SECOND REGULAR SESSION

SENATE BILL NO. 902

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHROER.

AN ACT


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


135.714. 1. Each educational assistance organization shall:

(1) Notify the state treasurer of its intent to provide scholarship accounts to qualified students;
(2) Demonstrate to the state treasurer that it 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;

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.
(4) Ensure that grants are distributed to scholarship accounts of qualified students in the following order:

   (a) 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) All other qualified students;

(5) Ensure that:

   (a) One hundred percent of its revenues from interest or investments is spent on scholarship accounts;

   (b) At least ninety percent of its revenues from qualifying contributions is spent on scholarship accounts; and

   (c) Marketing and administrative expenses do not exceed the following limits of its remaining revenue from contributions:

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

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

      c. Three percent thereafter;

(6) Distribute scholarship account payments either four times per year or in a single lump sum at the beginning of the year as requested by the parent of a qualified
student, not to exceed a total grant amount equal to \[\text{the state adequacy target as defined in section 163.011}\] ninety percent of the previous year's statewide average per-pupil funding allocated to school districts pursuant to the provisions of chapter 163 and calculated by the department of elementary and secondary education, in the form of a deposit into the scholarship account of the qualified student;

(7) Provide the state treasurer, upon request, with criminal background checks on all its employees and board members and exclude from employment or governance any individual who might reasonably pose a risk to the appropriate use of contributed funds;

(8) Demonstrate its financial accountability by:

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

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

(9) Ensure that participating students who are not required to participate in statewide assessments pursuant to the provisions of section 160.518 are given the opportunity to choose to take the state achievement tests or nationally norm-referenced tests that measure learning gains in math and English language arts, and provide for value-added assessment, in grades that require testing under the statewide assessment system set forth in section 160.518;

(10) Allow costs of the testing requirements to be covered by the scholarships distributed by the educational assistance organization;
(11) Provide the parents of each student who was tested with a copy of the results of the tests on an annual basis, beginning with the first year of testing;

(12) Provide the test results to the state treasurer on an annual basis, beginning with the first year of testing;

(13) Report student information that would allow the state treasurer to aggregate data by grade level, gender, family income level, and race;

(14) Provide rates of high school graduation, college attendance, and college graduation for participating students to the state treasurer in a manner consistent with nationally recognized standards;

(15) Provide to the state treasurer the results from an annual parental satisfaction survey, including information about the number of years that the parent's child has participated in the scholarship program. The annual satisfaction survey shall ask parents of scholarship students to express:

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

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

(16) Demonstrate its financial viability, if it is to receive donations of fifty thousand dollars or more during the school year, by filing with the state treasurer before the start of the school year a surety bond payable to the state in an amount equal to the aggregate amount of contributions expected to be received during the school year.
or other financial information that demonstrates the financial viability of the educational assistance organization.

2. The annual audit required under this section shall include:
   (1) The name and address of the educational assistance organization;
   (2) The name and address of each qualified student for whom a parent opened a scholarship account with the organization;
   (3) The total number and total dollar amount of contributions received during the previous calendar year; and
   (4) The total number and total dollar amount of scholarship accounts opened during the previous calendar year.

3. The state treasurer shall:
   (1) Ensure compliance with all student privacy laws for data in the state treasurer's possession;
   (2) Collect all test results;
   (3) Provide the test results and associated learning gains to the public via a state website after the third year of test and test-related data collection. The findings shall be aggregated by the students' grade level, gender, family income level, number of years of participation in the scholarship program, and race; and
   (4) Provide graduation rates to the public via a state website after the third year of test and test-related data collection.

4. An educational assistance organization may contract with private financial management firms to manage scholarship accounts with the supervision of the state treasurer.
160.423. 1. Each charter school sponsor shall provide an annual accreditation status for each school based on policies adopted by the sponsor that are consistent with standards for accreditation by the state board of education for the public schools of the state as provided by statute.

2. Each sponsor shall annually, prior to July 1st, determine the annual accreditation status for each school it sponsors based on verified accreditation data from the previous school year. The annual accreditation status shall be based on compliance with best practice standards.

3. As used in this section, the term "best practice standards" shall mean standards that address accepted educational principles and practices believed to promote educational quality. Such standards shall address the areas of legal compliance with Missouri law, leadership stability, the existence and performance of any parent education program at the school, the financial condition of the school, the existence and implementation of any teacher or administrator standards, any effective instructional practices utilized by the school.

4. After the annual assignment of a school's accreditation status, the sponsor shall monitor each school it sponsors to determine the status of the school for the upcoming school year.

   (1) If the sponsor determines during the course of the school year that a school may be in violation of a best practice standard, the sponsor shall notify the governing body of the school and the school's chief executive officer.

   (2) The school shall be given forty-five calendar days from the date of receiving the notification to provide a response to the sponsor regarding the alleged violation,
including any plan of action to correct the violation or
refutation of the alleged violation.

5. Each school shall be assigned an annual
accreditation status based on a determination by the sponsor
of the school's compliance with any policies of the sponsor
adopted under subsection 1 of this section.

   (1) Any school that complies with all such policies
shall be classified as accredited.

   (2) Any school that fails to comply with all such
policies shall be classified as provisionally accredited and
shall be required to develop and implement an improvement
plan, to be filed with the sponsor, that sets forth specific
time lines and courses of action to address the deficiencies.

   (3) Any school that fails to comply with its
improvement plan as described in subdivision (2) of this
subsection before the start of the next school year shall be
classified as unaccredited. The sponsor may also classify
any school as unaccredited if the sponsor finds that the
severity of the violation of any such policy warrants
classification as unaccredited.

160.2900. 1. The state board of education shall
develop a simplified annual school report card for each
local education agency for the purpose of providing
information about the local education agency's academic
performance in accordance with the provisions of this
section.

   2. The state board shall assign the duties of
implementing the provisions of this section to the
department of elementary and secondary education or may
contract with a private entity in accordance with the
provisions of chapter 34.
3. The state board shall assign each local education agency one of the following grades:
   (1) "A", those local education agencies producing excellent student achievement and progress;
   (2) "B", those local education agencies producing above average student achievement and progress;
   (3) "C", those local education agencies producing satisfactory student achievement and progress;
   (4) "D", those local education agencies producing less than satisfactory student achievement and progress; and
   (5) "F", those local education agencies failing to produce adequate student achievement and progress.

4. (1) Each public school and charter school that has students who are enrolled in the school for the full academic year and tested on the statewide annual assessment shall earn a school grade, provided that such school shall not earn a school grade if the percent of students tested is greater than ninety-five percent, but the number of students tested is less than ten.
   (2) A local education agency shall test at least ninety-five percent of its students on the statewide annual assessment in order to earn a grade of A, B, C, or D. Any local education agency that does not test at least ninety-five percent of its students shall have its grade lowered by one letter.
   (3) The state board may create, by rule, additional incentives for local education agencies that receive a grade of A, or that improve by at least two grade levels over a three-year period.

5. A local education agency's grade shall be based on the following factors:
(1) The percent of students scoring at proficient or higher on the annual statewide assessment for all students in English language arts, mathematics, and science;

(2) The percent of students making growth towards proficiency, or advanced proficiency for students already proficient, for all students as measured by the annual statewide assessments in English language arts and mathematics;

(3) The percent of students making growth towards proficiency for the students who scored in the basic or below basic categories on the annual statewide assessment in English language arts and mathematics;

(4) For high schools, the percent of students earning a standard high school diploma in four years;

(5) College and career acceleration, as determined by the department of elementary and secondary education calculation methods, including consideration of advanced placement scores of 3 or greater, International Baccalaureate program credit scores of 4 or greater, dual enrollment in core subjects with C course grade or higher, passing an industry recognized credential or career technical education certificate, completion of an early college or associate degree, completion of stackable credentials, and professional internships;

(6) College and career readiness. A career readiness assessment score that meets the state standard, a combination of a college readiness assessment score that meets the state standard and advanced credit that meets the state standard, confirmed postsecondary employment, college application, other postsecondary training, or military commitment, or other department-approved work readiness measures. The state standard shall be determined and
promulgated through the rule-making process by the department; and

(7) The grade assigned to elementary and middle schools shall be based on a balance of overall student achievement and growth, with growth divided evenly between the growth of all students and the growth of the students in the school who scored in the basic or below basic categories. For high schools, proficiency shall be weighted more than growth and graduation rate should be a factor of no more than ten percent of the overall calculation.

6. Student assessment data utilized in determining the local education agency grade shall include the following:

(1) The scores of all students enrolled in the local education agency for a full academic year on the statewide assessment;

(2) The growth scores of all students enrolled in the local education agency on the statewide assessment comparing the current school year scores against the prior school year scores;

(3) The growth scores of students enrolled in the local education agency who scored in the basic or below basic categories on the statewide assessment in English language arts and mathematics in the current year as compared to such scores in the prior school year.

7. (1) The department shall promulgate rules to develop the methodology for local education agencies to earn each letter grade, provided that local education agency complies with section 160.2902 and the scale for assigning such grade shall be based on a zero to one hundred scale.

(2) In any year in which sixty-five percent or more of the local education agencies, in the aggregate, earn a grade of A or B, the department shall raise the scale required to
earn a school grade by five percent for the following year until the scale reaches the level where an A grade equals ninety to one hundred percent, a B grade equals eighty to eighty-nine percent, a C grade equals seventy to seventy-nine percent, a D grade equals sixty to sixty-nine percent, and an F grade is fifty-nine percent and below.

(3) The department shall develop a system of providing awards to local education agencies that annually improve by at least one letter grade and for local education agencies that earn the A grade.

8. As used in sections 160.2900 to 160.2906, the term "local education agency" shall include a school district, a public school, and a public charter school.

9. The department of elementary and secondary education shall promulgate rules to effectuate the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2024, shall be invalid and void.

160.2902. 1. In determining the grade to be assigned to each local education agency under section 160.2900, the department of elementary and secondary education shall promulgate rules consistent with this section that encompass a local education agency's achievement, growth, as
determined in subsection 2 of this section, graduation
rates, and college and career readiness of its students.

(1) The achievement levels of each student shall be
distinguished between the categories of proficient,
advanced, basic, and below basic.

(2) For elementary and middle schools, the assessment
of growth and achievement shall be weighted at no less than
ninety percent of the total letter grade assigned to the
school.

(3) For high schools, the assessment of achievement
shall be weighted at fifty percent of the total letter grade
assigned to the school.

