

SENATE AMENDMENT NO. _____

Offered by _____ Of _____

Amend SS/SCS/Senate Bill No. 313, Page 8, Section 135.719, Line 23,

by inserting after all of said line the following:

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

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

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

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

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

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

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

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

(4) "Graduation rate", the [quotient of the number of

1 graduates in the current year as of June thirtieth divided by the
2 sum of the number of graduates in the current year as of June
3 thirtieth plus the number of twelfth graders who dropped out in
4 the current year plus the number of eleventh graders who dropped
5 out in the preceding year plus the number of tenth graders who
6 dropped out in the second preceding year plus the number of ninth
7 graders who dropped out in the third preceding year] graduation
8 rate determined by the annual performance report required by the
9 Missouri school improvement program;

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

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

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

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

20 (9) "School term", a minimum of one hundred seventy-four
21 school days, as that term is defined in section 160.041, for
22 schools with a five-day school week or a minimum of one hundred
23 forty-two school days, as that term is defined in section
24 160.041, for schools with a four-day school week, and one
25 thousand forty-four hours of actual pupil attendance as scheduled
26 by the board pursuant to section 171.031 during a twelve-month
27 period in which the academic instruction of pupils is actually
28 and regularly carried on for a group of students in the public
29 schools of any school district. A school term may be within a

1 school year or may consist of parts of two consecutive school
2 years, but does not include summer school. A district may choose
3 to operate two or more terms for different groups of children. A
4 school term for students participating in a school flex program
5 as established in section 160.539 may consist of a combination of
6 actual pupil attendance and attendance at college or technical
7 career education or approved employment aligned with the
8 student's career academic plan for a total of one thousand
9 forty-four hours;

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

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

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

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

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

26 160.400. 1. A charter school is an independent public
27 school.

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

1 (1) In a metropolitan school district;

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

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

7 (4) In a school district that has been classified as
8 provisionally accredited by the state board of education [and has
9 received scores on its annual performance report consistent with
10 a classification of provisionally accredited or unaccredited for
11 three consecutive school years beginning with the 2012-13
12 accreditation year under the following conditions:

13 (a) The eligibility for charter schools of any school
14 district whose provisional accreditation is based in whole or in
15 part on financial stress as defined in sections 161.520 to
16 161.529, or on financial hardship as defined by rule of the state
17 board of education, shall be decided by a vote of the state board
18 of education during the third consecutive school year after the
19 designation of provisional accreditation; and

20 (b) The sponsor is limited to the local school board or a
21 sponsor who has met the standards of accountability and
22 performance as determined by the department based on sections
23 160.400 to 160.425 and section 167.349 and properly promulgated
24 rules of the department]; [or]

25 (5) In a school district that has been accredited without
26 provisions, sponsored only by the local school board; provided
27 that no board with a current year enrollment of one thousand five
28 hundred fifty students or greater shall permit more than
29 thirty-five percent of its student enrollment to enroll in

1 charter schools sponsored by the local board under the authority
2 of this subdivision, except that this restriction shall not apply
3 to any school district that subsequently becomes eligible under
4 subdivision (3) or (4) of this subsection or to any district
5 accredited without provisions that sponsors charter schools prior
6 to having a current year student enrollment of one thousand five
7 hundred fifty students or greater.

8 3. Except as further provided in subsection 4 of this
9 section, the following entities are eligible to sponsor charter
10 schools:

11 (1) The school board of the district in any district which
12 is sponsoring a charter school as of August 27, 2012, as
13 permitted under subdivision (1) or (2) of subsection 2 of this
14 section, the special administrative board of a metropolitan
15 school district during any time in which powers granted to the
16 district's board of education are vested in a special
17 administrative board, or if the state board of education appoints
18 a special administrative board to retain the authority granted to
19 the board of education of an urban school district containing
20 most or all of a city with a population greater than three
21 hundred fifty thousand inhabitants, the special administrative
22 board of such school district;

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

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

28 (4) Any private four-year college or university with an
29 enrollment of at least one thousand students, with its primary

1 campus in Missouri, and with an approved teacher preparation
2 program;

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

7 (6) The Missouri charter public school commission created
8 in section 160.425.

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

13 (1) As a district transitions from unaccredited to
14 provisionally accredited, the district shall continue to fall
15 under the requirements for an unaccredited district until it
16 achieves three consecutive full school years of provisional
17 accreditation;

18 (2) As a district transitions from provisionally accredited
19 to full accreditation, the district shall continue to fall under
20 the requirements for a provisionally accredited district until it
21 achieves three consecutive full school years of full
22 accreditation;

23 (3) (1) In any school district classified as unaccredited
24 or provisionally accredited where a charter school is operating
25 and is sponsored by an entity other than the local school board,
26 when the school district becomes classified as accredited without
27 provisions, a charter school may continue to be sponsored by the
28 entity sponsoring it prior to the classification of accredited
29 without provisions and shall not be limited to the local school

1 board as a sponsor.

2 (2) A charter school operating in a school district
3 identified in subdivision (1) or (2) of subsection 2 of this
4 section may be sponsored by any of the entities identified in
5 subsection 3 of this section, irrespective of the accreditation
6 classification of the district in which it is located. A charter
7 school in a district described in this subsection whose charter
8 provides for the addition of grade levels in subsequent years may
9 continue to add levels until the planned expansion is complete to
10 the extent of grade levels in comparable schools of the district
11 in which the charter school is operated.

