criteria shall clearly  
49 describe the minimum number of professional responsibilities  
50 required of the teacher at each stage of the plan and shall  
51 include reference to classroom performance evaluations  
52 performed pursuant to section 168.128. The criteria may

53 include, but shall not be limited to, teacher externships as  
54 provided in section 168.025;

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

59 (5) Provide that public school teachers in Missouri  
60 shall become eligible to apply for admission to the career  
61 plans adopted under sections 168.500 to 168.515 after two  
62 years of public school teaching in Missouri, except that  
63 such two-year requirement shall not apply to any member of  
64 the Armed Forces of the United States or such member's  
65 spouse who has teaching experience in another state and who  
66 has transferred to this state. All teachers seeking  
67 admission to any career plan shall, as a minimum, meet the  
68 requirements necessary to obtain the first renewable  
69 professional certificate as provided in section 168.021;

70 (6) Provide procedures for appealing decisions made  
71 under career plans established under sections 168.500 to  
72 168.515.

73 3. School district career plans shall recognize  
74 additional responsibilities and volunteer efforts by  
75 teachers in formulating criteria for career ladder admission  
76 and stage achievement. Such additional responsibilities and  
77 volunteer efforts [shall be required to occur outside of  
78 compensated hours and] outside of the duties that require a  
79 teaching certificate under section 168.021 may include, but  
80 shall not be limited to:

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

84 (2) Serving as a mentor for students or teachers,  
85 whether in a formal or informal capacity;

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

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

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

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

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

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

116           7. In order to receive funds under this section, a  
117 school district which is not subject to section 162.920 must  
118 have a total levy for operating purposes which is in excess

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

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

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

141 10. Nothing in this section shall be construed to  
142 prohibit a local school district from funding the program  
143 for its teachers for work performed in years for which no  
144 state appropriation is made available.

169.560. 1. Any person retired and currently  
2 receiving a retirement allowance pursuant to sections  
3 169.010 to 169.141[, other than for disability,] may be  
4 employed in any capacity for an employer included in the  
5 retirement system created by those sections on either a part-  
6 time or temporary-substitute basis not to exceed a total of  
7 five hundred fifty hours in any one school year, and through

8 such employment may earn up to fifty percent of the annual  
9 compensation payable under the employer's salary schedule  
10 for the position or positions filled by the retiree, given  
11 such person's level of experience and education, without a  
12 discontinuance of the person's retirement allowance. If the  
13 employer does not utilize a salary schedule, or if the  
14 position in question is not subject to the employer's salary  
15 schedule, a retiree employed in accordance with the  
16 provisions of this subsection may earn up to fifty percent  
17 of the annual compensation paid to the person or persons who  
18 last held such position or positions, or may earn up to  
19 fifty percent of the limit set for the position by the  
20 school board of the employer which has been submitted and  
21 approved by the board of trustees of the retirement system.  
22 If the position or positions did not previously exist, the  
23 compensation limit shall be determined in accordance with  
24 rules duly adopted by the board of trustees of the  
25 retirement system; provided that, it shall not exceed fifty  
26 percent of the annual compensation payable for the position  
27 by the employer that is most comparable to the position  
28 filled by the retiree. In any case where a retiree fills  
29 more than one position during the school year, the fifty-  
30 percent limit on permitted earning shall be based solely on  
31 the annual compensation of the highest paid position  
32 occupied by the retiree for at least one-fifth of the total  
33 hours worked during the year. Such a person shall not  
34 contribute to the retirement system or to the public  
35 education employee retirement system established by sections  
36 169.600 to 169.715 because of earnings during such period of  
37 employment. If such a person is employed in any capacity by  
38 such an employer in excess of the limitations set forth in  
39 this subsection, the person shall not be eligible to receive  
40 the person's retirement allowance for any month during which

41 the person is so employed or the retirement system shall  
42 recover the amount the person earned in excess of the  
43 limitations, whichever is less. In addition, such person  
44 shall contribute to the retirement system if the person  
45 satisfies the retirement system's membership eligibility  
46 requirements. In addition to the conditions set forth  
47 above, this subsection shall apply to any person retired and  
48 currently receiving a retirement allowance under sections  
49 169.010 to 169.141[, other than for disability,] who is  
50 employed by a third party or is performing work as an  
51 independent contractor, if such person is performing work  
52 for an employer included in the retirement system as a  
53 temporary or long-term substitute teacher or in any other  
54 position that would normally require that person to be duly  
55 certificated under the laws governing the certification of  
56 teachers in Missouri if such person was employed by the  
57 district. The retirement system may require the employer,  
58 the third-party employer, the independent contractor, and  
59 the retiree subject to this subsection to provide  
60 documentation showing compliance with this subsection. If  
61 such documentation is not provided, the retirement system  
62 may deem the retiree to have exceeded the limitations  
63 provided in this subsection.

64 2. Notwithstanding any other provision of this  
65 section, any person retired and currently receiving a  
66 retirement allowance in accordance with sections 169.010 to  
67 169.141[, other than for disability,] may be employed by an  
68 employer included in the retirement system created by those  
69 sections in a position that does not normally require a  
70 person employed in that position to be duly certificated  
71 under the laws governing the certification of teachers in  
72 Missouri, and through such employment may earn, beginning on  
73 August 28, 2023, and ending on June 30, 2028, up to one

74 hundred thirty-three percent of the annual earnings  
75 exemption amount applicable to a Social Security recipient  
76 before the calendar year of attainment of full retirement  
77 age under 20 CFR 404.430, and, after June 30, 2028, up to  
78 the annual earnings exemption amount applicable to a Social  
79 Security recipient before the calendar year of attainment of  
80 full retirement age under 20 CFR 404.430, without a  
81 discontinuance of the person's retirement allowance from the  
82 retirement system. The Social Security annual earnings  
83 exemption amount applied shall be the exemption amount in  
84 effect for the calendar year in which the school year  
85 begins. Such person shall not contribute to the retirement  
86 system or to the public education employee retirement system  
87 established by sections 169.600 to 169.715 because of  
88 earnings during such period of employment, and such person  
89 shall not earn membership service for such employment. The  
90 employer's contribution rate shall be paid by the hiring  
91 employer into the public education employee retirement  
92 system established by sections 169.600 to 169.715. If such  
93 a person is employed in any capacity by an employer in  
94 excess of the limitations set forth in this subsection, the  
95 person shall not be eligible to receive the person's  
96 retirement allowance for any month during which the person  
97 is so employed or the retirement system shall recover the  
98 amount the person earned in excess of the limitations,  
99 whichever is less. In addition, such person shall become a  
100 member of and contribute to any retirement system described  
101 in this subsection if the person satisfies the retirement  
102 system's membership eligibility requirements. The  
103 provisions of this subsection shall not apply to any person  
104 retired and currently receiving a retirement allowance in  
105 accordance with sections 169.010 to 169.141 employed by a

106 public community college or employer under subsection 4 of  
107 section 169.130.