(4) In assessing graduation rates of a local education
agency, each school district and charter school shall ensure
that all students in a four-year cohort successfully
complete high school. Graduation rates shall not exceed ten
percent of the total letter grade assigned to the local
education agency.

(5) The department shall create a high school college
and career readiness measure that is based on statistical
models that identify schools' contributions to students'
long-term outcomes separately from other factors such as
prior achievement and demographic characteristics. This
model shall be designed to allow for fair comparisons of
schools that serve different student populations.

(6) The department shall calculate the college and
career readiness of students for each school and school
district by consideration of advanced placement scores of 3
or greater, International Baccalaureate program credit
scores of 4 or greater, dual enrollment in core subjects
with C course grade or higher, passing an industry
recognized credential or career technical education
certificate, completion of an early college or associate
degree, completion of stackable credentials, professional
internships, and a career readiness assessment score that
meets the state standard, a combination of a college
readiness assessment score that meets the state standard and
advanced credit that meets the state standard, confirmed
postsecondary employment, college application, other
postsecondary training, or military commitment, or other
department-approved work readiness measures. College and
career readiness shall account for forty percent of the
total letter grade assigned to the local education agency.

2. The department shall calculate the growth of a
local education agency as provided by this subsection.

   (1) Growth shall be defined as the change in the
scaled score for a student from one school year to the next
school year on the Missouri state assessment program by
subject area.

   (2) Growth shall be calculated from year to year using
a criterion-based method. Schools will be credited with
growth for the change in scaled score for each student from
year to year.

   (3) An increase in the performance level of a student,
as determined by metrics promulgated by rule by the
department, shall be considered as positive growth,
regardless of any change in the scaled score of the student.

   (4) If a student is considered advanced and stays
advanced from one year to the next year, but the student's
scaled score declines, then the student shall not be
included in determining the local education agency's growth
score.

   (5) If a student decreases in performance level, as
determined by metrics promulgated by rule by the department,
3. Not later than the start of the 2026 school year, the department of elementary and secondary education shall implement a growth model that meets the provisions of this section and shall make such model available to each local education agency in this state.

4. The department of elementary and secondary education shall promulgate rules to effectuate the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2024, shall be invalid and void.

160.2904. 1. The provisions of this section shall apply to any local education agency subject to the provisions of sections 160.2900 and 160.2902. For charter local education agencies, the sponsor shall be the authorized entity, and for district local education agencies, the department of elementary and secondary education shall be the authorized entity.

2. If a local education agency earns a letter grade of D or F for a school year, the authorized entity shall provide the local education agency with a list of
organizations that can provide specific, evidence-based
turnaround services.

(1) The local education agency shall work with the
authorized entity to choose a potential partner from a
repository of authorized entity-approved organizations and
implement a criterion-based plan for improvement that is
approved by the authorized entity after presentation of the
plan to the authorized entity board.

(2) Upon request of the local education agency, school
improvement funds may be allocated by the department upon
choosing a partner and development of an improvement plan.

3. If a local education agency earns a letter grade of
D or F for three consecutive school years, students shall
have the option of transferring out of the school or
district to any nonresident school or district.

(1) Students who apply to attend a nonresident school
that has an academic or competitive entrance process shall
provide proof that they meet the admission requirements.

(2) Students may complete all remaining school years
in their nonresident school.

4. Notwithstanding any provision of law to the
contrary, if a local education agency earns a letter grade
of D or F for four consecutive school years, the authorized
entity shall choose a managing partner to lead a
reorganization of the local education agency. The partner
shall have authority over personnel, curriculum, the school
year calendar, and assessments of students.

5. If a local education agency earns a letter grade of
D or F for five consecutive school years, the authorized
entity shall consider school closures. The authorized
entity shall consider closures based on proximity of the
school to other local education agencies and schools in the
area. The authorized entity shall also consider the performance of the partner described in subsection 2 of this section that has led the reorganization during the previous year.

160.2906. The department of elementary and secondary education shall prepare annual reports of the results of the accountability measures described in subsection 2 of section 161.092, section 160.423, and sections 160.2900 to 160.2904 to describe student achievement in the state and all local education agencies. The department, with input from the school districts, public charter schools, parents, and community stakeholders, shall design these reports, which shall include, without limitation, the local education agency's grade, an explanation of school performance on all accountability measures, descriptions of the performance of all schools participating in the statewide assessment program and all their major student populations as determined by the department, and information regarding school improvement. The provisions of Family Educational Rights and Privacy Act, 20 U.S.C. 1232g, pertaining to student records and any similar state law shall apply to this section. The department, on its website, shall publish each local education agency's report card annually, and the local education agency shall provide the school report card to each parent no later than one month prior to the beginning of the next school year.

160.3250. 1. Every public school district and public charter school in the state shall develop and maintain a comprehensive school safety plan that addresses various aspects of school safety, including, but not limited to, emergency response procedures, crisis management, prevention of safety risks, and communication protocols. A school
safety plan shall be developed in collaboration with local law enforcement, fire department, and emergency management officials. Notwithstanding any provision of chapter 610 to the contrary, a school safety plan shall not be considered a public record and shall not be available for public examination.

2. To assist in the development of a school safety plan, a school district or charter school shall conduct a comprehensive school safety assessment every three years to assess the safety, security, accessibility, and emergency preparedness of school buildings and grounds. The school safety assessment shall be conducted in collaboration with local law enforcement, fire department, and emergency management officials.

3. A comprehensive school safety assessment shall be conducted by more than one individual, including at least one individual who is not assigned to the facility being assessed, if the assessment is conducted by school district or charter school personnel.

4. A comprehensive school safety assessment shall include, at minimum, an assessment of each of the following:
   (1) Safety and security of the site and exterior of all school buildings;
   (2) Safety and security of the interior of all school buildings;
   (3) Emergency response procedures;
   (4) Crisis management plans;
   (5) Identification and prevention of security risks that threaten the safety of students and staff;
   (6) Access controls, including visitor management systems and protocols and the safety of school doors, locking devices, intercom or buzzer systems, and vestibules;
(7) Monitoring and surveillance systems, including video surveillance equipment used to monitor school buildings and buses, and building security systems, including intruder alarms;

(8) Communication protocols and information security;

(9) Procedures for continuous review and improvement of emergency operation plans; and

(10) School climate and culture.

5. The initial comprehensive school safety assessment for each school district and charter school shall be completed by July 1, 2026.

6. The department of elementary and secondary education shall promulgate rules to implement the provisions of this section. Such rules shall specify how the department shall verify the completion of the school safety assessments and collaboration with local law enforcement, fire department, and emergency management officials. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2024, shall be invalid and void.

161.092. 1. The state board of education shall:

(1) Adopt rules governing its own proceedings and formulate policies for the guidance of the commissioner of
education and the department of elementary and secondary
education;

(2) Carry out the educational policies of the state
relating to public schools that are provided by law and
supervise instruction in the public schools;

(3) Direct the investment of all moneys received by
the state to be applied to the capital of any permanent fund
established for the support of public education within the
jurisdiction of the department of elementary and secondary
education and see that the funds are applied to the branches
of educational interest of the state that by grant, gift,
device or law they were originally intended, and if
necessary institute suit for and collect the funds and
return them to their legitimate channels;

(4) Cause to be assembled information which will
reflect continuously the condition and management of the
public schools of the state;

(5) Require of county clerks or treasurers, boards of
education or other school officers, recorders and treasurers
of cities, towns and villages, copies of all records
required to be made by them and all other information in
relation to the funds and condition of schools and the
management thereof that is deemed necessary;

(6) Provide blanks suitable for use by officials in
reporting the information required by the board;

(7) When conditions demand, cause the laws relating to
schools to be published in a separate volume, with pertinent
notes and comments, for the guidance of those charged with
the execution of the laws;

(8) Grant, without fee except as provided in section
168.021, certificates of qualification and licenses to teach
in any of the public schools of the state, establish
requirements therefor, formulate regulations governing the issuance thereof, and cause the certificates to be revoked for the reasons and in the manner provided in section 168.071;

(9) Classify the public schools and school districts of the state, subject to limitations provided by law and subdivision (14) of this section, establish requirements for the schools of each class, and formulate rules governing the inspection and accreditation of schools and school districts preparatory to classification, with such requirements taking effect not less than two years from the date of adoption of the proposed rule by the state board of education, provided that this condition shall not apply to any requirement for which a time line for adoption is mandated in either federal or state law. Such rules shall include a process to allow any school or school district that is accredited without provision that does not meet the state board's promulgated criteria for a classification designation of accredited with distinction to propose alternative criteria to the state board to be classified as accredited with distinction;

(10) Make an annual report on or before the first Wednesday after the first day of January to the general assembly or, when it is not in session, to the governor for publication and transmission to the general assembly. The report shall be for the last preceding school year, and shall include:

(a) A statement of the number of public schools in the state, the number of pupils attending the schools, their sex, and the branches taught;

(b) A statement of the number of teachers employed, their sex, their professional training, and their average salary;
(c) A statement of the receipts and disbursements of public school funds of every description, their sources, and the purposes for which they were disbursed;

(d) Suggestions for the improvement of public schools;

(e) Any other information relative to the educational interests of the state that the law requires or the board deems important;

(11) Make an annual report to the general assembly and the governor concerning coordination with other agencies and departments of government that support family literacy programs and other services which influence educational attainment of children of all ages;

(12) Require from the chief officer of each division of the department of elementary and secondary education, on or before the thirty-first day of August of each year, reports containing information the board deems important and desires for publication;

(13) Cause fifty copies of its annual report to be reserved for the use of each division of the state department of elementary and secondary education, and ten copies for preservation in the state library;

(14) Promulgate rules under which the board shall classify the public schools of the state; provided that the appropriate scoring guides, instruments, and procedures used in determining the accreditation status of a district shall be subject to a public meeting upon notice in a newspaper of general circulation in each of the three most populous cities in the state and also a newspaper that is a certified minority business enterprise or woman-owned business enterprise in each of the two most populous cities in the state, and notice to each district board of education, each
superintendent of a school district, and to the speaker of
the house of representatives, the president pro tem of the
senate, and the members of the joint committee on education,
at least fourteen days in advance of the meeting, which
shall be conducted by the department of elementary and
secondary education not less than ninety days prior to their
application in accreditation, with all comments received to
be reported to the state board of education;

(15) Have other powers and duties prescribed by law.