12 5. The mayor of a city not within a county may request a
13 sponsor under subdivision (2), (3), (4), (5), or (6) of
14 subsection 3 of this section to consider sponsoring a "workplace
15 charter school", which is defined for purposes of sections
16 160.400 to 160.425 as a charter school with the ability to target
17 prospective students whose parent or parents are employed in a
18 business district, as defined in the charter, which is located in
19 the city.

20 6. No sponsor shall receive from an applicant for a charter
21 school any fee of any type for the consideration of a charter,
22 nor may a sponsor condition its consideration of a charter on the
23 promise of future payment of any kind.

24 7. The charter school shall be organized as a Missouri
25 nonprofit corporation incorporated pursuant to chapter 355. The
26 charter provided for herein shall constitute a contract between
27 the sponsor and the charter school.

28 8. As a nonprofit corporation incorporated pursuant to
29 chapter 355, the charter school shall select the method for

1 election of officers pursuant to section 355.326 based on the
2 class of corporation selected. Meetings of the governing board
3 of the charter school shall be subject to the provisions of
4 sections 610.010 to 610.030.

5 9. A sponsor of a charter school, its agents and employees
6 are not liable for any acts or omissions of a charter school that
7 it sponsors, including acts or omissions relating to the charter
8 submitted by the charter school, the operation of the charter
9 school and the performance of the charter school.

10 10. A charter school may affiliate with a four-year college
11 or university, including a private college or university, or a
12 community college as otherwise specified in subsection 3 of this
13 section when its charter is granted by a sponsor other than such
14 college, university or community college. Affiliation status
15 recognizes a relationship between the charter school and the
16 college or university for purposes of teacher training and staff
17 development, curriculum and assessment development, use of
18 physical facilities owned by or rented on behalf of the college
19 or university, and other similar purposes. A university, college
20 or community college may not charge or accept a fee for
21 affiliation status.

22 11. The expenses associated with sponsorship of charter
23 schools shall be defrayed by the department of elementary and
24 secondary education retaining one and five-tenths percent of the
25 amount of state and local funding allocated to the charter school
26 under section 160.415, not to exceed one hundred twenty-five
27 thousand dollars, adjusted for inflation. The department of
28 elementary and secondary education shall remit the retained funds
29 for each charter school to the school's sponsor, provided the

1 sponsor remains in good standing by fulfilling its sponsorship
2 obligations under sections 160.400 to 160.425 and 167.349 with
3 regard to each charter school it sponsors, including appropriate
4 demonstration of the following:

5 (1) Expends no less than ninety percent of its charter
6 school sponsorship funds in support of its charter school
7 sponsorship program, or as a direct investment in the sponsored
8 schools;

9 (2) Maintains a comprehensive application process that
10 follows fair procedures and rigorous criteria and grants charters
11 only to those developers who demonstrate strong capacity for
12 establishing and operating a quality charter school;

13 (3) Negotiates contracts with charter schools that clearly
14 articulate the rights and responsibilities of each party
15 regarding school autonomy, expected outcomes, measures for
16 evaluating success or failure, performance consequences based on
17 the annual performance report, and other material terms;

18 (4) Conducts contract oversight that evaluates performance,
19 monitors compliance, informs intervention and renewal decisions,
20 and ensures autonomy provided under applicable law; and

21 (5) Designs and implements a transparent and rigorous
22 process that uses comprehensive data to make merit-based renewal
23 decisions.

24 12. Sponsors receiving funds under subsection 11 of this
25 section shall be required to submit annual reports to the joint
26 committee on education demonstrating they are in compliance with
27 subsection 17 of this section.

28 13. No university, college or community college shall grant
29 a charter to a nonprofit corporation if an employee of the

1 university, college or community college is a member of the
2 corporation's board of directors.

3 14. No sponsor shall grant a charter under sections 160.400
4 to 160.425 and 167.349 without ensuring that a criminal
5 background check and family care safety registry check are
6 conducted for all members of the governing board of the charter
7 schools or the incorporators of the charter school if initial
8 directors are not named in the articles of incorporation, nor
9 shall a sponsor renew a charter without ensuring a criminal
10 background check and family care safety registry check are
11 conducted for each member of the governing board of the charter
12 school.

13 15. No member of the governing board of a charter school
14 shall hold any office or employment from the board or the charter
15 school while serving as a member, nor shall the member have any
16 substantial interest, as defined in section 105.450, in any
17 entity employed by or contracting with the board. No board
18 member shall be an employee of a company that provides
19 substantial services to the charter school. All members of the
20 governing board of the charter school shall be considered
21 decision-making public servants as defined in section 105.450 for
22 the purposes of the financial disclosure requirements contained
23 in sections 105.483, 105.485, 105.487, and 105.489.