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

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

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

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

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

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

28 4. (1) Beginning July 1, [2023] 2025, a public school  
29 or charter school that serves any pupils in grades seven to  
30 twelve and that issues pupil identification cards shall have  
31 printed on either side of the cards:

32           (a) The three-digit dialing code that directs calls  
33 and routes text messages to the Suicide and Crisis Lifeline,  
34 988; and

35           (b) The nonemergency telephone number of the local  
36 police department; and

37           (c) May have printed on either side of the cards:

38           a. The six-digit dialing code that routes text  
39 messages to the Crisis Text Line, 741741; and

40           b. The telephone number of a local suicide prevention  
41 hotline, if such hotline is available.

42           (2) If, on July 1, [2023] 2025, a public school or  
43 charter school subject to the requirements of this  
44 subsection has a supply of unissued pupil identification  
45 cards that do not comply with the requirements of  
46 subdivision (1) of this subsection, the school shall issue  
47 those cards until that supply is depleted.

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

171.028. 1. The school board of a school district  
2 that is located wholly or partially in a county with a  
3 charter form of government, or located wholly or partially  
4 in a city with more than thirty thousand inhabitants, may  
5 establish a four-day school week in lieu of a five-day  
6 school week for the 2026-2027 school year and all subsequent  
7 school years only as permitted pursuant to the provisions of  
8 this section. Nothing in this section shall be construed to  
9 apply to any district other than a school district that is  
10 located wholly or partially in a county with a charter form  
11 of government or a school district located wholly or  
12 partially in a city with more than thirty thousand  
13 inhabitants.



47 hundred forty-two school days, as the term "school days" is  
48 defined in section 160.041, and a minimum of one thousand  
49 forty-four hours of actual pupil attendance hours during a  
50 twelve-month period in which the academic instruction of  
51 pupils is actually and regularly carried on for a group of  
52 students in the public schools of any school district,  
53 pursuant to the provisions of section 171.031.

171.031. 1. Each school board shall prepare annually  
2 a calendar for the school term, specifying the opening date,  
3 days of planned attendance, and providing a minimum term of  
4 at least [one hundred seventy-four days for schools with a  
5 five-day school week or one hundred forty-two days for  
6 schools with a four-day school week, and] one thousand forty-  
7 four hours of actual pupil attendance[. In school year 2019-  
8 20 and subsequent years, one thousand forty-four hours of  
9 actual pupil attendance shall be required for the school  
10 term with no minimum number of school days], and, for a  
11 school district that is located wholly or partially in a  
12 county with a charter form of government or a school  
13 district that is located wholly or partially in a city with  
14 more than thirty thousand inhabitants, a minimum of one  
15 hundred and sixty-nine school days, unless the district has  
16 adopted a four-day school week as provided in section  
17 171.028, in which case the district school term shall have a  
18 minimum of one hundred forty-two school days. In addition,  
19 such calendar shall include six make-up days for possible  
20 loss of attendance due to inclement weather as defined in  
21 subsection 1 of section 171.033. In school year 2019-20 and  
22 subsequent years, such calendar shall include thirty-six  
23 make-up hours for possible loss of attendance due to  
24 inclement weather, as defined in subsection 1 of section  
25 171.033, with no minimum number of make-up days.

26           2. Each local school district may set its opening date  
27 each year, which date shall be no earlier than fourteen  
28 calendar days prior to the first Monday in September. No  
29 public school district shall select an earlier start date  
30 unless, for calendars for school years before school year  
31 2020-21, the district follows the procedure set forth in  
32 subsection 3 of this section. The procedure set forth in  
33 subsection 3 of this section shall be unavailable to school  
34 districts in preparing their calendars for school year 2020-  
35 21 and for subsequent years.

36           3. For calendars for school years before school year  
37 2020-21, a district may set an opening date that is more  
38 than fourteen calendar days prior to the first Monday in  
39 September only if the local school board first gives public  
40 notice of a public meeting to discuss the proposal of  
41 opening school on a date more than fourteen days prior to  
42 the first Monday in September, and the local school board  
43 holds said meeting and, at the same public meeting, a  
44 majority of the board votes to allow an earlier opening  
45 date. If all of the previous conditions are met, the  
46 district may set its opening date more than fourteen  
47 calendar days prior to the first Monday in September. The  
48 condition provided in this subsection must be satisfied by  
49 the local school board each year that the board proposes an  
50 opening date more than fourteen days before the first Monday  
51 in September.

52           4. If any local district violates the provisions of  
53 this section, the department of elementary and secondary  
54 education shall withhold an amount equal to one quarter of  
55 the state funding the district generated under section  
56 163.031 for each date the district was in violation of this  
57 section.

58           5. The provisions of subsections 2 to 4 of this  
59 section shall not apply to school districts in which school  
60 is in session for twelve months of each calendar year.

61           6. The state board of education may grant an exemption  
62 from this section to a school district that demonstrates  
63 highly unusual and extenuating circumstances justifying  
64 exemption from the provisions of subsections 2 to 4 of this  
65 section. Any exemption granted by the state board of  
66 education shall be valid for one academic year only.

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

4           2. (1) A district shall be required to make up the  
5 first six days of school lost or cancelled due to inclement  
6 weather and half the number of days lost or cancelled in  
7 excess of six days if the makeup of the days is necessary to  
8 ensure that the district's students will attend a minimum  
9 [of one hundred forty-two days and a minimum of one thousand  
10 forty-four hours for the school year] school term as  
11 provided in section 171.031 except as otherwise provided in  
12 this section. Schools with a four-day school week may  
13 schedule such make-up days on Fridays.

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

23           3. (1) In the 2009-10 school year and subsequent  
24 years, a school district may be exempt from the requirement

25 to make up days of school lost or cancelled due to inclement  
26 weather in the school district when the school district has  
27 made up the six days required under subsection 2 of this  
28 section and half the number of additional lost or cancelled  
29 days up to eight days, resulting in no more than ten total  
30 make-up days required by this section.

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

39 4. The commissioner of education may provide, for any  
40 school district that cannot meet the minimum school calendar  
41 requirement [of at least one hundred seventy-four days for  
42 schools with a five-day school week or one hundred forty-two  
43 days for schools with a four-day school week and one  
44 thousand forty-four hours of actual pupil attendance or, in  
45 school year 2019-20 and subsequent years, one thousand forty-  
46 four hours of actual pupil attendance,] as provided in  
47 section 171.031, upon request, a waiver to be excused from  
48 such requirement. This waiver shall be requested from the  
49 commissioner of education and may be granted if the school  
50 was closed due to circumstances beyond school district  
51 control, including inclement weather or fire.