2. Rules promulgated under the provisions of
subdivision (14) of subsection 1 of this section shall be in
accordance with the provisions of this subsection.

(1) The state board shall establish and implement an
accountability process for all public schools and school
districts and shall provide an annual accreditation status
for each school and school district based on rules
promulgated by the board that address accreditation policies
and define what constitutes best practice standards.

(2) The department of elementary and secondary
education shall annually, prior to July 1st, determine the
annual accreditation status for each school district and
each public school within a school district based on
verified accreditation data from the previous school year.
The annual accreditation status shall be based on compliance
with best practice standards.

(3) As used in this subsection, the term "best
practice standards" shall mean standards that address
accepted educational principles and practices believed to
promote educational quality. Such standards shall address
the areas of legal compliance with Missouri law, leadership
stability, the existence and performance of any parent
education program at the school or school district, the
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financial condition of the school or school district, the
existence and implementation of any teacher or administrator
standards, and any effective instructional practices
utilized by the school or school district.

(4) After the annual assignment of a district's or
school's accreditation status, the department of elementary
and secondary education shall monitor each school and school
district to determine the status of the school and school
district for the following school year.

(a) If the department determines during the course of
the school year that a school or school district may be in
violation of a best practice standard, the department shall
notify the superintendent and school board of the district
or the district in which the school is located.

(b) The school district shall be given forty-five
calendar days from the date of receiving the notification to
provide a response to the department regarding the alleged
violation, including any plan of action to correct the
violation or refutation of the alleged violation.

(5) Each school and school district shall be assigned
an annual accreditation status based on a determination by
the state board of the school's or school district's
compliance with any promulgated rules establishing
accreditation policies and best practice standards.

(a) Any school or school district that complies with
all accreditation policies and all best practice standards
shall be classified as accredited.

(b) Any school or school district that fails to comply
with all accreditation policies and all best practice
standards shall be classified as provisionally accredited
and shall be required to develop and implement an
improvement plan, to be filed with the state board, that
sets forth specific time lines and courses of action to address the deficiencies.

(c) Any school or school district that fails to comply with its improvement plan as described in paragraph (b) of this subdivision before the start of the next school year shall be classified as unaccredited. The state board may also classify any school or school district as unaccredited if the state board finds that the severity of the violation of any accreditation policy or best practice standard warrants classification as unaccredited.

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

2. (1) For purposes of calculation and distribution of state school aid, students enrolled in the Missouri course access and virtual school program shall be included in the student enrollment of the school district in which the student is enrolled under subsection 3 of this section; provided that any such student attendance for full-time virtual program students shall only be included in any district pupil attendance calculation under chapter 163 and any charter school pupil attendance calculation under section 160.415, using current-year pupil attendance for
such full-time virtual program pupils; and further provided that in the case of a host school district enrolling one or more full-time virtual school students, such enrolling district shall receive no less under the state aid calculation for such students than an amount equal to the state adequacy target multiplied by the weighted average daily attendance of such full-time students. Students residing in Missouri and enrolled in a full-time virtual school program operated by a public institution of higher education in this state shall be counted for a state aid calculation by the department, and the department shall pay, from funds dedicated to state school aid payments made under section 163.031, to such institution an amount equal to the state adequacy target multiplied by the weighted average daily attendance of such full-time students.

(2) The Missouri course access and virtual school program shall report to the district of residence the following information about each student served by the Missouri course access and virtual school program: name, address, eligibility for free or reduced-price lunch, limited English proficiency status, special education needs, and the number of courses in which the student is enrolled. The Missouri course access and virtual school program shall promptly notify the resident district when a student discontinues enrollment. A "full-time equivalent student" is a student who is enrolled in the instructional equivalent of six credits per regular term. Each Missouri course access and virtual school program course shall count as one class and shall generate that portion of a full-time equivalent that a comparable course offered by the school district would generate.
(3) Pursuant to an education services plan and collaborative agreement under subsection 3 of this section, full-time equivalent students may be allowed to use a physical location of the resident school district for all or some portion of ongoing instructional activity, and the enrollment plan shall provide for reimbursement of costs of the resident district for providing such access pursuant to rules promulgated under this section by the department.

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

(5) A full-time virtual school program serving full-time equivalent students shall be considered an attendance center in the host school district and shall participate in the statewide assessment system as defined in section 160.518. The academic performance of students enrolled in a full-time virtual school program shall be assigned to the designated attendance center of the full-time virtual school program and shall be considered in like manner to other attendance centers. The academic performance of any student who disenrolls from a full-time virtual school program and enrolls in a public school or charter school shall not be used in determining the annual performance report score of the attendance center or school district in which the student enrolls for twelve months from the date of enrollment.
(6) For the purposes of this section, a public institution of higher education operating a full-time virtual school program shall be subject to all requirements applicable to a host school district with respect to its full-time equivalent students.

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

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

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

(2) Each school district or charter school shall adopt a policy that delineates the process by which a student may enroll in courses provided by the Missouri course access and virtual school program that is substantially similar to the typical process by which a district student would enroll in courses offered by the school district and a charter school student would enroll in courses offered by the charter school. The policy may include consultation with the school's counselor and may include parental notification or authorization. The policy shall ensure that available opportunities for in-person instruction are considered prior to moving a student to virtual courses. The policy shall allow for continuous enrollment throughout the school year. If the school district or charter school disapproves a
student's request to enroll in a course or courses provided 
by the Missouri course access and virtual school program,
the reason shall be provided in writing and it shall be for
good cause. Good cause justification to disapprove a 
student's request for enrollment in a course shall be a
determination that doing so is not in the best educational
interest of the student, and shall be consistent with the
determination that would be made for such course request
under the process by which a district student would enroll
in a similar course offered by the school district and a
charter school student would enroll in a similar course
offered by the charter school, except that the determination
may consider the suitability of virtual courses for the
student based on prior participation in virtual courses by
the student. Appeals of any course denials under this
subsection shall be considered under a policy that is
substantially similar to the typical process by which
appeals would be considered for a student seeking to enroll
in courses offered by the school district and a charter
school student seeking to enroll in courses offered by the
charter school.

(3) For students enrolled in any Missouri course
access and virtual school program course in which costs
associated with such course are to be paid by the school
district or charter school as described under this
subdivision, the school district or charter school shall pay
the content provider directly on a pro rata monthly basis
based on a student's completion of assignments and
assessments. If a student discontinues enrollment, the
district or charter school may stop making monthly payments
to the content provider. No school district or charter
school shall pay, for any one course for a student, more
than the market necessary costs but in no case shall pay
more than fourteen percent of the state adequacy target, as
defined under section 163.011, as calculated at the end of
the most recent school year for any single, year-long course
and no more than seven percent of the state adequacy target
as described above for any single semester equivalent course.

(4) For students enrolling in a full-time virtual
program, the department of elementary and secondary
education shall adopt a policy that delineates the process
by which a student who lives in this state may enroll in a
virtual program of their choice as provided in this
subdivision. Each host school district operating a full-
time virtual program under this section shall operate and
implement the state enrollment policy, subject to the
provisions of this subdivision. The policy shall:

(a) Require the good faith collaboration of the
student, the student's parent or guardian if the student is
not considered homeless, the virtual program, the host
district, and the resident district;

(b) Specify timelines for timely participation by the
virtual program, the host district, and resident district;
provided that the resident district shall provide any
relevant information and input on the enrollment within ten
business days of notice from the virtual program of the
enrollment application;

(c) Include a survey of the reasons for the student's
and parent's interests in participating in the virtual
program;

(d) Include consideration of available opportunities
for in-person instruction prior to enrolling a student in a
virtual program;
(e) Evaluate requests for enrollment based on meeting the needs for a student to be successful considering all relevant factors;

(f) Ensure that, for any enrolling student, an education services plan and collaborative agreement is created to provide all services required to ensure a free and appropriate public education, including financial terms for reimbursement by the host district for the necessary costs of any virtual program, school district, or public or private entity providing all or a portion of such services;

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

(h) Provide a process for reviewing appeals of decisions made under this subdivision; and

(i) Require the department to publish an annual report based on the enrollments and enrollment surveys conducted under this subdivision that provides data at the statewide and district levels of sufficient detail to allow analysis of trends regarding the reasons for participation in the virtual program at the statewide and district levels; provided that no such survey results will be published in a manner that reveals individual student information. The department shall also include, in the annual report, data at the statewide and district levels of sufficient detail to allow detection and analysis of the racial, ethnic, and socio-economic balance of virtual program participation among schools and districts at the statewide and district levels.
levels, provided that no such survey results will be
published in a manner that reveals individual student
information.

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

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

(7) Virtual school programs shall monitor individual
student success and engagement of students enrolled in their
program, provide regular student progress reports for each
student at least four times per school year to the school
district or charter school, provide the host school district
and the resident school district ongoing access to academic
and other relevant information on student success and
engagement, and shall terminate or alter the course offering
if it is found the course or full-time virtual school is not
meeting the educational needs of the students enrolled in
the course.

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

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

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

(11) Nothing in this section shall prohibit **students**
receiving instruction at a home school [**students**] or FLEX
school, as defined in section 167.031, private school
students, or students wishing to take additional courses
beyond their regular course load from enrolling in Missouri
course access and virtual school program courses under an
agreement that includes terms for paying tuition or course
fees.

(12) Nothing in this subsection shall require any
school district, charter school, virtual program, or the
state to provide computers, equipment, or internet access to
any student unless required under the education services
plan created for an eligible student under subdivision (4)
of this subsection or for an eligible student with a
disability to comply with federal law. An education
services plan may require an eligible student to have access
to school facilities of the resident school district during
regular school hours for participation and instructional
activities of a virtual program under this section, and the
education services plan shall provide for reimbursement of
the resident school district for such access pursuant to
rules adopted by the department under this section.
The authorization process shall provide for continuous monitoring of approved providers and courses. The department shall revoke or suspend or take other corrective action regarding the authorization of any course or provider no longer meeting the requirements of the program. Unless immediate action is necessary, prior to revocation or suspension, the department shall notify the provider and give the provider a reasonable time period to take corrective action to avoid revocation or suspension. The process shall provide for periodic renewal of authorization no less frequently than once every three years.

Courses approved as of August 28, 2018, by the department to participate in the Missouri virtual instruction program shall be automatically approved to participate in the Missouri course access and virtual school program, but shall be subject to periodic renewal.