24 16. A sponsor shall develop the policies and procedures
25 for:

26 (1) The review of a charter school proposal including an
27 application that provides sufficient information for rigorous
28 evaluation of the proposed charter and provides clear
29 documentation that the education program and academic program are

1 aligned with the state standards and grade-level expectations,
2 and provides clear documentation of effective governance and
3 management structures, and a sustainable operational plan;

4 (2) The granting of a charter;

5 (3) The performance contract that the sponsor will use to
6 evaluate the performance of charter schools. Charter schools
7 shall meet current state academic performance standards as well
8 as other standards agreed upon by the sponsor and the charter
9 school in the performance contract;

10 (4) The sponsor's intervention, renewal, and revocation
11 policies, including the conditions under which the charter
12 sponsor may intervene in the operation of the charter school,
13 along with actions and consequences that may ensue, and the
14 conditions for renewal of the charter at the end of the term,
15 consistent with subsections 8 and 9 of section 160.405;

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

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

21
22 The department shall provide guidance to sponsors in developing
23 such policies and procedures.

24 17. (1) A sponsor shall provide timely submission to the
25 state board of education of all data necessary to demonstrate
26 that the sponsor is in material compliance with all requirements
27 of sections 160.400 to 160.425 and section 167.349. The state
28 board of education shall ensure each sponsor is in compliance
29 with all requirements under sections 160.400 to 160.425 and

1 167.349 for each charter school sponsored by any sponsor. The
2 state board shall notify each sponsor of the standards for
3 sponsorship of charter schools, delineating both what is mandated
4 by statute and what best practices dictate. The state board
5 shall evaluate sponsors to determine compliance with these
6 standards every three years. The evaluation shall include a
7 sponsor's policies and procedures in the areas of charter
8 application approval; required charter agreement terms and
9 content; sponsor performance evaluation and compliance
10 monitoring; and charter renewal, intervention, and revocation
11 decisions. Nothing shall preclude the department from
12 undertaking an evaluation at any time for cause.

13 (2) If the department determines that a sponsor is in
14 material noncompliance with its sponsorship duties, the sponsor
15 shall be notified and given reasonable time for remediation. If
16 remediation does not address the compliance issues identified by
17 the department, the commissioner of education shall conduct a
18 public hearing and thereafter provide notice to the charter
19 sponsor of corrective action that will be recommended to the
20 state board of education. Corrective action by the department
21 may include withholding the sponsor's funding and suspending the
22 sponsor's authority to sponsor a school that it currently
23 sponsors or to sponsor any additional school until the sponsor is
24 reauthorized by the state board of education under section
25 160.403.

26 (3) The charter sponsor may, within thirty days of receipt
27 of the notice of the commissioner's recommendation, provide a
28 written statement and other documentation to show cause as to why
29 that action should not be taken. Final determination of

1 corrective action shall be determined by the state board of
2 education based upon a review of the documentation submitted to
3 the department and the charter sponsor.

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

8 18. If a sponsor notifies a charter school of closure under
9 subsection 8 of section 160.405, the department of elementary and
10 secondary education shall exercise its financial withholding
11 authority under subsection 12 of section 160.415 to assure all
12 obligations of the charter school shall be met. The state,
13 charter sponsor, or resident district shall not be liable for any
14 outstanding liability or obligations of the charter school.

15 160.410. 1. A charter school shall enroll:

16 (1) All pupils resident in the district in which it
17 operates;

18 (2) Nonresident pupils eligible to attend a district's
19 school under an urban voluntary transfer program;

20 (3) Nonresident pupils who transfer from an unaccredited
21 district under section 167.131, provided that the charter school
22 is an approved charter school, as defined in section 167.131, and
23 subject to all other provisions of section 167.131;

24 (4) Nonresident pupils who are residents of Missouri and
25 have at least one parent employed by the charter school at which
26 the nonresident pupil is seeking enrollment unless the pupil's
27 enrollment will cause a resident student to be denied enrollment;

28 (5) Nonresident pupils from the same or an adjoining county
29 who were enrolled in and attended an unaccredited school for at

1 least one semester immediately prior to requesting the transfer
2 and who were unable to transfer to an accredited school within
3 their district of residence as provided in section 167.826,
4 provided the school is an approved charter school, as defined in
5 section 167.848, and subject to all other provisions of section
6 167.826;

7 (6) In the case of a charter school whose mission includes
8 student drop-out prevention or recovery, any nonresident pupil
9 from the same or an adjacent county who resides in a residential
10 care facility, a transitional living group home, or an
11 independent living program whose last school of enrollment is in
12 the school district where the charter school is established, who
13 submits a timely application; and

14 ~~[(5)]~~ (7) In the case of a workplace charter school, any
15 student eligible to attend under subdivision (1) or (2) of this
16 subsection whose parent is employed in the business district, who
17 submits a timely application, unless the number of applications
18 exceeds the capacity of a program, class, grade level or
19 building. The configuration of a business district shall be set
20 forth in the charter and shall not be construed to create an
21 undue advantage for a single employer or small number of
22 employers.