52 5. (1) Except as otherwise provided in this  
53 subsection, in school year 2020-21 and subsequent years, a  
54 district shall not be required to make up any hours of  
55 school lost or cancelled due to exceptional or emergency  
56 circumstances during a school year if the district has an  
57 alternative methods of instruction plan approved by the

58 department of elementary and secondary education for such  
59 school year. Exceptional or emergency circumstances shall  
60 include, but not be limited to, inclement weather, a utility  
61 outage, or an outbreak of a contagious disease. The  
62 department of elementary and secondary education shall not  
63 approve any such plan unless the district demonstrates that  
64 the plan will not negatively impact teaching and learning in  
65 the district.

66 (2) If school is closed due to exceptional or  
67 emergency circumstances and the district has an approved  
68 alternative methods of instruction plan, the district shall  
69 notify students and parents on each day of the closure  
70 whether the alternative methods of instruction plan is to be  
71 implemented for that day. If the plan is to be implemented  
72 on any day of the closure, the district shall ensure that  
73 each student receives assignments for that day in hard copy  
74 form or receives instruction through virtual learning or  
75 another method of instruction.

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

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

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

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

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

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

107           (d) The assignments and materials to be used within  
108 the district for days in which alternative methods of  
109 instruction will be implemented to effectively facilitate  
110 teaching and support learning for the benefit of the  
111 students;

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

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

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

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

124           6. In the 2022-23 school year and subsequent years, a  
125 school district's one-half-day education programs shall be  
126 subject to the following provisions in proportions  
127 appropriate for a one-half-day education program, as  
128 applicable:

129           (1) Requirements in subsection 2 of this section to  
130 make up days or hours of school lost or cancelled because of  
131 inclement weather;

132           (2) Exemptions in subsection 3 of this section;

133           (3) Waiver provisions in subsection 4 of this section;  
134 and

135           (4) Approved alternative methods of instruction  
136 provisions in subsection 5 of this section.

173.232. 1. There is hereby established the "[Urban  
2 Flight and Rural Needs] Teacher Recruitment and Retention  
3 State Scholarship Program", which shall be administered by  
4 the department of elementary and secondary education. The  
5 program shall, upon appropriation, provide scholarships,  
6 subject to the eligibility criteria enumerated in this  
7 section, for eligible students who enter a teacher education  
8 program and make a commitment to teach as a condition of  
9 receiving such scholarship.

10           2. Subject to appropriation, each year the department  
11 of elementary and secondary education shall make available  
12 to eligible students [up to one hundred four-year urban  
13 flight and rural needs] scholarships for up to two years in  
14 an amount that encompasses up to one hundred percent of the  
15 total cost of eligible students' tuition [and fees] costs  
16 related to teacher preparation at a four-year college or  
17 university located in Missouri, except that no amount  
18 granted for tuition shall exceed the amount of tuition  
19 charged a Missouri resident at the University of Missouri-  
20 Columbia for attendance. Such amount shall be paid by funds

21 appropriated to the department. The maximum number of  
22 scholarships made available or the maximum amount awarded  
23 annually under this section shall be as follows:

24 (1) For academic years ending before July 1, 2025, two  
25 hundred scholarships or a maximum awarded amount of one  
26 million two hundred thousand dollars;

27 (2) For the 2025-26 academic year, four hundred  
28 scholarships or a maximum awarded amount of two million four  
29 hundred thousand dollars;

30 (3) For the 2026-27 academic year, four hundred forty  
31 scholarships or a maximum awarded amount of two million six  
32 hundred thousand dollars;

33 (4) For the 2027-28 academic year, four hundred eighty  
34 scholarships or a maximum awarded amount of two million  
35 eight hundred thousand dollars;

36 (5) For the 2028-29 academic year, five hundred twenty  
37 scholarships or a maximum awarded amount of three million  
38 dollars;

39 (6) For the 2029-30 academic year, five hundred sixty  
40 scholarships or a maximum awarded amount of three million  
41 two hundred thousand dollars; and

42 (7) For the 2030-31 academic year and all subsequent  
43 academic years, six hundred scholarships or a maximum  
44 awarded amount of three million four hundred thousand  
45 dollars.

46 3. As used in this section, the **[term]** following terms  
47 mean:

48 (1) "Eligible student" [shall mean], an individual who:

49 **[(1)]** (a) Is a United States citizen and a Missouri  
50 resident [who attended a Missouri high school];

51 **[(2)]** (b) Enters and makes a commitment to pursue a  
52 teacher education program approved by the department of

53 elementary and secondary education and offered by a four-  
54 year college or university located in Missouri;

55 [(3)] (c) Signs an agreement with the department of  
56 elementary and secondary education in which the recipient  
57 agrees to teach in a Missouri public school[, the population  
58 of which includes a higher-than-average "at-risk student  
59 population", as such term shall be defined by the department  
60 of elementary and secondary education,] that is a hard-to-  
61 staff school or to teach at least one hard-to-staff subject  
62 area in a Missouri public school that offers classes in hard-  
63 to-staff subject areas, or both, for two years for every one  
64 year the recipient received the [urban flight and rural  
65 needs] scholarship;

66 [(4) Has graduated from high school with a cumulative  
67 grade point average of at least two and one-half on a four-  
68 point scale or equivalent;

69 (5) (d) Maintains a cumulative grade point average of  
70 at least two and one-half on a four-point scale or  
71 equivalent; and

72 (e) For scholarships awarded for any academic year  
73 beginning after June 30, 2025, has made a good faith effort  
74 to first secure all available federal sources of grant  
75 funding that could be applied to the total cost of such  
76 student's eligible tuition and fees as described in  
77 subsection 2 of this section;

78 (2) "Hard-to-staff schools", attendance centers where  
79 the percentage of certificated positions in the attendance  
80 center that were left vacant or were filled with a teacher  
81 not fully qualified in the prior academic year exceeds ten  
82 percent as reported to the department of elementary and  
83 secondary education;

84 (3) "Hard-to-staff subject areas", content areas for  
85 which positions were left vacant or were filled with a

86 teacher not fully qualified in the prior academic year as  
87 reported to the department of elementary and secondary  
88 education.

89 4. If the number of applicants exceeds the number of  
90 scholarships or revenues available, the department of  
91 elementary and secondary education may consider the  
92 financial needs of the applicant.