Any online course or virtual program offered by a school district or charter school, including those offered prior to August 28, 2018, which meets the requirements of section 162.1250 shall be automatically approved to participate in the Missouri course access and virtual school program. Such course or program shall be subject to periodic renewal. A school district or charter school offering such a course or virtual school program shall be deemed an approved provider.

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

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

(2) A full-time virtual school shall submit a notification to the parent or guardian of any student who is not consistently engaged in instructional activities.
(3) Each full-time virtual school shall develop, adopt, and post on the school's website a policy setting forth the consequences for a student who fails to complete the required instructional activities. Such policy shall state, at a minimum, that if a student fails to complete the instructional activities after receiving a notification under subdivision (2) of this subsection, and after reasonable intervention strategies have been implemented, that the student shall be subject to certain consequences which may include disenrollment from the school. Prior to any disenrollment, the parent or guardian shall have the opportunity to present any information that the parent deems relevant, and such information shall be considered prior to any final decision.
(4) If a full-time virtual school disenrolls a student under subdivision (3) of this subsection, the school shall immediately provide written notification to such student's school district of residence. The student's school district of residence shall then provide to the parents or guardian of the student a written list of available educational options and promptly enroll the student in the selected
option. Any student disenrolled from a full-time virtual school shall be prohibited from reenrolling in the same virtual school for the remainder of the school year.

5. School districts or charter schools shall inform parents of their child's right to participate in the program. Availability of the program shall be made clear in the parent handbook, registration documents, and featured on the home page of the school district or charter school's website.

6. The department shall:
   (1) Establish an authorization process for course or full-time virtual school providers that includes multiple opportunities for submission each year;
   (2) Pursuant to the time line established by the department, authorize course or full-time virtual school providers that:
      (a) Submit all necessary information pursuant to the requirements of the process; and
      (b) Meet the criteria described in subdivision (3) of this subsection;
   (3) Review, pursuant to the authorization process, proposals from providers to provide a comprehensive, full-time equivalent course of study for students through the Missouri course access and virtual school program. The department shall ensure that these comprehensive courses of study align to state academic standards and that there is consistency and compatibility in the curriculum used by all providers from one grade level to the next grade level;
   (4) Within thirty days of any denial, provide a written explanation to any course or full-time virtual school providers that are denied authorization;
(5) Allow a course or full-time virtual school provider denied authorization to reapply at any point in the future.

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

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

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

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

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

(2) The number of authorized providers;

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

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

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

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

(7) The costs per course;

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

11. (1) The department shall be responsible for creating the Missouri course access and virtual school program catalog providing a listing of all courses authorized and available to students in the state, detailed information, including costs per course, about the courses to inform student enrollment decisions, and the ability for students to submit their course enrollments.
(2) On or before January 1, 2023, the department shall publish on its website, and distribute to all school districts and charter schools in this state, a guidance document that details the options for virtual course access and full-time virtual course access for all students in the state. The guidance document shall include a complete and readily understood description of the applicable enrollment processes including the opportunity for students to enroll and the roles and responsibilities of the student, parent, virtual provider, school district or districts, and charter schools, as appropriate. The guidance document shall be distributed in written and electronic form to all school districts, charter schools, and virtual providers. School districts and charter schools shall provide a copy of the guidance document to every pupil and parent or legal guardian of every pupil enrolled in the district or charter school at the beginning of each school year and upon enrollment for every pupil enrolling at a different time of the school year. School districts and charter schools shall provide a readily viewable link to the electronic version of the guidance document on the main page of the district's or charter school's website.

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

13. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2006, shall be invalid and void.

161.851. 1. This section shall be known and may be cited as "The Parents' Bill of Rights for Student Well-Being".

2. As used in sections 161.851 to 161.853, the following terms mean:

(1) "Curriculum", the academic performance standards of knowledge, skills, and competencies required to be established under section 160.514;

(2) "Extracurricular", any school-authorized or education-related activity occurring during or outside the regular instructional school day;

(3) "Minor child", any person eighteen years of age or younger;
(4) "Parent", any person who has charge, control, or custody of a minor child, whether as a natural parent, adoptive parent, or legal guardian;

(5) "Public school", the same definition as in section 160.011;

(6) "School district", the same definition as in section 160.011.

3. No public school, school district, or person acting under the authority of a public school or school district shall infringe upon the fundamental rights of a parent to direct the upbringing, education, health care, or mental health of such parent's minor child without first demonstrating that such infringement is narrowly tailored to achieve a compelling state interest and that such interest could not otherwise be served by less restrictive means.

4. For the purposes of subsection 3 of this section, a parent's fundamental rights to direct the upbringing, education, health care, and mental health of such parent's minor child shall include, but not be limited to, the following:

   (1) The right to direct the ethical, moral, and religious training of such minor child;

   (2) The right to enroll such minor child in a public school, home school program, or other available schooling option including, but not limited to, a willing parochial school, to the extent otherwise authorized by law;

   (3) The right to direct the education of such minor child including, but not limited to, the right to access and review the following information:

      (a) All school records relating to such minor child including, but not limited to, a regular report of such minor child's academic performance and attendance;
(b) Such minor child's statewide, standardized assessment results;

c (c) School district instructional materials and curricula;

d (d) School district policies for promotion or retention including, but not limited to, graduation requirements; and

e (e) Information relating to the state's academic performance standards, report card requirements, attendance requirements, and instructional materials requirements;

(4) The right to participate in parent-teacher associations and organizations sanctioned by the school district or department of elementary and secondary education;

(5) The right, under section 162.720, to request a review of a school district's determination that such minor child did not qualify to receive services through such district's gifted education program or an individualized education program;

(6) The right to make health care decisions for such minor child, except as otherwise prohibited by law;

(7) The right to exempt such minor child from immunizations under subsection 3 of section 167.181;

(8) The right to consent in writing before biometric data, as defined in section 302.170, regarding such minor child is made, shared, or stored, except as required by law or court order;

(9) The right to consent in writing before any public school or school district produces a video or audio recording of such minor child unless such recording is made for the purposes of:
(a) A court proceeding, forensic interview, or criminal or other investigation related to the welfare of such minor child;

(b) The maintenance of order and discipline in a school building, on school grounds, and on student transportation vehicles;

(c) A legitimate academic or extracurricular activity, which may include a group recording not substantially focused on an individual student;

(d) Regular classroom instruction; or

(e) Security or surveillance of school buildings, school grounds, or student transportation vehicles;

(10) The right to receive information about individuals and organizations receiving school contracts and funding;

(11) The right to visit the school and check in on their minor child during school hours;

(12) The right to view or receive all school records, medical or otherwise, concerning their minor child; and

(13) The right to receive information about the collection and transmission of their minor child's data.

5. Each school district shall, in consultation with parents, teachers, and administrators, develop and adopt a policy to promote parental involvement in the public school system. Such policy shall include at least:

(1) A plan for parental participation in schools, including through cooperation with teachers regarding homework, school attendance, and discipline;

(2) Procedures for a parent to receive information about such parent's minor child's course of study;

(3) Procedures for a parent to voice concerns about instructional materials or other materials used in the
classroom based on such parent's beliefs regarding the appropriateness or veracity of such materials. Such parental concerns may be based on beliefs related to morality, sexuality, religion, or other issues related to the well-being, education, and upbringing of such parent's minor child;

(4) Procedures for a parent to withdraw such parent's minor child from any portion of the school district's health education related to human sexuality and sexually transmitted diseases;

(5) Procedures for a parent to learn about the nature and purpose of clubs and other extracurricular activities offered at such parent's minor child's school; and

(6) Procedures for providing parents with other information to which such parents have a right of access under subsection 4 of this section.

6. The department of elementary and secondary education shall develop and every school district shall use a form that authorizes a parent to object to and opt out of any instructional materials or materials used in the minor child's classroom as described in subdivisions (3) and (4) of subsection 5 of this section. Such form shall be made available to every parent at the beginning of a school year by each school district and shall provide parents the opportunity to explain reasons including, but not limited to, moral, religious, scientific, or philosophical grounds for opting their minor child out of such instructional materials or materials used in the minor child's classroom.

7. Each school district may provide any information to which a parent has a right of access under this section by publishing such information electronically in a reasonably accessible format, except to the extent that such
publication would result in the disclosure of personally identifiable or confidential information in violation of law.

8. A parent may file a formal request in writing with the superintendent of the school district for access to any information to which such parent has a right of access under this section. The superintendent shall provide such information to the parent within ten days and may do so by any reasonable means including, but not limited to, by directing the parent to publicly available electronic resources to the extent such resources are responsive to the parent's request. If the superintendent denies such request or does not respond within ten days, the parent may file an appeal with the school board. The school board shall place the parent's appeal on the agenda for the next public meeting of the board occurring not less than seven days after the filing of such appeal by a parent.

9. No public school or school district shall require nondisclosure agreements or similar forms for a parent's review of curricula. Each public school or school district shall allow parents to make copies of curriculum documents. A public school may charge a reasonable fee for such copies.

10. No public school or school district shall allow student involvement in field trips unless the minor child's parents provide written authorization for such student involvement.

11. Each school board meeting pertaining to curricula shall be held in public and allow for public comments.

12. Each public school and school district shall notify parents in a timely manner of all reported incidents pertaining to student safety including, but not limited to, any felony or misdemeanor committed by a teacher or other school employee.
13. No employee of any public school or school district shall encourage, coerce, or attempt to coerce a minor child to withhold information from such minor child's parents; provided, however, that any such person required to report suspected abuse or neglect under sections 210.109 to 210.183 may encourage a minor child to withhold information where disclosure could reasonably result in abuse or neglect.

14. This section shall not be construed to:

(1) Authorize a parent to engage in unlawful conduct, such as abuse or neglect;

(2) Condone, authorize, approve, or apply to any parental action or decision that would end life;

(3) Prohibit a court of competent jurisdiction, a law enforcement officer, or employee of a governmental entity or other public institution responsible for child welfare from acting within the reasonable and prudent scope of such court or person's official capacity and authority in a manner not otherwise inconsistent with the provisions of sections 161.851 to 161.853;

(4) Modify the common law doctrine of in loco parentis as such doctrine applies to the operation of public schools and to the duties of administrators and employees of such schools; or

(5) Limit the inalienable rights of a parent, regardless of whether such rights are enumerated in the provisions of this section.