23 2. If capacity is insufficient to enroll all pupils who
24 submit a timely application, the charter school shall have an
25 admissions process that assures all applicants of an equal chance
26 of gaining admission and does not discriminate based on parents'
27 ability to pay fees or tuition except that:

28 (1) A charter school may establish a geographical area
29 around the school whose residents will receive a preference for

1 enrolling in the school, provided that such preferences do not
2 result in the establishment of racially or socioeconomically
3 isolated schools and provided such preferences conform to
4 policies and guidelines established by the state board of
5 education;

6 (2) A charter school may also give a preference for
7 admission of children whose siblings attend the school [or], for
8 admission of children resident in the district in which it
9 operates and whose parents are employed at the school, or, in the
10 case of a workplace charter school, for admission of a child
11 whose parent is employed in the business district or at the
12 business site of such school; and

13 (3) Charter alternative and special purpose schools may
14 also give a preference for admission to high-risk students, as
15 defined in subdivision (5) of subsection 2 of section 160.405,
16 when the school targets these students through its proposed
17 mission, curriculum, teaching methods, and services.

18 3. A charter school shall not limit admission based on
19 race, ethnicity, national origin, disability, income level,
20 proficiency in the English language or athletic ability, but may
21 limit admission to pupils within a given age group or grade
22 level. Charter schools may limit admission based on gender only
23 when the school is a single-gender school. Students of a charter
24 school who have been enrolled for a full academic year shall be
25 counted in the performance of the charter school on the statewide
26 assessments in that calendar year, unless otherwise exempted as
27 English language learners. For purposes of this subsection,
28 "full academic year" means the last Wednesday in September
29 through the administration of the Missouri assessment program

1 test without transferring out of the school and re-enrolling.

2 4. A charter school shall make available for public
3 inspection, and provide upon request, to the parent, guardian, or
4 other custodian of any school-age pupil resident in the district
5 in which the school is located the following information:

6 (1) The school's charter;

7 (2) The school's most recent annual report card published
8 according to section 160.522;

9 (3) The results of background checks on the charter
10 school's board members; and

11 (4) If a charter school is operated by a management
12 company, a copy of the written contract between the governing
13 board of the charter school and the educational management
14 organization or the charter management organization for services.
15 The charter school may charge reasonable fees, not to exceed the
16 rate specified in section 610.026 for furnishing copies of
17 documents under this subsection.

18 5. When a student attending a charter school who is a
19 resident of the school district in which the charter school is
20 located moves out of the boundaries of such school district, the
21 student may complete the current semester and shall be considered
22 a resident student. The student's parent or legal guardian shall
23 be responsible for the student's transportation to and from the
24 charter school.

25 6. If a change in school district boundary lines occurs
26 under section 162.223, 162.431, 162.441, or 162.451, or by action
27 of the state board of education under section 162.081, including
28 attachment of a school district's territory to another district
29 or dissolution, such that a student attending a charter school

1 prior to such change no longer resides in a school district in
2 which the charter school is located, then the student may
3 complete the current academic year at the charter school. The
4 student shall be considered a resident student. The student's
5 parent or legal guardian shall be responsible for the student's
6 transportation to and from the charter school.

7 7. The provisions of sections 167.018 and 167.019
8 concerning foster children's educational rights are applicable to
9 charter schools.

10 160.415. 1. For the purposes of calculation and
11 distribution of state school aid under section 163.031, pupils
12 enrolled in a charter school shall be included in the pupil
13 enrollment of the school district within which each pupil
14 resides. Each charter school shall report the names, addresses,
15 and eligibility for free and reduced price lunch, special
16 education, or limited English proficiency status, as well as
17 eligibility for categorical aid, of pupils resident in a school
18 district who are enrolled in the charter school to the school
19 district in which those pupils reside. The charter school shall
20 report the average daily attendance data, free and reduced price
21 lunch count, special education pupil count, and limited English
22 proficiency pupil count to the state department of elementary and
23 secondary education. Each charter school shall promptly notify
24 the state department of elementary and secondary education and
25 the pupil's school district when a student discontinues
26 enrollment at a charter school.

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

1 (1) A school district having one or more resident pupils
2 attending a charter school shall pay to the charter school an
3 annual amount equal to the product of the charter school's
4 weighted average daily attendance and the state adequacy target,
5 multiplied by the dollar value modifier for the district, plus
6 local tax revenues per weighted average daily attendance from the
7 incidental and teachers' funds in excess of the performance levy
8 as defined in section 163.011 plus all other state aid
9 attributable to such pupils.

10 (2) The district of residence of a pupil attending a
11 charter school shall also pay to the charter school any other
12 federal or state aid that the district receives on account of
13 such child.

14 (3) If the department overpays or underpays the amount due
15 to the charter school, such overpayment or underpayment shall be
16 repaid by the public charter school or credited to the public
17 charter school in twelve equal payments in the next fiscal year.

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

20 (5) A school district shall pay the amounts due pursuant to
21 this subsection as the disbursal agent and no later than twenty
22 days following the receipt of any such funds. The department of
23 elementary and secondary education shall pay the amounts due when
24 it acts as the disbursal agent within five days of the required
25 due date.

26 3. A workplace charter school shall receive payment for
27 each eligible pupil as provided under subsection 2 of this
28 section, except that if the student is not a resident of the
29 district and is participating in a voluntary interdistrict

1 transfer program, the payment for such pupils shall be the same
2 as provided under section 162.1060.