93 5. The scholarships provided in this section shall be  
94 available to [otherwise] eligible students who [either] meet  
95 at least one of the following:

96 (1) [Are currently enrolled in a community college and  
97 make a commitment to pursue a teacher education program  
98 approved by the department of elementary and secondary  
99 education and offered by a four-year college or university  
100 located in Missouri; or] Have successfully completed two  
101 years at a community college with a minimum of forty-eight  
102 credit hours and a grade point average of at least two and  
103 one-half on a four-point scale or the equivalent;

104 (2) Have been awarded an associate degree or the  
105 equivalent;

106 (3) Have successfully completed five semesters at a  
107 four-year college or university with a minimum of sixty  
108 credit hours and a grade point average of at least two and  
109 one-half on a four-point scale or the equivalent; or

110 (4) Have completed their baccalaureate degree [and  
111 agree to enter a teacher education program and make a  
112 commitment to pursue a teacher education program approved by  
113 the department of elementary and secondary education and  
114 offered by a four-year college or university located in  
115 Missouri].

116 6. (1) Every eligible student receiving scholarships  
117 under this section shall teach in an elementary or secondary  
118 public school in Missouri as provided in paragraph (c) of

119 subdivision [(3)] (1) of subsection 3 of this section. The  
120 student shall teach for a period of two years for every one  
121 year [he or she] such student received [an urban flight and  
122 rural needs] a scholarship under this section; otherwise,  
123 the scholarship shall be treated as a loan to the eligible  
124 student[, and interest at the rate of nine and one-half  
125 percent per year]. Interest shall be charged on the unpaid  
126 balance of the amount received from the date the eligible  
127 student ceases to teach until the amount received is paid  
128 back to the state. The interest rate shall be adjusted  
129 annually and shall be equal to one percentage point over the  
130 prevailing United States prime rate in effect on January  
131 first of such year.

132 (2) In order to provide for the servicing of such  
133 loans, the department of elementary and secondary education  
134 may sell such loans to the higher education loan authority  
135 of the state of Missouri created pursuant to sections  
136 173.350 to 173.445. For each year the student teaches, up  
137 to eight years, one-eighth of the amount received pursuant  
138 to this section shall be applied against the total amount  
139 received and shall not be subject to the repayment  
140 requirement of this section; provided that twenty-five  
141 percent of such amount, not subject to repayment, shall be  
142 repaid by the local school district to the department.

143 (3) The department of elementary and secondary  
144 education shall have the power to and shall defer interest  
145 and principal payments under certain circumstances, which  
146 shall include, but need not be limited to, the enrollment in  
147 a graduate program or service in any branch of the Armed  
148 Forces of the United States.

149 7. There is hereby established in the state treasury a  
150 fund to be known as the "[Urban Flight and Rural Needs]  
151 Teacher Recruitment and Retention State Scholarship Program

152 Fund", which shall consist of all moneys that may be  
153 appropriated to it by the general assembly, and in addition  
154 may include any gifts, contributions, grants, or bequests  
155 received from federal, state, private, or other sources.  
156 The fund shall be administered by the department of  
157 elementary and secondary education. Notwithstanding the  
158 provisions of section 33.080 to the contrary, moneys in the  
159 fund shall not be transferred to the credit of the general  
160 revenue fund at the end of the biennium. Interest and  
161 moneys earned on the fund shall be credited to the fund.  
162 Moneys in the fund shall be used solely for the purpose of  
163 awarding scholarships under the provisions of this section.

164 8. An individual who has qualified as an eligible  
165 student under this section shall continue to qualify as an  
166 eligible student for purposes of paragraph (c) of  
167 subdivision (1) of subsection 3 of this section as long as  
168 such individual remains employed by the school district in  
169 which such individual agrees to teach regardless of whether  
170 such individual's employing school no longer qualifies as a  
171 hard-to-staff school, such class taught by such individual  
172 no longer qualifies as a hard-to-staff subject area, or such  
173 individual's position within the school district changes.

210.167. If an investigation conducted by the  
2 children's division under section 210.145 reveals that the  
3 only basis for action involves a question of an alleged  
4 violation of section 167.031, then the local office of the  
5 division shall send the report to the school district in  
6 which the child resides. The school district shall  
7 immediately refer all private, parochial, parish [or], home  
8 school, or FPE school matters to the prosecuting attorney of  
9 the county wherein the child legally resides. The school  
10 district may refer public school violations of section  
11 167.031 to the prosecuting attorney.

210.211. 1. It shall be unlawful for any person to  
2 establish, maintain or operate a child-care facility for  
3 children, or to advertise or hold himself or herself out as  
4 being able to perform any of the services as defined in  
5 section 210.201, without having in effect a written license  
6 granted by the department of elementary and secondary  
7 education; except that nothing in sections 210.203 to  
8 210.245 shall apply to:

9 (1) Any person who is caring for six or fewer  
10 children, including a maximum of three children under the  
11 age of two, at the same physical address. For purposes of  
12 this subdivision, children who live in the caregiver's home  
13 and who are eligible for enrollment in a public  
14 kindergarten, elementary, or high school shall not be  
15 considered in the total number of children being cared for;

16 (2) Any person who receives free of charge, and not as  
17 a business, for periods not exceeding ninety consecutive  
18 days, as bona fide, occasional and personal guests the child  
19 or children of personal friends of such person, and who  
20 receives custody of no other unrelated child or children;

21 (3) Any graded boarding school that is conducted in  
22 good faith primarily to provide education;

23 (4) Any summer or day camp that is conducted in good  
24 faith primarily to provide recreation;

25 (5) Any hospital, sanitarium, or home that is  
26 conducted in good faith primarily to provide medical  
27 treatment or nursing or convalescent care for children;

28 (6) Any residential facility or day program licensed  
29 by the department of mental health under sections 630.705 to  
30 630.760 that provides care, treatment, and habilitation  
31 exclusively to children who have a primary diagnosis of  
32 mental disorder, mental illness, intellectual disability, or

33 developmental disability, as those terms are defined in  
34 section 630.005;

35 (7) Any school system as defined in section 210.201;

36 (8) Any Montessori school as defined in section  
37 210.201;

38 (9) Any business that operates a child care program  
39 for the convenience of its customers or its employees if the  
40 following conditions are met:

41 (a) The business provides child care for customers' or  
42 employees' children for no more than four hours per day; and

43 (b) Customers or employees remain on site while their  
44 children are being cared for by the business establishment;

45 (10) Any home school [as defined in section 167.031];

46 (11) Any religious organization academic preschool or  
47 kindergarten for four- and five-year-old children;

48 (12) Any weekly Sunday or Sabbath school, a vacation  
49 bible school, or child care made available while the parents  
50 or guardians are attending worship services or other  
51 meetings and activities conducted or sponsored by a  
52 religious organization;

53 (13) Any neighborhood youth development program under  
54 section 210.278;

55 (14) Any religious organization elementary or  
56 secondary school;

57 (15) Any private organization elementary or secondary  
58 school system providing child care to children younger than  
59 school age. If a facility or program is exempt from  
60 licensure based upon this exception, such facility or  
61 program shall submit documentation annually to the  
62 department to verify its licensure-exempt status;

63 (16) Any nursery school as defined in section 210.201;

64 [and]

65           (17) Any child care facility maintained or operated  
66 under the exclusive control of a religious organization. If  
67 a nonreligious organization having as its principal purpose  
68 the provision of child care services enters into an  
69 arrangement with a religious organization for the  
70 maintenance or operation of a child care facility, the  
71 facility is not under the exclusive control of the religious  
72 organization; and

73           (18) Any FPE school.