15. A public school or school district shall not, when publishing or providing any information to a parent as required pursuant to the provisions of this section, publish or provide any personally identifiable information relating to any student other than a parent's own child in violation
of the provisions of the federal Family Educational Rights
and Privacy Act, 20 U.S.C. Section 1232g.

16. The department of elementary and secondary
education may promulgate rules to implement the provisions
of this section. Any rule or portion of a rule, as that
term is defined in section 536.010, that is created under
the authority delegated in this section shall become
effective only if it complies with and is subject to all of
the provisions of chapter 536 and, if applicable, section
536.028. This section and chapter 536 are nonseverable and
if any of the powers vested with the general assembly
pursuant to chapter 536 to review, to delay the effective
date, or to disapprove and annul a rule are subsequently
held unconstitutional, then the grant of rulemaking
authority and any rule proposed or adopted after August 28,
2024, shall be invalid and void.

161.852. 1. The department of elementary and
secondary education shall develop a tool within the
department's comprehensive data system that provides access
to every school district's curriculum and professional
development materials.

2. The tool shall consist of an easy-to-search
database including, but not limited to, the following:
   (1) All curriculum taught by the school district;
   (2) All documents used by a school district in the
   professional development of the district's faculty and staff
   including, but not limited to, administrators, teachers,
counselors, and classroom support staff;
   (3) The names of all speakers and guests used by a
   school district in the school district's professional
development activities; and
(4) The costs associated with speakers and guests used by a school district in the school district's professional development activities.

3. The department of elementary and secondary education shall establish an online form that each school district in this state shall complete with information required under subsection 2 of this section.

4. A school district shall submit any updates to the information outlined in subsection 2 of this section every six months. A public school or school district may make good-faith modifications to curricula during each six-month period between updates but shall not be required to submit an update of such modifications until the next six-month update.

5. Not less than monthly, the department of elementary and secondary education shall update the tool with the information required by this section to be submitted by each school district and shall ensure that the tool is maintained as the primary centralized source of information about the curriculum and instructional materials used by public school districts.

6. The department of elementary and secondary education may promulgate rules to implement this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional,
then the grant of rulemaking authority and any rule proposed
or adopted after August 28, 2024, shall be invalid and void.

161.853. 1. The attorney general of this state or any
parent of a minor child enrolled in a public school in this
state may bring legal action against the school district in
which such parent's minor child is enrolled or an employee
of such school district on behalf of such minor child who is
harmed by such school district's or employee's violation of
sections 161.851 to 161.852. Such action may be brought in
any county or any city not within a county in which the
school district boundaries lie or may be brought in the Cole
County circuit court.

2. If a court of competent jurisdiction finds that a
school district or school district employee violated the
provisions of sections 161.851 to 161.852, the school
district or school district employee shall be fined one
thousand dollars for each violation of such sections unless
the court finds that the school district or school district
employee knowingly or purposely violated the provisions of
such sections, in which case the school district or school
district employee shall be fined ten thousand dollars for
each violation of such sections.

3. (1) If a school district or school district
employee is fined by a court of competent jurisdiction for
violations of sections 161.851 to 161.852, the proceeds of
such fine shall be divided as follows:

(a) Twenty percent shall be awarded to the parent who
brought the legal action. If parents of more than one minor
child bring suit, the twenty percent award shall be divided
equally among each family represented; and
(b) Eighty percent shall be deposited into the Missouri empowerment scholarship accounts fund established under section 135.716.

(2) If a court of competent jurisdiction finds that a school district or school district employee violated the provisions of sections 161.851 to 161.852, the court shall award court costs and reasonable attorney's fees to the prevailing party or parties.

4. Any school district employee who discloses violations of sections 161.851 to 161.852 shall be protected from any manner of retaliation as set forth in section 105.055.

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

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

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

4. Nothing herein shall be construed to require transportation for these services.
5. No resident child shall be denied or discriminated against in special educational services offered by a school district on the grounds that the child regularly attends a private, parochial, parish [or], home school, or FLEX school.

162.1250. 1. School districts shall receive state school funding under sections 163.031, 163.043, and 163.087 for resident students who are enrolled in the school district and who are taking a virtual course or full-time virtual program offered by the school district. The school district may offer instruction in a virtual setting using technology, intranet, and internet methods of communications that could take place outside of the regular school district facility. The school district may develop a virtual program for any grade level, kindergarten through twelfth grade, with the courses available in accordance with district policy to any resident student of the district who is enrolled in the school district. Nothing in this section shall preclude a student receiving instruction at a private, parochial, [or] home school [student], or FLEX school, as defined in section 167.031 residing within a school district offering virtual courses or virtual programs from enrolling in the school district in accordance with the combined enrollment provisions of section 167.031 for the purposes of participating in the virtual courses or virtual programs.

2. Charter schools shall receive state school funding under section 160.415 for students enrolled in the charter school who are completing a virtual course or full-time virtual program offered by the charter school. Charter schools may offer instruction in a virtual setting using technology, intranet, and internet methods of communications. The charter school may develop a virtual program for any grade level, kindergarten through twelfth
grade, with the courses available in accordance with school
policy and the charter school's charter to any student
enrolled in the charter school.

3. For purposes of calculation and distribution of
state school funding, attendance of a student enrolled in a
district or charter school virtual class shall equal, upon
course completion, ninety-four percent of the hours of
attendance possible for such class delivered in the
nonvirtual program in the student's resident district or
charter school. Course completion shall be calculated in
two increments, fifty percent completion and one hundred
percent completion, based on the student's completion of
declared assignments and assessments, with distribution of
state funding to a school district or charter school at each
increment equal to forty-seven percent of hours of
attendance possible for such course delivered in the
nonvirtual program in a student's school district of
residence or charter school.

4. When courses are purchased from an outside vendor,
the district or charter school shall ensure that they are
aligned with the show-me curriculum standards and comply
with state requirements for teacher certification. The
state board of education reserves the right to request
information and materials sufficient to evaluate the online
course. Online classes should be considered like any other
class offered by the school district or charter school.

5. Any school district or charter school that offers
instruction in a virtual setting, develops a virtual course
or courses, or develops a virtual program of instruction
shall ensure that the following standards are satisfied:

   (1) The virtual course or virtual program utilizes
       appropriate content-specific tools and software;
(2) Orientation training is available for teachers, instructors, and students as needed;
(3) Privacy policies are stated and made available to teachers, instructors, and students;
(4) Academic integrity and internet etiquette expectations regarding lesson activities, discussions, electronic communications, and plagiarism are stated to teachers, instructors, and students prior to the beginning of the virtual course or virtual program;
(5) Computer system requirements, including hardware, web browser, and software, are specified to participants;
(6) The virtual course or virtual program architecture, software, and hardware permit the online teacher or instructor to add content, activities, and assessments to extend learning opportunities;
(7) The virtual course or virtual program makes resources available by alternative means, including but not limited to, video and podcasts;
(8) Resources and notes are available for teachers and instructors in addition to assessment and assignment answers and explanations;
(9) Technical support and course management are available to the virtual course or virtual program teacher and school coordinator;
(10) The virtual course or virtual program includes assignments, projects, and assessments that are aligned with students' different visual, auditory, and hands-on learning styles;
(11) The virtual course or virtual program demonstrates the ability to effectively use and incorporate subject-specific and developmentally appropriate software in an online learning module; and
(12) The virtual course or virtual program arranges media and content to help transfer knowledge most effectively in the online environment.

6. Any special school district shall count any student's completion of a virtual course or program in the same manner as the district counts completion of any other course or program for credit.

7. A school district or charter school may contract with multiple providers of virtual courses or virtual programs, provided they meet the criteria for virtual courses or virtual programs under this section.

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

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

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

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

(4) "Parent", the same meaning as used in section 135.712;

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

(6) "Program", the same meaning as used in section 135.712;

(7) "Qualified school", a [home] FLEX school as defined in section 167.031 or any of the following entities that is incorporated in Missouri and that does not discriminate on the basis of race, color, or national origin:
(a) A charter school as defined in section 160.400; 
(b) A private school; 
(c) A public school as defined in section 160.011; or 
(d) A public or private virtual school; 
(8) "Qualified student", any elementary or secondary school student who is a resident of this state and resides in any county with a charter form of government or any city with at least thirty thousand inhabitants who: 
(a) [Has 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
(b) Is a member of 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 meets at least one of the following qualifications:
   a.] Attended a public school as a full-time student for at least one semester during the previous twelve months; or
   [b.] (b) Is a child who is eligible to begin kindergarten or first grade under sections 160.051 to 160.055.

167.031. 1. Every parent, guardian or other person in this state having charge, control or custody of a child not enrolled in a public, private, parochial, parish school or full-time equivalent attendance in a combination of such schools and between the ages of seven years and the compulsory attendance age for the district is responsible for enrolling the child in a program of academic instruction which complies with subsection 2 of this section. Any parent, guardian or other person who enrolls a child between
the ages of five and seven years in a public school program of academic instruction shall cause such child to attend the academic program on a regular basis, according to this section. For students enrolled in a public school district or public charter school, "on a regular basis" shall mean in compliance with the student attendance policy for the district or charter school pursuant to the provisions of subsection 9 of this section. Nonattendance by such child shall cause such parent, guardian or other responsible person to be in violation of the provisions of section 167.061, except as provided by this section. A parent, guardian or other person in this state having charge, control, or custody of a child between the ages of seven years of age and the compulsory attendance age for the district shall cause the child to attend regularly some public, private, parochial, parish, home school, FLEX school, as defined in subdivision (2) of subsection 2 of this section, or a combination of such schools not less than the entire school term of the school which the child attends; except that:

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

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

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

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

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

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

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

(c) 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;

(d) Does not enroll pupils who participate in the
 program established in sections 135.712 to 135.719 and
 sections 166.700 to 166.720; and
(e) Does not enroll pupils who participate in any events or activities offered by a public elementary or secondary school.

(2) As used in sections 167.031 to 167.071, a "Family-Led Educational eXperience (FLEX) school" or "FLEX school" is a school, whether incorporated or unincorporated, that meets the criteria of paragraphs (a) through (c) of subdivision (1) of this subsection, but:

(a) May enroll pupils who participate in the program established in sections 135.712 to 135.719 and sections 166.700 to 166.720, provided that any state laws or regulations that apply to pupils who participate in such program shall not apply to FLEX school pupils who do not participate in such program. This paragraph shall not be construed to grant regulatory oversight or rulemaking authority over FLEX schools or FLEX school pupils to any state agency unless such oversight or authority is delegated under state law with specific reference to this section; and

(b) May enroll pupils who participate in any events or activities offered by a public elementary or secondary school.