3 4. A charter school that has declared itself as a local
4 educational agency shall receive from the department of
5 elementary and secondary education an annual amount equal to the
6 product of the charter school's weighted average daily attendance
7 and the state adequacy target, multiplied by the dollar value
8 modifier for the district, plus local tax revenues per weighted
9 average daily attendance from the incidental and teachers funds
10 in excess of the performance levy as defined in section 163.011
11 plus all other state aid attributable to such pupils. If a
12 charter school declares itself as a local educational agency, the
13 department of elementary and secondary education shall, upon
14 notice of the declaration, reduce the payment made to the school
15 district by the amount specified in this subsection and pay
16 directly to the charter school the annual amount reduced from the
17 school district's payment.

18 5. If a school district fails to make timely payments of
19 any amount for which it is the disbursal agent, the state
20 department of elementary and secondary education shall authorize
21 payment to the charter school of the amount due pursuant to
22 subsection 2 of this section and shall deduct the same amount
23 from the next state school aid apportionment to the owing school
24 district. If a charter school is paid more or less than the
25 amounts due pursuant to this section, the amount of overpayment
26 or underpayment shall be adjusted equally in the next twelve
27 payments by the school district or the department of elementary
28 and secondary education, as appropriate. Any dispute between the
29 school district and a charter school as to the amount owing to

1 the charter school shall be resolved by the department of
2 elementary and secondary education, and the department's decision
3 shall be the final administrative action for the purposes of
4 review pursuant to chapter 536. During the period of dispute,
5 the department of elementary and secondary education shall make
6 every administrative and statutory effort to allow the continued
7 education of children in their current public charter school
8 setting.

9 6. For purposes of calculation and distribution of state
10 school aid to charter schools under this section, a charter
11 school's weighted average daily attendance shall include any
12 nonresident pupil who is a resident of Missouri, who attends the
13 charter school, and whose parent is employed at the charter
14 school.

15 7. The charter school and a local school board may agree by
16 contract for services to be provided by the school district to
17 the charter school. The charter school may contract with any
18 other entity for services. Such services may include but are not
19 limited to food service, custodial service, maintenance,
20 management assistance, curriculum assistance, media services and
21 libraries and shall be subject to negotiation between the charter
22 school and the local school board or other entity. Documented
23 actual costs of such services shall be paid for by the charter
24 school.

25 [7.] 8. In the case of a proposed charter school that
26 intends to contract with an education service provider for
27 substantial educational services or management services, the
28 request for proposals shall additionally require the charter
29 school applicant to:

1 (1) Provide evidence of the education service provider's
2 success in serving student populations similar to the targeted
3 population, including demonstrated academic achievement as well
4 as successful management of nonacademic school functions, if
5 applicable;

6 (2) Provide a term sheet setting forth the proposed
7 duration of the service contract; roles and responsibilities of
8 the governing board, the school staff, and the service provider;
9 scope of services and resources to be provided by the service
10 provider; performance evaluation measures and time lines;
11 compensation structure, including clear identification of all
12 fees to be paid to the service provider; methods of contract
13 oversight and enforcement; investment disclosure; and conditions
14 for renewal and termination of the contract;

15 (3) Disclose any known conflicts of interest between the
16 school governing board and proposed service provider or any
17 affiliated business entities;

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

21 (5) Ensure that the legal counsel for the charter school
22 shall report directly to the charter school's governing board;
23 and

24 (6) Provide a process to ensure that the expenditures that
25 the education service provider intends to bill to the charter
26 school shall receive prior approval of the governing board or its
27 designee.

28 **[8.] 9.** A charter school may enter into contracts with
29 community partnerships and state agencies acting in collaboration

1 with such partnerships that provide services to children and
2 their families linked to the school.

3 [9.] 10. A charter school shall be eligible for
4 transportation state aid pursuant to section 163.161 and shall be
5 free to contract with the local district, or any other entity,
6 for the provision of transportation to the students of the
7 charter school.

8 [10.] 11. (1) The proportionate share of state and federal
9 resources generated by students with disabilities or staff
10 serving them shall be paid in full to charter schools enrolling
11 those students by their school district where such enrollment is
12 through a contract for services described in this section. The
13 proportionate share of money generated under other federal or
14 state categorical aid programs shall be directed to charter
15 schools serving such students eligible for that aid.

16 (2) A charter school shall provide the special services
17 provided pursuant to section 162.705 and may provide the special
18 services pursuant to a contract with a school district or any
19 provider of such services.

20 [11.] 12. A charter school may not charge tuition or impose
21 fees that a school district is prohibited from charging or
22 imposing, except that a charter school may receive tuition
23 payments from districts in the same or an adjoining county for
24 nonresident students who transfer to an approved charter school,
25 as defined in section 167.131, from an unaccredited district.

26 [12.] 13. A charter school is authorized to incur debt in
27 anticipation of receipt of funds. A charter school may also
28 borrow to finance facilities and other capital items. A school
29 district may incur bonded indebtedness or take other measures to

1 provide for physical facilities and other capital items for
2 charter schools that it sponsors or contracts with. Except as
3 otherwise specifically provided in sections 160.400 to 160.425,
4 upon the dissolution of a charter school, any liabilities of the
5 corporation will be satisfied through the procedures of chapter
6 355. A charter school shall satisfy all its financial
7 obligations within twelve months of notice from the sponsor of
8 the charter school's closure under subsection 8 of section
9 160.405. After satisfaction of all its financial obligations, a
10 charter school shall return any remaining state and federal funds
11 to the department of elementary and secondary education for
12 disposition as stated in subdivision (17) of subsection 1 of
13 section 160.405. The department of elementary and secondary
14 education may withhold funding at a level the department
15 determines to be adequate during a school's last year of
16 operation until the department determines that school records,
17 liabilities, and reporting requirements, including a full audit,
18 are satisfied.