74           2. Notwithstanding the provisions of subsection 1 of  
75 this section, no child-care facility shall be exempt from  
76 licensure if such facility receives any state or federal  
77 funds for providing care for children, except for federal  
78 funds for those programs which meet the requirements for  
79 participation in the Child and Adult Care Food Program  
80 pursuant to 42 U.S.C. Section 1766. Grants to parents for  
81 child care pursuant to sections 210.201 to 210.257 shall not  
82 be construed to be funds received by a person or facility  
83 listed in [subdivisions (1) and (17) of] subsection 1 of  
84 this section.

85           3. Every child care facility shall disclose the  
86 licensure status of the facility to the parents or guardians  
87 of children for which the facility provides care. No child  
88 care facility exempt from licensure shall represent to any  
89 parent or guardian of children for which the facility  
90 provides care that the facility is licensed when such  
91 facility is in fact not licensed. A parent or guardian  
92 utilizing an unlicensed child care facility shall sign a  
93 written notice indicating he or she is aware of the  
94 unlicensed status of the facility. The facility shall keep  
95 a copy of this signed written notice on file. All child  
96 care facilities shall provide the parent or guardian  
97 enrolling a child in the facility with a written explanation

98 of the disciplinary philosophy and policies of the child  
99 care facility.

100 4. Up to two children who are five years of age or  
101 older and who are related within the third degree of  
102 consanguinity or affinity to, adopted by, or under court  
103 appointed guardianship or legal custody of a child care  
104 provider who is responsible for the daily operation of a  
105 licensed family child care home that is organized as a  
106 corporation, association, firm, partnership, limited  
107 liability company, sole proprietorship, or any other type of  
108 business entity in this state shall not be included in the  
109 number of children counted toward the maximum number of  
110 children for which the family child care home is licensed  
111 under section 210.221. If more than one member of the  
112 corporation, association, firm, partnership, limited  
113 liability company, or other business entity is responsible  
114 for the daily operation of the licensed family child care  
115 home, then the related children of only one such member  
116 shall be excluded. A family child care home caring for  
117 children not counted in the maximum number of children, as  
118 permitted under this subsection, shall disclose this to  
119 parents or guardians on the written notice required under  
120 subsection 3 of this section. If a family child care home  
121 begins caring for children not counted in the maximum number  
122 of children after a parent or guardian has signed the  
123 written notice required under subsection 3 of this section,  
124 the family child care home shall provide a separate notice  
125 to the parent or guardian that the family child care home is  
126 caring for children not counted in the maximum number of  
127 children for which the family child care home is licensed  
128 and shall keep a copy of the signed notice on file.

129 5. Nothing in this section shall prevent the  
130 department from enforcing licensing regulations promulgated

131 under this chapter, including, but not limited to,  
132 supervision requirements and capacity limitations based on  
133 the amount of child care space available.

211.031. 1. Except as otherwise provided in this  
2 chapter, the juvenile court or the family court in circuits  
3 that have a family court as provided in chapter 487 shall  
4 have exclusive original jurisdiction in proceedings:

5 (1) Involving any child who may be a resident of or  
6 found within the county and who is alleged to be in need of  
7 care and treatment because:

8 (a) The parents, or other persons legally responsible  
9 for the care and support of the child, neglect or refuse to  
10 provide proper support, education which is required by law,  
11 medical, surgical or other care necessary for his or her  
12 well-being; except that reliance by a parent, guardian or  
13 custodian upon remedial treatment other than medical or  
14 surgical treatment for a child shall not be construed as  
15 neglect when the treatment is recognized or permitted  
16 pursuant to the laws of this state;

17 (b) The child is otherwise without proper care,  
18 custody or support;

19 (c) The child was living in a room, building or other  
20 structure at the time such dwelling was found by a court of  
21 competent jurisdiction to be a public nuisance pursuant to  
22 section 195.130; or

23 (d) The child is in need of mental health services and  
24 the parent, guardian or custodian is unable to afford or  
25 access appropriate mental health treatment or care for the  
26 child;

27 (2) Involving any child who may be a resident of or  
28 found within the county and who is alleged to be in need of  
29 care and treatment because:

30 (a) The child while subject to compulsory school  
31 attendance is repeatedly and without justification absent  
32 from school;

33 (b) The child disobeys the reasonable and lawful  
34 directions of his or her parents or other custodian and is  
35 beyond their control;

36 (c) The child is habitually absent from his or her  
37 home without sufficient cause, permission, or justification;

38 (d) The behavior or associations of the child are  
39 otherwise injurious to his or her welfare or to the welfare  
40 of others; or

41 (e) The child is charged with an offense not  
42 classified as criminal, or with an offense applicable only  
43 to children; except that, the juvenile court shall not have  
44 jurisdiction over any child fifteen years of age who is  
45 alleged to have violated a state or municipal traffic  
46 ordinance or regulation, the violation of which does not  
47 constitute a felony, or any child who is alleged to have  
48 violated a state or municipal ordinance or regulation  
49 prohibiting possession or use of any tobacco product;

50 (3) Involving any child who is alleged to have  
51 violated a state law or municipal ordinance, or any person  
52 who is alleged to have violated a state law or municipal  
53 ordinance prior to attaining the age of eighteen years, in  
54 which cases jurisdiction may be taken by the court of the  
55 circuit in which the child or person resides or may be found  
56 or in which the violation is alleged to have occurred;  
57 except that, the juvenile court shall not have jurisdiction  
58 over any child fifteen years of age who is alleged to have  
59 violated a state or municipal traffic ordinance or  
60 regulation, the violation of which does not constitute a  
61 felony, and except that the juvenile court shall have  
62 concurrent jurisdiction with the municipal court over any

63 child who is alleged to have violated a municipal curfew  
64 ordinance, and except that the juvenile court shall have  
65 concurrent jurisdiction with the circuit court on any child  
66 who is alleged to have violated a state or municipal  
67 ordinance or regulation prohibiting possession or use of any  
68 tobacco product;

69 (4) For the adoption of a person;

70 (5) For the commitment of a child to the guardianship  
71 of the department of social services as provided by law;

72 (6) Involving an order of protection pursuant to  
73 chapter 455 when the respondent is less than eighteen years  
74 of age; and

75 (7) Involving a child who has been a victim of sex  
76 trafficking or sexual exploitation.