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

(a) Maintain the following records:
   a. A plan book, diary, or other written record indicating subjects taught and activities engaged in; and
   b. A portfolio of samples of the child's academic work; and
   c. A record of evaluations of the child's academic progress; or
d. Other written, or credible evidence equivalent to subparagraphs a., b. and c.; and

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

[(3)] (4) The requirements of subdivision [(2)] (3) of this subsection shall not apply to any pupil above the age of sixteen years.

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

4. A school year begins on the first day of July and ends on the thirtieth day of June following.

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

6. As used in sections 167.031 to 167.051, the term
"compulsory attendance age for the district" shall mean:
(1) Seventeen years of age for any metropolitan school
district for which the school board adopts a resolution to
establish such compulsory attendance age; provided that such
resolution shall take effect no earlier than the school year
next following the school year during which the resolution
is adopted; and
(2) Seventeen years of age or having successfully
completed sixteen credits towards high school graduation in
all other cases.

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

7. For purposes of subsection 2 of this section as
applied in subsection 6 herein, a "completed credit towards
high school graduation" shall be defined as one hundred
hours or more of instruction in a course. Home school and
FLEX school education enforcement and records pursuant to
this section, and sections 210.167 and 211.031, shall be
subject to review only by the local prosecuting attorney.

8. (1) A public school, school district, charter
school, or any department, agency, or employee of the state
of Missouri, including a private agency under contract to
provide education related services to any public school,
school district, or charter school, shall not designate or identify a FLEX school or any publicly funded education programs, including but not limited to, publicly funded virtual school programs, as "home schooling", "home education", or any cognate thereof.

(2) A public school, school district, or any department, agency, or employee of the state of Missouri, including a private agency under contract to provide education related services to any public school, school district, or charter school, shall not designate students who are enrolled in an attendance center of any public school district or charter school, including students enrolled in a virtual school pursuant to the provisions of subsection 2 of section 161.670, or who are receiving education related funding from the state of Missouri or who participate in the program established in sections 135.712 to 135.719 and sections 166.700 to 166.720 as "home schooled", "home educated", or any cognate thereof.

9. Every public school district and public charter school shall establish a student attendance policy that clearly defines the terms "excused absence" and "unexcused absence". Such policy shall be made publicly available on the district or charter school website and shall be provided to the parents or legal guardians of all students enrolled in the district or charter school before the beginning of each school year. A student attendance policy shall provide a system of accountability for student nonattendance that contains provisions substantially similar to the following:

(1) After a student accrues not less than five unexcused absences in the same school year, the student and the student's parent or legal guardian shall be summoned to a mandatory meeting at an assigned date and time with the
school principal and a school counselor, if the school employs a school counselor. At such meeting, the principal and counselor, if applicable, shall present an attendance plan that includes consequences for any further unexcused absences. Such consequences may include suspension from school activities, make-up classes, or any other reasonable measures established with the intention of preventing any further unexcused absences. The student's parent or legal guardian shall be given the opportunity to offer feedback on the development of the attendance plan.

(2) After the conditions of subdivision (1) of this subsection are met, and upon the student's accrual of two additional unexcused absences in the same school year, the student and the student's parent or legal guardian shall be summoned to a mandatory meeting at an assigned date and time with the school principal and superintendent of the school district or chief governing officer of the charter school. At such meeting, the principal and superintendent or chief governing officer shall evaluate the student's attendance plan and provide additional information about the attendance requirements of the school district or school and the potential consequences of the student's failure to attend school on a regular basis pursuant to the provisions of this section and section 167.061.

(3) After the conditions of subdivisions (1) and (2) of this subsection are met, and upon the student's accrual of one additional unexcused absence in the same school year, the student's parent or legal guardian shall be deemed to be in violation of this section and guilty of a class C misdemeanor pursuant to section 167.061. 167.061. Any parent, guardian or other person having charge, control or custody of a child, who violates the
provisions of section 167.031 is guilty of a class C misdemeanor. Upon conviction and pending any judicial appeal, the defendant shall be required to enroll the child in a public, private, parochial, parish or home school, or FLEX school, as defined in section 167.031, within three public school days, after which each successive school day shall constitute a separate violation of section 167.031. The fine or imprisonment, or both, may be suspended and finally remitted by the court, with or without the payment of costs, at the discretion of the court, if the child is immediately placed and kept in regular attendance at a public, private, parochial, parish or home school, or FLEX school and if the fact of regular attendance is proved subsequently to the satisfaction of the court. A certificate stating that the child is regularly attending a public, private, parochial or parish school and properly attested by the superintendent, principal or person in charge of the school is prima facie evidence of regular attendance by the child.

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

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

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

(3) "School age children", all children under the age of nineteen without regard to whether they are currently enrolled in any school and without regard to what public, private, parochial or home school, or FLEX school, as defined in section 167.031, they may attend;

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

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

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

167.619. When a school or school district enrolls as a Medicaid provider pursuant to section 167.606 or receives a grant under section 167.603, the department of social services shall assure that the grants or funds are used to provide the most accessible care to school age children. No resident child shall be denied or discriminated against in
school children health services or Medicaid services offered
by a school district or a local health department under
sections 167.600 to 167.621 on the grounds that the child
regularly attends or does not attend a public, private,
parochial, parish [or], home school, or FLEX school, as
defined in section 167.031.

167.790. 1. As used in this section, the following
terms mean:
   (1) "Fine arts activities", any student activities
that include dance, theater, vocal music, performance of
music, or visual arts;
   (2) "FLEX school", as such term is defined in section
167.031;
   (3) "Full-time equivalent student", as such term is
defined in section 161.670;
   (4) "Integrated cocurricular activities", activities
that are outside of the regular school curriculum, but
complement and supplement such curriculum.

2. Except as otherwise provided in this section, a
school district shall not be a member of, or remit any funds
to, any statewide activities association that:
   (1) Prohibits a student who is receiving instruction
at a FLEX school or at a virtual school as a full-time
equivalent student from having the opportunity to
participate in any event or activity offered by the school
district or an attendance center of the school district in
which the student resides and where the statewide activities
association exercises authority, rules, or guidelines for
participating in such events or activities for any reason
relating to such student's FLEX or virtual instruction; or
   (2) Requires a student who is receiving instruction at
a FLEX school or at a virtual school as a full-time
equivalent student to attend any class or to attend a public
school for any portion of a school day in order to
participate in any event or activity offered by the school
district or an attendance center of the school district in
which the student resides and where the statewide activities
association exercises authority, rules, or guidelines for
participating in such events or activities.

3. Except as otherwise provided in this section, a
school district shall not:

   (1) Prohibit a student who is receiving instruction at
a FLEX school or at a virtual school as a full-time
equivalent student from having the opportunity to
participate in any event or activity offered by the school
district or an attendance center of the school district in
which the student resides for any reason relating to such
student's FLEX or virtual instruction; or

   (2) Require a student who is receiving instruction at
a FLEX school or at a virtual school as a full-time
equivalent student to attend any class or to attend a public
school for any portion of a school day in order to
participate in any event or activity offered by the school
district or an attendance center of the school district in
which the student resides.

4. The provisions of subsections 2 and 3 of this
section shall not be construed to prohibit a school district
from establishing an attendance policy for rehearsals,
practice sessions, or training sessions pursuant to
subsection 7 of this section.

5. The provisions of subsections 2 and 3 of this
section shall not be construed to prohibit a school district
from requiring students to participate in any components of
instruction required for participation in fine arts
activities, career and technical student organizations where applied learning and engagement are integral components of instruction for an approved career and technical education program in Missouri, or integrated cocurricular activities requiring students to participate in appropriate coursework and preparation of their related activities.

6. A statewide activities association shall not prohibit or restrict any school district that is a member of such association from participating in any events sanctioned, authorized, or regulated by such association with any school that is not a member of the association.

7. (1) A school district may establish an attendance policy for any rehearsals, practice sessions, or training sessions that are directly related to and required for participation in an event or activity offered by the school district or an attendance center of the school district.

(2) Any school disciplinary policy or school attendance policy shall be applied in the same manner to all students who participate in the event or activity to which the policy applies. A school district shall not establish a separate disciplinary policy or attendance policy, or any provision thereof, for students who receive instruction at a FLEX school or at a virtual school as a full-time equivalent student.

8. If a student whose academic performance or disciplinary status would preclude such student from eligibility to participate in extracurricular events or activities in his resident school district disenrolls from such school district in order to receive instruction at a FLEX school or at a virtual school as a full-time equivalent student, such student shall not be eligible to participate in public school events or activities in the district of
such student's disenrollment for twelve calendar months from
the date of disenrollment.

9. The parent or legal guardian providing primary
instruction of a student who is receiving instruction at a
FLEX school is responsible for oversight of academic
standards relating to the student's participation in an
event or activity offered by a school district or attendance
center of a school district.

10. Any records created by a school district or
attendance center pursuant to the provisions of this section
shall not be disclosed by such district or attendance center
for any purpose.

11. A student who is receiving instruction at a FLEX
school or at a virtual school as a full-time equivalent
student shall satisfy the following requirements in order to
be eligible to participate in public school events or
activities in the student's district of residence pursuant
to the provisions of this section:

   (1) Proof of the student's residency in the school
district or within the boundaries of the applicable
attendance center where the student seeks to participate in
public school events or activities shall be provided to such
district pursuant to the provisions of section 167.020;

   (2) The student shall provide a physical to
participate in sports, including details on any underlying
conditions relevant to such participation;

   (3) The student shall adhere to the same behavior,
responsibility, performance, and code of conduct standards
as those enrolled in the public school district; and

   (4) The student shall fulfill the same nonacademic
standards and financial requirements as those required of
students enrolled in the public school district.
170.355. 1. As used in this section, the following terms mean:

(1) "Parent", a student's parent, guardian, or other person having control or custody of the student;

(2) "School", a public school or school district as such terms are defined in section 160.011.

2. No school or school employee shall compel a teacher or student to discuss public policy issues of the day without such teacher's or student's consent.