19 [13.] 14. Charter schools shall not have the power to
20 acquire property by eminent domain.

21 [14.] 15. The governing body of a charter school is
22 authorized to accept grants, gifts or donations of any kind and
23 to expend or use such grants, gifts or donations. A grant, gift
24 or donation may not be accepted by the governing body if it is
25 subject to any condition contrary to law applicable to the
26 charter school or other public schools, or contrary to the terms
27 of the charter.

28 160.425. 1. The "Missouri Charter Public School
29 Commission" is hereby created with the authority to sponsor high

1 quality charter schools throughout the state of Missouri as
2 specified in section 160.400.

3 2. The commission shall consist of nine members appointed
4 by the governor, by and with the advice and consent of the
5 senate. No more than five of the members shall be of the same
6 political party. No more than two members shall be from the same
7 congressional district. The term of office of each member shall
8 be four years, except those of the members first appointed, of
9 which three shall be appointed for a term of one year, two for a
10 term of two years, two for a term of three years, and two for a
11 term of four years. At the expiration of the term of each
12 member, the governor, by and with the advice and consent of the
13 senate, shall appoint a successor.

14 3. The appointees to the commission shall be selected as
15 follows:

16 (1) One member selected by the governor from a slate of
17 three recommended by the commissioner of education;

18 (2) One member selected by the governor from a slate of
19 three recommended by the commissioner of higher education;

20 (3) One member selected by the governor from a slate of
21 three recommended by the president pro tempore of the senate;

22 (4) One member selected by the governor from a slate of
23 three recommended by the speaker of the house of representatives;
24 and

25 (5) Five additional members appointed by the governor, one
26 of whom shall be selected from a slate of three nominees
27 recommended by the Missouri School Boards Association.

28 4. Members appointed to the commission shall collectively
29 possess strong experience and expertise in governance, management

1 and finance, school leadership, assessment, curriculum and
2 instruction, and education law. All members of the commission
3 shall have demonstrated understanding of and commitment to
4 charter schooling as a strategy for strengthening public
5 education.

6 5. The commission shall annually elect a chairperson and
7 vice chairperson, who shall act as chairperson in his or her
8 absence. The commission shall meet at the call of the
9 chairperson. The chairperson may call meetings at such times as
10 he or she deems advisable and shall call a meeting when requested
11 to do so by three or more members of the commission. Members of
12 the commission are not eligible to receive compensation.

13 6. The commission may approve proposed charters for its
14 sponsorship under sections 160.400 to 160.425 and shall:

15 (1) Comply with all of the requirements applicable to
16 sponsors under sections 160.400 to 160.425;

17 (2) Exercise sponsorship over charters approved by the
18 commission under sections 160.400 to 160.425, including receipt
19 of sponsorship funding under subsection 11 of section 160.400.

20 7. Charter schools sponsored by the commission shall comply
21 with all of the requirements applicable to charter schools under
22 sections 160.400 to 160.425.

23 8. The commission shall conduct its business in accordance
24 with chapter 610.

25 9. The department of elementary and secondary education
26 shall provide start-up funding for the commission to operate.
27 The commission shall reimburse the department's costs from any
28 funds it receives as sponsor under section 160.400.

29 10. The commission is authorized to receive and expend

1 gifts, grants, and donations of any kind from any public or
2 private entity to carry out the purposes of sections 160.400 to
3 160.425, subject to the terms and conditions under which they are
4 given, provided that all such terms and conditions are
5 permissible under law.

6 11. The commission may employ staff including, but not
7 limited to, an executive director as needed to carry out its
8 duties. The commission may establish personnel, payroll,
9 benefit, and other such systems as needed and may provide death
10 and disability benefits. Commission employees shall be
11 considered state employees for the purposes of membership in the
12 Missouri state employees' retirement system and the Missouri
13 consolidated health care plan. Compensation paid by the
14 commission shall constitute pay from a state department for
15 purposes of accruing benefits under the Missouri state employees'
16 retirement system.

17 12. There is hereby created in the state treasury the
18 "Missouri Charter Public School Commission Revolving Fund", which
19 shall consist of money collected under this section. The state
20 treasurer shall be custodian of the fund. In accordance with
21 sections 30.170 and 30.180, the state treasurer may approve
22 disbursements. The fund shall be a dedicated fund, and moneys in
23 the fund shall be used solely by the Missouri charter public
24 school commission for purposes of sections 160.400 to 160.425 and
25 section 167.349. Notwithstanding the provisions of section
26 33.080 to the contrary, any moneys remaining in the fund at the
27 end of the biennium shall not revert to the credit of the general
28 revenue fund. The state treasurer shall invest moneys in the
29 fund in the same manner as other funds are invested. Any

1 interest and moneys earned on such investments shall be credited
2 to the fund.