77 2. Transfer of a matter, proceeding, jurisdiction or  
78 supervision for a child who resides in a county of this  
79 state shall be made as follows:

80 (1) Prior to the filing of a petition and upon request  
81 of any party or at the discretion of the juvenile officer,  
82 the matter in the interest of a child may be transferred by  
83 the juvenile officer, with the prior consent of the juvenile  
84 officer of the receiving court, to the county of the child's  
85 residence or the residence of the person eighteen years of  
86 age for future action;

87 (2) Upon the motion of any party or on its own motion  
88 prior to final disposition on the pending matter, the court  
89 in which a proceeding is commenced may transfer the  
90 proceeding of a child to the court located in the county of  
91 the child's residence, or the county in which the offense  
92 pursuant to subdivision (3) of subsection 1 of this section  
93 is alleged to have occurred for further action;

94 (3) Upon motion of any party or on its own motion, the  
95 court in which jurisdiction has been taken pursuant to

96 subsection 1 of this section may at any time thereafter  
97 transfer jurisdiction of a child to the court located in the  
98 county of the child's residence for further action with the  
99 prior consent of the receiving court;

100 (4) Upon motion of any party or upon its own motion at  
101 any time following a judgment of disposition or treatment  
102 pursuant to section 211.181, the court having jurisdiction  
103 of the cause may place the child under the supervision of  
104 another juvenile court within or without the state pursuant  
105 to section 210.570 with the consent of the receiving court;

106 (5) Upon motion of any child or his or her parent, the  
107 court having jurisdiction shall grant one change of judge  
108 pursuant to Missouri supreme court rules;

109 (6) Upon the transfer of any matter, proceeding,  
110 jurisdiction or supervision of a child, certified copies of  
111 all legal and social documents and records pertaining to the  
112 case on file with the clerk of the transferring juvenile  
113 court shall accompany the transfer.

114 3. In any proceeding involving any child taken into  
115 custody in a county other than the county of the child's  
116 residence, the juvenile court of the county of the child's  
117 residence shall be notified of such taking into custody  
118 within seventy-two hours.

119 4. When an investigation by a juvenile officer  
120 pursuant to this section reveals that the only basis for  
121 action involves an alleged violation of section 167.031  
122 involving a child who alleges to be [home schooled]  
123 receiving instruction at a home school or an FPE school, the  
124 juvenile officer shall contact a parent or parents of such  
125 child to verify that the child is [being home schooled]  
126 receiving instruction at such school and not in violation of  
127 section 167.031 before making a report of such a violation.  
128 Any report of a violation of section 167.031 made by a

129 juvenile officer regarding a child who is [being home  
130 schooled] receiving instruction at a home school or an FPE  
131 school shall be made to the prosecuting attorney of the  
132 county where the child legally resides.

133 5. The disability or disease of a parent shall not  
134 constitute a basis for a determination that a child is a  
135 child in need of care or for the removal of custody of a  
136 child from the parent without a specific showing that there  
137 is a causal relation between the disability or disease and  
138 harm to the child.

452.375. 1. As used in this chapter, unless the  
2 context clearly indicates otherwise:

3 (1) "Custody" means joint legal custody, sole legal  
4 custody, joint physical custody or sole physical custody or  
5 any combination thereof;

6 (2) "Joint legal custody" means that the parents share  
7 the decision-making rights, responsibilities, and authority  
8 relating to the health, education and welfare of the child,  
9 and, unless allocated, apportioned, or decreed, the parents  
10 shall confer with one another in the exercise of decision-  
11 making rights, responsibilities, and authority;

12 (3) "Joint physical custody" means an order awarding  
13 each of the parents significant, but not necessarily equal,  
14 periods of time during which a child resides with or is  
15 under the care and supervision of each of the parents.  
16 Joint physical custody shall be shared by the parents in  
17 such a way as to assure the child of frequent, continuing  
18 and meaningful contact with both parents;

19 (4) "Third-party custody" means a third party  
20 designated as a legal and physical custodian pursuant to  
21 subdivision (5) of subsection 5 of this section.

22 2. The court shall determine custody in accordance  
23 with the best interests of the child. There shall be a

24 rebuttable presumption that an award of equal or  
25 approximately equal parenting time to each parent is in the  
26 best interests of the child. Such presumption is rebuttable  
27 only by a preponderance of the evidence in accordance with  
28 all relevant factors, including, but not limited to, the  
29 factors contained in subdivisions (1) to (8) of this  
30 subsection. The presumption may be rebutted if the court  
31 finds that the parents have reached an agreement on all  
32 issues related to custody, or if the court finds that a  
33 pattern of domestic violence has occurred as set out in  
34 subdivision (6) of this subsection. When the parties have  
35 not reached an agreement on all issues related to custody,  
36 the court shall consider all relevant factors and enter  
37 written findings of fact and conclusions of law, including,  
38 but not limited to, the following:

39 (1) The wishes of the child's parents as to custody  
40 and the proposed parenting plan submitted by both parties;

41 (2) The needs of the child for a frequent, continuing  
42 and meaningful relationship with both parents and the  
43 ability and willingness of parents to actively perform their  
44 functions as mother and father for the needs of the child;

45 (3) The interaction and interrelationship of the child  
46 with parents, siblings, and any other person who may  
47 significantly affect the child's best interests;

48 (4) Which parent is more likely to allow the child  
49 frequent, continuing and meaningful contact with the other  
50 parent;

51 (5) The child's adjustment to the child's home,  
52 school, and community. The fact that a parent sends his or  
53 her child or children to a home school[, as defined in  
54 section 167.031,] or FPE school shall not be the sole factor  
55 that a court considers in determining custody of such child  
56 or children;

57           (6) The mental and physical health of all individuals  
58 involved, including any history of abuse of any individuals  
59 involved. If the court finds that a pattern of domestic  
60 violence as defined in section 455.010 has occurred, and, if  
61 the court also finds that awarding custody to the abusive  
62 parent is in the best interest of the child, then the court  
63 shall enter written findings of fact and conclusions of  
64 law. Custody and visitation rights shall be ordered in a  
65 manner that best protects the child and any other child or  
66 children for whom the parent has custodial or visitation  
67 rights, and the parent or other family or household member  
68 who is the victim of domestic violence from any further harm;

69           (7) The intention of either parent to relocate the  
70 principal residence of the child; and

71           (8) The unobstructed input of a child, free of  
72 coercion and manipulation, as to the child's custodial  
73 arrangement.