3. No school or school employee shall compel a teacher or student to adopt, affirm, adhere to, or profess ideas in violation of Title IV or Title VI of the federal Civil Rights Act of 1964, as amended, including, but not limited to, the following:

   (1) That individuals of any race, ethnicity, color, or national origin are inherently superior or inferior;

   (2) That individuals should be adversely or advantageously treated on the basis of individual race, ethnicity, color, or national origin; or

   (3) That individuals, by virtue of their race, ethnicity, color, or national origin, bear collective guilt and are inherently responsible for actions committed in the past by other members of the same race, ethnicity, color, or national origin.

4. No course of instruction or unit of study offered by any school shall direct or otherwise compel students to personally affirm, adopt, or adhere to any of the ideas listed in subsection 3 of this section.

5. No course of instruction, unit of study, professional development, or training program shall direct or otherwise compel teachers to personally affirm, adopt, or
adhere to any of the ideas listed in subsection 3 of this section.

6. (1) No school employee, when acting in the course of such employee's official duties, shall organize, participate in, or carry out any act or communication that would violate subsection 3 of this section.

(2) This subsection shall not be construed to prohibit a school employee from discussing the ideas and history of the ideas listed in subsection 3 of this section.

7. This section shall not be construed to prohibit teachers or students from discussing public policy issues or ideas that individuals may find unwelcome, disagreeable, or offensive.

8. No school shall require nondisclosure agreements or similar forms for parental review of curricula. Schools shall allow parents to make copies of curriculum documents.

9. (1) Students, parents, or teachers may file a complaint with the department of elementary and secondary education regarding any violation of this section.

(2) In addition to any relief sought through the appropriate Office for Civil Rights of the U.S. Department of Education, an individual may, in the alternative, bring a private right of action against any school or school employee violating this section.

210.167. If an investigation conducted by the children's division under section 210.145 reveals that the only basis for action involves a question of an alleged violation of section 167.031, then the local office of the division shall send the report to the school district in which the child resides. The school district shall immediately refer all matters involving the child's attendance at a private, parochial, parish [or], home school
or FLEX school, as defined in section 167.031, to
the prosecuting attorney of the county wherein the child
legally resides. The school district may refer public
school violations of section 167.031 to the prosecuting
attorney.

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

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

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

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

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

(5) Any hospital, sanitarium, or home that is
conducted in good faith primarily to provide medical
treatment or nursing or convalescent care for children;
(6) Any residential facility or day program licensed by the department of mental health under sections 630.705 to 630.760 that provides care, treatment, and habilitation exclusively to children who have a primary diagnosis of mental disorder, mental illness, intellectual disability, or developmental disability, as those terms are defined in section 630.005;

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

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

(9) Any business that operates a child care program for the convenience of its customers or its employees if the following conditions are met:
   (a) The business provides child care for customers' or employees' children for no more than four hours per day; and
   (b) Customers or employees remain on site while their children are being cared for by the business establishment;

(10) Any home school or FLEX school, as defined in section 167.031;

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

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

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

(14) Any religious organization elementary or secondary school;

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

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

and

(17) Any child care facility maintained or operated under the exclusive control of a religious organization. If a nonreligious organization having as its principal purpose the provision of child care services enters into an arrangement with a religious organization for the maintenance or operation of a child care facility, the facility is not under the exclusive control of the religious organization.

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

3. Every child care facility shall disclose the licensure status of the facility to the parents or guardians of children for which the facility provides care. No child care facility exempt from licensure shall represent to any parent or guardian of children for which the facility provides care that the facility is licensed when such facility is in fact not licensed. A parent or guardian...
utilizing an unlicensed child care facility shall sign a written notice indicating he or she is aware of the unlicensed status of the facility. The facility shall keep a copy of this signed written notice on file. All child care facilities shall provide the parent or guardian enrolling a child in the facility with a written explanation of the disciplinary philosophy and policies of the child care facility.

4. Up to two children who are five years of age or older and who are related within the third degree of consanguinity or affinity to, adopted by, or under court appointed guardianship or legal custody of a child care provider who is responsible for the daily operation of a licensed family child care home that is organized as a corporation, association, firm, partnership, limited liability company, sole proprietorship, or any other type of business entity in this state shall not be included in the number of children counted toward the maximum number of children for which the family child care home is licensed under section 210.221. If more than one member of the corporation, association, firm, partnership, limited liability company, or other business entity is responsible for the daily operation of the licensed family child care home, then the related children of only one such member shall be excluded. A family child care home caring for children not counted in the maximum number of children, as permitted under this subsection, shall disclose this to parents or guardians on the written notice required under subsection 3 of this section. If a family child care home begins caring for children not counted in the maximum number of children after a parent or guardian has signed the written notice required under subsection 3 of this section,
the family child care home shall provide a separate notice
to the parent or guardian that the family child care home is
caring for children not counted in the maximum number of
children for which the family child care home is licensed
and shall keep a copy of the signed notice on file.

5. Nothing in this section shall prevent the
department from enforcing licensing regulations promulgated
under this chapter, including, but not limited to,
supervision requirements and capacity limitations based on
the amount of child care space available.

211.031. 1. Except as otherwise provided in this
chapter, the juvenile court or the family court in circuits
that have a family court as provided in chapter 487 shall
have exclusive original jurisdiction in proceedings:
(1) Involving any child who may be a resident of or
found within the county and who is alleged to be in need of
care and treatment because:
(a) The parents, or other persons legally responsible
for the care and support of the child, neglect or refuse to
provide proper support, education which is required by law,
medical, surgical or other care necessary for his or her
well-being; except that reliance by a parent, guardian or
custodian upon remedial treatment other than medical or
surgical treatment for a child shall not be construed as
neglect when the treatment is recognized or permitted
pursuant to the laws of this state;
(b) The child is otherwise without proper care,
custody or support;
(c) The child was living in a room, building or other
structure at the time such dwelling was found by a court of
competent jurisdiction to be a public nuisance pursuant to
section 195.130; or
(d) The child is in need of mental health services and the parent, guardian or custodian is unable to afford or access appropriate mental health treatment or care for the child;

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

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

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

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

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

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

(3) Involving any child who is alleged to have violated a state law or municipal ordinance, or any person who is alleged to have violated a state law or municipal ordinance prior to attaining the age of eighteen years, in which cases jurisdiction may be taken by the court of the
circuit in which the child or person resides or may be found or in which the violation is alleged to have occurred; except that, the juvenile court shall not have jurisdiction over any child fifteen years of age who is alleged to have violated a state or municipal traffic ordinance or regulation, the violation of which does not constitute a felony, and except that the juvenile court shall have concurrent jurisdiction with the municipal court over any child who is alleged to have violated a municipal curfew ordinance, and except that the juvenile court shall have concurrent jurisdiction with the circuit court on any child who is alleged to have violated a state or municipal ordinance or regulation prohibiting possession or use of any tobacco product;

(4) For the adoption of a person;

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

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

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

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

(1) Prior to the filing of a petition and upon request of any party or at the discretion of the juvenile officer, the matter in the interest of a child may be transferred by the juvenile officer, with the prior consent of the juvenile officer of the receiving court, to the county of the child's residence or the residence of the person eighteen years of age for future action;
(2) Upon the motion of any party or on its own motion prior to final disposition on the pending matter, the court in which a proceeding is commenced may transfer the proceeding of a child to the court located in the county of the child's residence, or the county in which the offense pursuant to subdivision (3) of subsection 1 of this section is alleged to have occurred for further action;

(3) Upon motion of any party or on its own motion, the court in which jurisdiction has been taken pursuant to subsection 1 of this section may at any time thereafter transfer jurisdiction of a child to the court located in the county of the child's residence for further action with the prior consent of the receiving court;

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

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

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

3. In any proceeding involving any child taken into custody in a county other than the county of the child's residence, the juvenile court of the county of the child's residence shall be notified of such taking into custody within seventy-two hours.
4. When an investigation by a juvenile officer pursuant to this section reveals that the only basis for action involves an alleged violation of section 167.031 involving a child who alleges to be receiving instruction at a home school or a FLEX school, as those terms are defined in section 167.031, the juvenile officer shall contact a parent or parents of such child to verify that the child is receiving instruction at such school and not in violation of section 167.031 before making a report of such a violation. Any report of a violation of section 167.031 made by a juvenile officer regarding a child who is receiving instruction at a home school or FLEX school shall be made to the prosecuting attorney of the county where the child legally resides.

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

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

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

   (2) "Joint legal custody" means that the parents share the decision-making rights, responsibilities, and authority relating to the health, education and welfare of the child, and, unless allocated, apportioned, or decreed, the parents shall confer with one another in the exercise of decision-making rights, responsibilities, and authority;
Joint physical custody" means an order awarding each of the parents significant, but not necessarily equal, periods of time during which a child resides with or is under the care and supervision of each of the parents.

Joint physical custody shall be shared by the parents in such a way as to assure the child of frequent, continuing and meaningful contact with both parents;

(4) "Third-party custody" means a third party designated as a legal and physical custodian pursuant to subdivision (5) of subsection 5 of this section.

2. The court shall determine custody in accordance with the best interests of the child. There shall be a rebuttable presumption that an award of equal or approximately equal parenting time to each parent is in the best interests of the child. Such presumption is rebuttable only by a preponderance of the evidence in accordance with all relevant factors, including, but not limited to, the factors contained in subdivisions (1) to (8) of this subsection. The presumption may be rebutted if the court finds that the parents have reached an agreement on all issues related to custody, or if the court finds that a pattern of domestic violence has occurred as set out in subdivision (6) of this subsection. When the parties have not reached an agreement on all issues related to custody, the court shall consider all relevant factors and enter written findings of fact and conclusions of law, including, but not limited to, the following:

(1) The wishes of the child's parents as to custody and the proposed parenting plan submitted by both parties;

(2) The needs of the child for a frequent, continuing and meaningful relationship with both parents and the
ability and willingness of parents to actively perform their
functions as mother and father for the needs of the child;

(3) The interaction and interrelationship of the child
with parents, siblings, and any other person who may
significantly affect the child's best interests;

(4) Which parent is more likely to allow the child
frequent, continuing and meaningful contact with the other
parent;

(5) The child's adjustment to the child's home,
school, and community. The fact that a parent sends his or
her child or children to a home school or FLEX school, as
defined in section 167.031, shall not be the sole factor
that a court considers in determining custody of such child
or children;

(6) The mental and physical health of all individuals
involved, including any history of abuse of any individuals
involved. If the court finds that a pattern of domestic
violence as defined in section 455.010 has occurred, and, if
the court also finds that awarding custody to the abusive
parent is in the best interest of the child, then the court
shall enter written findings of fact and conclusions of
law. Custody and visitation rights shall be ordered in a
manner that best protects the child and any other child or
children for whom the parent has custodial or visitation
rights, and the parent or other family or household member
who is the victim of domestic violence from any further harm;

(7) The intention of either parent to relocate the
principal residence of the child; and

(8) The unobstructed input of a child, free of
coercion and manipulation, as to the child's custodial
arrangement.
3. (1) In any court proceedings relating to custody of a child, the court shall not award custody or unsupervised visitation of a child to a parent if such parent or any person residing with such parent has been found guilty of, or pled guilty to, any of the following offenses when a child was the victim:

(a) A felony violation of section 566.030, 566.031, 566.032, 566.060, 566.061, 566.062, 566.064, 566.067, 566.068, 566.083, 566.100, 566.101, 566.111, 566.151, 566.203, 566.206, 566.209, 566.211, or 566.215;

(b) A violation of section 568.020;

(c) A violation of subdivision (2) of subsection 1 of section 568.060;

(d) A violation of section 568.065;

(e) A violation of section 573.200;

(f) A violation of section 573.205; or

(g) A violation of section 568.175.