3 161.084. When classifying the public schools of the state
4 under section 161.092, if there is no state board of education
5 member who is a resident of the congressional district in which
6 such school district under consideration is located, the state
7 board of education shall assign such school district a
8 classification designation of unaccredited or change a district's
9 classification designation from accredited to provisionally
10 accredited only after notifying the governor of its intent to
11 change the classification of the district. The governor shall
12 make the appointment under section 161.052 within thirty days of
13 notification.

14 161.087. 1. When assigning classification designations to
15 school districts pursuant to its authority to classify the public
16 schools of the state under section 161.092, the state board of
17 education shall use only the following classification
18 designations:

- 19 (1) Unaccredited;
20 (2) Provisionally accredited;
21 (3) Accredited; and
22 (4) Accredited with distinction.

23 2. The state board of education shall develop and implement
24 a process to provide assistance teams to borderline districts, as
25 defined in section 167.848, as determined by the department of
26 elementary and secondary education and to underperforming
27 districts, as defined in section 167.848, upon assignment of a
28 classification designation of unaccredited or provisionally
29 accredited or determination made by the state board of education.

The composition and size of the team may vary, based on academic, demographic, and financial circumstances of the district, but in no case will the team have fewer than ten members, two of whom shall be active classroom teachers in the district, two of whom shall be principals, and one of whom shall be a parent of a student in the district. The department staff member assigned to the region in which the district is located may be included in the assistance team's activities but shall not be formally assigned to the team. The team shall provide recommendations for improvement based on the needs of the community and the district and analysis of, at a minimum, the assessment data, classroom practices, and communication processes within attendance centers, within the district, and with the larger community. Separate teams may be used to provide analysis and recommendations at the discretion of the state board. Beginning with school year 2017-18, the team shall provide its recommendations no later than June 30, 2018, for underperforming districts and borderline districts. The state board shall prioritize the assignment of teams so that the districts with the lower annual performance report scores are addressed first. The assistance team's suggestions for improvement shall be mandatory for underperforming districts but shall not be mandatory for borderline districts. If an underperforming district disagrees with any suggestion of the assistance team, the district shall propose a different method of accomplishing the goal of the assistance team's suggestion and the state board of education shall be the final arbiter of the matter.

161.238. 1. Notwithstanding any provision of chapter 536 and subdivisions (9) and (14) of section 161.092 to the contrary,

1 the state board of education shall adopt a policy to classify
2 individual attendance centers. Attendance centers that do not
3 offer classes above the second grade level are exempt from
4 classification under this subsection. The policy shall require
5 that an attendance center's classification be based solely on a
6 three-year average of the attendance center's annual performance
7 report scores using the three most recent years. The state board
8 shall assign a classification consistent with such three-year
9 average score. The state board shall implement such policy and:

10 (1) Within forty-five days of the effective date of this
11 section, for each district that is classified as unaccredited by
12 the state board of education at that time, classify each of the
13 unaccredited district's attendance centers separately from the
14 district as a whole using the classification designations
15 provided in section 161.087; and

16 (2) Within ninety days of the effective date of this
17 section, for each district that is classified as provisionally
18 accredited by the state board of education at that time, classify
19 each of the provisionally accredited district's attendance
20 centers separately from the district as a whole using the
21 classification designations provided in section 161.087.

22 2. The classifications assigned by the state board under
23 subsection 1 of this section shall become effective immediately
24 and shall remain in effect until the state board develops,
25 adopts, and implements the system of classification described in
26 subsection 3 of this section. At such time, the state board
27 shall classify attendance centers based on the system of
28 classification described in subsection 3 of this section.

29 3. By January 1, 2018, the state board of education shall,

1 through administrative rule, develop a system of classification
2 that accredits attendance centers within a district separately
3 from the district as a whole using the classification
4 designations provided in section 161.087. The state board of
5 education's system shall not assign classification designations
6 to attendance centers that do not offer classes above the second
7 grade level. When the state board adopts its system, it shall
8 assign a classification designation to each attendance center,
9 except for those attendance centers that do not offer classes
10 above the second grade level. The state board of education may
11 assign classification numbers outside the range of numbers
12 assigned to high schools, middle schools, junior high schools, or
13 elementary schools as classification designations for attendance
14 centers that are exempt from the accreditation classification
15 system. Public separate special education schools within a
16 special school district and within a school district are exempted
17 from the accreditation requirements of this section and section
18 161.087. While not applicable for the purpose of accreditation,
19 a special school district shall continue to report all scores on
20 its annual performance report to the department of elementary and
21 secondary education for all its schools. Juvenile detention
22 centers within a special school district are also exempted from
23 the accreditation standards of this section and section 161.087.

24 4. Upon adoption of the classification system described in
25 subsection 3 of this section, the state board may change any
26 classification it has assigned to an attendance center under
27 subsection 1 of this section.

28 5. An attendance center that does not offer classes above
29 the second grade level shall be exempt from any requirements

1 related to statewide assessments.