74           3. (1) In any court proceedings relating to custody  
75 of a child, the court shall not award custody or  
76 unsupervised visitation of a child to a parent if such  
77 parent or any person residing with such parent has been  
78 found guilty of, or pled guilty to, any of the following  
79 offenses when a child was the victim:

80           (a) A felony violation of section 566.030, 566.031,  
81 566.032, 566.060, 566.061, 566.062, 566.064, 566.067,  
82 566.068, 566.083, 566.100, 566.101, 566.111, 566.151,  
83 566.203, 566.206, 566.209, 566.211, or 566.215;

84           (b) A violation of section 568.020;

85           (c) A violation of subdivision (2) of subsection 1 of  
86 section 568.060;

87           (d) A violation of section 568.065;

88           (e) A violation of section 573.200;

89           (f) A violation of section 573.205; or

90 (g) A violation of section 568.175.

91 (2) For all other violations of offenses in chapters  
92 566 and 568 not specifically listed in subdivision (1) of  
93 this subsection or for a violation of an offense committed  
94 in another state when a child is the victim that would be a  
95 violation of chapter 566 or 568 if committed in Missouri,  
96 the court may exercise its discretion in awarding custody or  
97 visitation of a child to a parent if such parent or any  
98 person residing with such parent has been found guilty of,  
99 or pled guilty to, any such offense.

100 4. The general assembly finds and declares that it is  
101 the public policy of this state that frequent, continuing  
102 and meaningful contact with both parents after the parents  
103 have separated or dissolved their marriage is in the best  
104 interest of the child, except for cases where the court  
105 specifically finds that such contact is not in the best  
106 interest of the child, and that it is the public policy of  
107 this state to encourage parents to participate in decisions  
108 affecting the health, education and welfare of their  
109 children, and to resolve disputes involving their children  
110 amicably through alternative dispute resolution. In order  
111 to effectuate these policies, the general assembly  
112 encourages the court to enter a temporary parenting plan as  
113 early as practicable in a proceeding under this chapter,  
114 consistent with the provisions of subsection 2 of this  
115 section, and, in so doing, the court shall determine the  
116 custody arrangement which will best assure both parents  
117 participate in such decisions and have frequent, continuing  
118 and meaningful contact with their children so long as it is  
119 in the best interests of the child.

120 5. Prior to awarding the appropriate custody  
121 arrangement in the best interest of the child, the court  
122 shall consider each of the following as follows:

123           (1) Joint physical and joint legal custody to both  
124 parents, which shall not be denied solely for the reason  
125 that one parent opposes a joint physical and joint legal  
126 custody award. The residence of one of the parents shall be  
127 designated as the address of the child for mailing and  
128 educational purposes;

129           (2) Joint physical custody with one party granted sole  
130 legal custody. The residence of one of the parents shall be  
131 designated as the address of the child for mailing and  
132 educational purposes;

133           (3) Joint legal custody with one party granted sole  
134 physical custody;

135           (4) Sole custody to either parent; or

136           (5) Third-party custody or visitation:

137           (a) When the court finds that each parent is unfit,  
138 unsuitable, or unable to be a custodian, or the welfare of  
139 the child requires, and it is in the best interests of the  
140 child, then custody, temporary custody or visitation may be  
141 awarded to a person related by consanguinity or affinity to  
142 the child. If no person related to the child by  
143 consanguinity or affinity is willing to accept custody, then  
144 the court may award custody to any other person or persons  
145 deemed by the court to be suitable and able to provide an  
146 adequate and stable environment for the child. Before the  
147 court awards custody, temporary custody or visitation to a  
148 third person under this subdivision, the court shall make  
149 that person a party to the action;

150           (b) Under the provisions of this subsection, any  
151 person may petition the court to intervene as a party in  
152 interest at any time as provided by supreme court rule.

153           6. If the parties have not agreed to a custodial  
154 arrangement, or the court determines such arrangement is not  
155 in the best interest of the child, the court shall include a

156 written finding in the judgment or order based on the public  
157 policy in subsection 4 of this section and each of the  
158 factors listed in subdivisions (1) to (8) of subsection 2 of  
159 this section detailing the specific relevant factors that  
160 made a particular arrangement in the best interest of the  
161 child. If a proposed custodial arrangement is rejected by  
162 the court, the court shall include a written finding in the  
163 judgment or order detailing the specific relevant factors  
164 resulting in the rejection of such arrangement.

165         7. Upon a finding by the court that either parent has  
166 refused to exchange information with the other parent, which  
167 shall include but not be limited to information concerning  
168 the health, education and welfare of the child, the court  
169 shall order the parent to comply immediately and to pay the  
170 prevailing party a sum equal to the prevailing party's cost  
171 associated with obtaining the requested information, which  
172 shall include but not be limited to reasonable attorney's  
173 fees and court costs.

174         8. As between the parents of a child, no preference  
175 may be given to either parent in the awarding of custody  
176 because of that parent's age, sex, or financial status, nor  
177 because of the age or sex of the child. The court shall not  
178 presume that a parent, solely because of his or her sex, is  
179 more qualified than the other parent to act as a joint or  
180 sole legal or physical custodian for the child.

181         9. Any judgment providing for custody shall include a  
182 specific written parenting plan setting forth the terms of  
183 such parenting plan arrangements specified in subsection 8  
184 of section 452.310. Such plan may be a parenting plan  
185 submitted by the parties pursuant to section 452.310 or, in  
186 the absence thereof, a plan determined by the court, but in  
187 all cases, the custody plan approved and ordered by the

188 court shall be in the court's discretion and shall be in the  
189 best interest of the child.

190 10. After August 28, 2016, every court order  
191 establishing or modifying custody or visitation shall  
192 include the following language: "In the event of  
193 noncompliance with this order, the aggrieved party may file  
194 a verified motion for contempt. If custody, visitation, or  
195 third-party custody is denied or interfered with by a parent  
196 or third party without good cause, the aggrieved person may  
197 file a family access motion with the court stating the  
198 specific facts that constitute a violation of the custody  
199 provisions of the judgment of dissolution, legal separation,  
200 or judgment of paternity. The circuit clerk will provide  
201 the aggrieved party with an explanation of the procedures  
202 for filing a family access motion and a simple form for use  
203 in filing the family access motion. A family access motion  
204 does not require the assistance of legal counsel to prepare  
205 and file."