(2) For all other violations of offenses in chapters 566 and 568 not specifically listed in subdivision (1) of this subsection or for a violation of an offense committed in another state when a child is the victim that would be a violation of chapter 566 or 568 if committed in Missouri, the court may exercise its discretion in awarding custody or visitation of a child to a parent if such parent or any person residing with such parent has been found guilty of, or pled guilty to, any such offense.

4. The general assembly finds and declares that it is the public policy of this state that frequent, continuing and meaningful contact with both parents after the parents have separated or dissolved their marriage is in the best interest of the child, except for cases where the court specifically finds that such contact is not in the best
interest of the child, and that it is the public policy of this state to encourage parents to participate in decisions affecting the health, education and welfare of their children, and to resolve disputes involving their children amicably through alternative dispute resolution. In order to effectuate these policies, the general assembly encourages the court to enter a temporary parenting plan as early as practicable in a proceeding under this chapter, consistent with the provisions of subsection 2 of this section, and, in so doing, the court shall determine the custody arrangement which will best assure both parents participate in such decisions and have frequent, continuing and meaningful contact with their children so long as it is in the best interests of the child.

5. Prior to awarding the appropriate custody arrangement in the best interest of the child, the court shall consider each of the following as follows:

(1) Joint physical and joint legal custody to both parents, which shall not be denied solely for the reason that one parent opposes a joint physical and joint legal custody award. The residence of one of the parents shall be designated as the address of the child for mailing and educational purposes;

(2) Joint physical custody with one party granted sole legal custody. The residence of one of the parents shall be designated as the address of the child for mailing and educational purposes;

(3) Joint legal custody with one party granted sole physical custody;

(4) Sole custody to either parent; or

(5) Third-party custody or visitation:
(a) When the court finds that each parent is unfit, unsuitable, or unable to be a custodian, or the welfare of the child requires, and it is in the best interests of the child, then custody, temporary custody or visitation may be awarded to a person related by consanguinity or affinity to the child. If no person related to the child by consanguinity or affinity is willing to accept custody, then the court may award custody to any other person or persons deemed by the court to be suitable and able to provide an adequate and stable environment for the child. Before the court awards custody, temporary custody or visitation to a third person under this subdivision, the court shall make that person a party to the action;

(b) Under the provisions of this subsection, any person may petition the court to intervene as a party in interest at any time as provided by supreme court rule.

6. If the parties have not agreed to a custodial arrangement, or the court determines such arrangement is not in the best interest of the child, the court shall include a written finding in the judgment or order based on the public policy in subsection 4 of this section and each of the factors listed in subdivisions (1) to (8) of subsection 2 of this section detailing the specific relevant factors that made a particular arrangement in the best interest of the child. If a proposed custodial arrangement is rejected by the court, the court shall include a written finding in the judgment or order detailing the specific relevant factors resulting in the rejection of such arrangement.

7. Upon a finding by the court that either parent has refused to exchange information with the other parent, which shall include but not be limited to information concerning the health, education and welfare of the child, the court
shall order the parent to comply immediately and to pay the prevailing party a sum equal to the prevailing party's cost associated with obtaining the requested information, which shall include but not be limited to reasonable attorney's fees and court costs.

8. As between the parents of a child, no preference may be given to either parent in the awarding of custody because of that parent's age, sex, or financial status, nor because of the age or sex of the child. The court shall not presume that a parent, solely because of his or her sex, is more qualified than the other parent to act as a joint or sole legal or physical custodian for the child.

9. Any judgment providing for custody shall include a specific written parenting plan setting forth the terms of such parenting plan arrangements specified in subsection 8 of section 452.310. Such plan may be a parenting plan submitted by the parties pursuant to section 452.310 or, in the absence thereof, a plan determined by the court, but in all cases, the custody plan approved and ordered by the court shall be in the court's discretion and shall be in the best interest of the child.

10. After August 28, 2016, every court order establishing or modifying custody or visitation shall include the following language: "In the event of noncompliance with this order, the aggrieved party may file a verified motion for contempt. If custody, visitation, or third-party custody is denied or interfered with by a parent or third party without good cause, the aggrieved person may file a family access motion with the court stating the specific facts that constitute a violation of the custody provisions of the judgment of dissolution, legal separation, or judgment of paternity. The circuit clerk will provide
the aggrieved party with an explanation of the procedures
for filing a family access motion and a simple form for use
in filing the family access motion. A family access motion
does not require the assistance of legal counsel to prepare
and file.".

11. No court shall adopt any local rule, form, or
practice requiring a standardized or default parenting plan
for interim, temporary, or permanent orders or judgments.
Notwithstanding any other provision of law to the contrary,
a court may enter an interim order in a proceeding under
this chapter, provided that the interim order shall not
contain any provisions about child custody or a parenting
schedule or plan without first providing the parties with
notice and a hearing, unless the parties otherwise agree.

12. Unless a parent has been denied custody rights
pursuant to this section or visitation rights under section
452.400, both parents shall have access to records and
information pertaining to a minor child including, but not
limited to, medical, dental, and school records. If the
parent without custody has been granted restricted or
supervised visitation because the court has found that the
parent with custody or any child has been the victim of
domestic violence, as defined in section 455.010, by the
parent without custody, the court may order that the reports
and records made available pursuant to this subsection not
include the address of the parent with custody or the
child. A court shall order that the reports and records
made available under this subsection not include the address
of the parent with custody if the parent with custody is a
participant in the address confidentiality program under
section 589.663. Unless a parent has been denied custody
rights pursuant to this section or visitation rights under
section 452.400, any judgment of dissolution or other applicable court order shall specifically allow both parents access to such records and reports.

13. Except as otherwise precluded by state or federal law, if any individual, professional, public or private institution or organization denies access or fails to provide or disclose any and all records and information, including, but not limited to, past and present dental, medical and school records pertaining to a minor child, to either parent upon the written request of such parent, the court shall, upon its finding that the individual, professional, public or private institution or organization denied such request without good cause, order that party to comply immediately with such request and to pay to the prevailing party all costs incurred, including, but not limited to, attorney's fees and court costs associated with obtaining the requested information.

14. An award of joint custody does not preclude an award of child support pursuant to section 452.340 and applicable supreme court rules. The court shall consider the factors contained in section 452.340 and applicable supreme court rules in determining an amount reasonable or necessary for the support of the child.

15. If the court finds that domestic violence or abuse as defined in section 455.010 has occurred, the court shall make specific findings of fact to show that the custody or visitation arrangement ordered by the court best protects the child and the parent or other family or household member who is the victim of domestic violence, as defined in section 455.010, and any other children for whom such parent has custodial or visitation rights from any further harm.
[167.042. For the purpose of minimizing unnecessary investigations due to reports of truancy, each parent, guardian, or other person responsible for the child who causes his child to attend regularly a home school may provide to the recorder of deeds of the county where the child legally resides, or to the chief school officer of the public school district where the child legally resides, a signed, written declaration of enrollment stating their intent for the child to attend a home school within thirty days after the establishment of the home school and by September first annually thereafter. The name and age of each child attending the home school, the address and telephone number of the home school, the name of each person teaching in the home school, and the name, address and signature of each person making the declaration of enrollment shall be included in said notice. A declaration of enrollment to provide a home school shall not be cause to investigate violations of section 167.031. The recorder of deeds may charge a service cost of not more than one dollar for each notice filed.]

[167.071. 1. In school districts having seven or more directors the school board may appoint and remove at pleasure one or more school attendance officers and shall pay them from the public school funds.

2. Each attendance officer has the powers of a deputy sheriff in the performance of his duties. He shall investigate the claims of children for exemptions under section 167.031, and report his findings to the person authorized by that section to grant the exemption sought. He shall refer all cases involving an alleged violation of section 167.031 involving a public school to the superintendent of the public school of the district where the child legally resides and all cases involving an alleged violation of section 167.031 involving a private, parochial, parish or home school to the prosecuting attorney of the county wherein the child legally resides. When reasonable doubt exists as to the age of any such child he may require a properly attested birth certificate or an affidavit stating the child's age, date of birth, physical characteristics and bearing the signature of the child. He may visit and enter any mine, office, factory, workshop, business house, place of amusement, or other place in which children are employed or engaged in any kind of service, or any place or building in which children loiter or idle during school hours; may require a properly attested
certificate of the attendance of any child at
school; may arrest, without warrant, any truant,
or nonattendants or other juvenile disorderly
persons, and place them in some school or take
them to their homes, or take them to any place
of detention provided for neglected children in
the county or school district. He shall serve
in the cases which he prosecutes without
additional fee or compensation. Each attendance
officer appointed by a school board shall carry
into effect the regulations lawfully prescribed
by the board by which he was appointed.

3. In any urban school district, any
metropolitan school district and in school
districts having seven or more directors and
which are located in a first class county having
a charter form of government, any duly
commissioned city or county police officer shall
be ex officio school attendance officers. Any
police officer exercising duties of ex officio
school attendance officer need not refer any
child apprehended pursuant to the provisions of
this section to juvenile court or a juvenile
officer, but nothing in this subsection shall be
construed to limit the police officer's regular
powers and duties as a peace officer.]