206 11. No court shall adopt any local rule, form, or  
207 practice requiring a standardized or default parenting plan  
208 for interim, temporary, or permanent orders or judgments.  
209 Notwithstanding any other provision of law to the contrary,  
210 a court may enter an interim order in a proceeding under  
211 this chapter, provided that the interim order shall not  
212 contain any provisions about child custody or a parenting  
213 schedule or plan without first providing the parties with  
214 notice and a hearing, unless the parties otherwise agree.

215 12. Unless a parent has been denied custody rights  
216 pursuant to this section or visitation rights under section  
217 452.400, both parents shall have access to records and  
218 information pertaining to a minor child including, but not  
219 limited to, medical, dental, and school records. If the  
220 parent without custody has been granted restricted or

221 supervised visitation because the court has found that the  
222 parent with custody or any child has been the victim of  
223 domestic violence, as defined in section 455.010, by the  
224 parent without custody, the court may order that the reports  
225 and records made available pursuant to this subsection not  
226 include the address of the parent with custody or the  
227 child. A court shall order that the reports and records  
228 made available under this subsection not include the address  
229 of the parent with custody if the parent with custody is a  
230 participant in the address confidentiality program under  
231 section 589.663. Unless a parent has been denied custody  
232 rights pursuant to this section or visitation rights under  
233 section 452.400, any judgment of dissolution or other  
234 applicable court order shall specifically allow both parents  
235 access to such records and reports.

236 13. Except as otherwise precluded by state or federal  
237 law, if any individual, professional, public or private  
238 institution or organization denies access or fails to  
239 provide or disclose any and all records and information,  
240 including, but not limited to, past and present dental,  
241 medical and school records pertaining to a minor child, to  
242 either parent upon the written request of such parent, the  
243 court shall, upon its finding that the individual,  
244 professional, public or private institution or organization  
245 denied such request without good cause, order that party to  
246 comply immediately with such request and to pay to the  
247 prevailing party all costs incurred, including, but not  
248 limited to, attorney's fees and court costs associated with  
249 obtaining the requested information.

250 14. An award of joint custody does not preclude an  
251 award of child support pursuant to section 452.340 and  
252 applicable supreme court rules. The court shall consider  
253 the factors contained in section 452.340 and applicable

254 supreme court rules in determining an amount reasonable or  
255 necessary for the support of the child.

256 15. If the court finds that domestic violence or abuse  
257 as defined in section 455.010 has occurred, the court shall  
258 make specific findings of fact to show that the custody or  
259 visitation arrangement ordered by the court best protects  
260 the child and the parent or other family or household member  
261 who is the victim of domestic violence, as defined in  
262 section 455.010, and any other children for whom such parent  
263 has custodial or visitation rights from any further harm.

Section 1. 1. Notwithstanding any provision of law to  
2 the contrary, in addition to all funds distributed to school  
3 districts pursuant to the provisions of section 163.031, the  
4 department of elementary and secondary education shall,  
5 after rendering all calculations required pursuant to the  
6 provisions of such section, remit an amount equal to one  
7 percent for fiscal years 2026 and 2027, or two percent for  
8 fiscal year 2028 and all subsequent fiscal years, of each  
9 district's preceding year's annual state aid entitlement as  
10 calculated in June in accordance with the provisions of such  
11 section for any district with a preceding year school term  
12 that provided for one hundred and sixty-nine school days or  
13 more. For districts in which one or more charter schools  
14 operate, and for all charter schools located therein, the  
15 department shall, after rendering all calculations required  
16 pursuant to the provisions of section 163.031 and section  
17 160.415, remit an amount equal to one percent for fiscal  
18 years 2026 and 2027, or two percent for fiscal year 2028 and  
19 all subsequent fiscal years, of each district's and charter  
20 school's preceding year's annual state aid entitlement as  
21 calculated in June, prior to any required adjustment  
22 pursuant to subsections 4 and 15 of Section 160.415, for any  
23 district or charter school with a preceding year school term

24 that provided for one hundred and sixty-nine school days or  
25 more.

26 2. Any funds received as provided in this section  
27 shall be used by school districts and charter schools  
28 exclusively to increase teacher salaries. Any school  
29 district or charter school that receives funds as provided  
30 in this section but fails to utilize such funds solely to  
31 increase teacher salaries shall have an amount equal to the  
32 amount of such funds received withheld from such district's  
33 or charter school's state aid payments pursuant to the  
34 provisions of section 163.031 or 160.415.

2 [167.071. 1. In school districts having  
3 seven or more directors the school board may  
4 appoint and remove at pleasure one or more  
5 school attendance officers and shall pay them  
6 from the public school funds.

7 2. Each attendance officer has the powers  
8 of a deputy sheriff in the performance of his  
9 duties. He shall investigate the claims of  
10 children for exemptions under section 167.031,  
11 and report his findings to the person authorized  
12 by that section to grant the exemption sought.  
13 He shall refer all cases involving an alleged  
14 violation of section 167.031 involving a public  
15 school to the superintendent of the public  
16 school of the district where the child legally  
17 resides and all cases involving an alleged  
18 violation of section 167.031 involving a  
19 private, parochial, parish or home school to the  
20 prosecuting attorney of the county wherein the  
21 child legally resides. When reasonable doubt  
22 exists as to the age of any such child he may  
23 require a properly attested birth certificate or  
24 an affidavit stating the child's age, date of  
25 birth, physical characteristics and bearing the  
26 signature of the child. He may visit and enter  
27 any mine, office, factory, workshop, business  
28 house, place of amusement, or other place in  
29 which children are employed or engaged in any  
30 kind of service, or any place or building in  
which children loiter or idle during school

31 hours; may require a properly attested  
32 certificate of the attendance of any child at  
33 school; may arrest, without warrant, any truant,  
34 or nonattendants or other juvenile disorderly  
35 persons, and place them in some school or take  
36 them to their homes, or take them to any place  
37 of detention provided for neglected children in  
38 the county or school district. He shall serve  
39 in the cases which he prosecutes without  
40 additional fee or compensation. Each attendance  
41 officer appointed by a school board shall carry  
42 into effect the regulations lawfully prescribed  
43 by the board by which he was appointed.

44 3. In any urban school district, any  
45 metropolitan school district and in school  
46 districts having seven or more directors and  
47 which are located in a first class county having  
48 a charter form of government, any duly  
49 commissioned city or county police officer shall  
50 be ex officio school attendance officers. Any  
51 police officer exercising duties of ex officio  
52 school attendance officer need not refer any  
53 child apprehended pursuant to the provisions of  
54 this section to juvenile court or a juvenile  
55 officer, but nothing in this subsection shall be  
56 construed to limit the police officer's regular  
57 powers and duties as a peace officer.]

Section B. The repeal and reenactment of sections  
2 160.011, 160.041, 163.021, 171.031, and 171.033 of this act  
3 shall become effective July 1, 2026.