2 6. Notwithstanding the provisions of subdivision (9) of
3 section 161.092, the rules and regulations promulgated under this
4 section shall be effective thirty days after publication in the
5 code of state regulations as provided in section 536.021 and
6 shall not be subject to the two-year delay contained in
7 subdivision (9) of section 161.092.

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

19 161.1005. 1. By July 1, 2018, the department shall employ
20 a dyslexia therapist, licensed psychometrist, licensed speech-
21 language pathologist, certified academic language therapist, or
22 certified training specialist to serve as the department's
23 dyslexia specialist. Such dyslexia specialist shall have a
24 minimum of three years of field experience in screening,
25 identifying, and treating dyslexia and related disorders.

26 2. The department shall ensure that the dyslexia specialist
27 has completed training and received certification from a program
28 approved by the legislative task force on dyslexia and is able to
29 provide necessary information and support to school district

1 teachers.

2 3. The dyslexia specialist shall:

3 (1) Be highly trained in dyslexia and related disorders,
4 including best practice interventions and treatment models;

5 (2) Be responsible for the implementation of professional
6 development; and

7 (3) Serve as the primary source of information and support
8 for districts addressing the needs of students with dyslexia and
9 related disorders.

10 4. In addition to the duties assigned under subsection 3 of
11 this section, the dyslexia specialist shall also assist the
12 department with developing and administering professional
13 development programs to be made available to school districts no
14 later than the 2018-19 school year. The programs shall focus on
15 educating teachers regarding the indicators of dyslexia, the
16 science surrounding teaching a student who is dyslexic, and
17 classroom accommodations necessary for a student with dyslexia.

18 162.081. 1. Whenever any school district in this state
19 fails or refuses in any school year to provide for the minimum
20 school term required by section 163.021 or is classified
21 unaccredited, the state board of education shall, upon a
22 district's initial classification or reclassification as
23 unaccredited:

24 (1) Review the governance of the district to establish the
25 conditions under which the existing school board shall continue
26 to govern; or

27 (2) Determine the date the district shall lapse and
28 determine an alternative governing structure for the district.

29 2. If at the time any school district in this state shall

1 be classified as unaccredited, the department of elementary and
2 secondary education shall conduct at least two public hearings at
3 a location in the unaccredited school district regarding the
4 accreditation status of the school district. The hearings shall
5 provide an opportunity to convene community resources that may be
6 useful or necessary in supporting the school district as it
7 attempts to return to accredited status, continues under revised
8 governance, or plans for continuity of educational services and
9 resources upon its attachment to a neighboring district. The
10 department may request the attendance of stakeholders and
11 district officials to review the district's plan to return to
12 accredited status, if any; offer technical assistance; and
13 facilitate and coordinate community resources. Such hearings
14 shall be conducted at least twice annually for every year in
15 which the district remains unaccredited or provisionally
16 accredited.

17 3. Upon classification of a district as unaccredited, the
18 state board of education may:

19 (1) Allow continued governance by the existing school
20 district board of education under terms and conditions
21 established by the state board of education; or

22 (2) Lapse the corporate organization of all or part of the
23 unaccredited district and:

24 (a) Appoint a special administrative board for the
25 operation of all or part of the district. If a special
26 administrative board is appointed for the operation of a part of
27 a school district, the state board of education shall determine
28 an equitable apportionment of state and federal aid for the part
29 of the district, and the school district shall provide local

1 revenue in proportion to the weighted average daily attendance of
2 the part. The number of members of the special administrative
3 board shall not be less than five, the majority of whom shall be
4 residents of the district. The members of the special
5 administrative board shall reflect the population characteristics
6 of the district and shall collectively possess strong experience
7 in school governance, management and finance, and leadership.
8 The state board of education may appoint members of the
9 district's elected school board to the special administrative
10 board, but members of the elected school board shall not comprise
11 more than forty-nine percent of the special administrative
12 board's membership. Within fourteen days after the appointment
13 by the state board of education, the special administrative board
14 shall organize by the election of a president, vice president,
15 secretary and a treasurer, with their duties and organization as
16 enumerated in section 162.301. The special administrative board
17 shall appoint a superintendent of schools to serve as the chief
18 executive officer of the school district, or a subset of schools,
19 and to have all powers and duties of any other general
20 superintendent of schools in a seven-director school district.
21 Nothing in this section shall be construed to permit either the
22 state board of education or a special administrative board to
23 raise, in any way not specifically allowed by law, the tax levy
24 of the district or any part of the district without a vote of the
25 people. Any special administrative board appointed under this
26 section shall be responsible for the operation of the district or
27 part of the district until such time that the district is
28 classified by the state board of education as provisionally
29 accredited for at least two successive academic years, after

1 which time the state board of education may provide for a
2 transition pursuant to section 162.083; or

3 (b) Determine an alternative governing structure for the
4 district including, at a minimum:

5 a. A rationale for the decision to use an alternative form
6 of governance and in the absence of the district's achievement of
7 full accreditation, the state board of education shall review and
8 recertify the alternative form of governance every three years;

9 b. A method for the residents of the district to provide
10 public comment after a stated period of time or upon achievement
11 of specified academic objectives;

12 c. Expectations for progress on academic achievement, which
13 shall include an anticipated time line for the district to reach
14 full accreditation; and

15 d. Annual reports to the general assembly and the governor
16 on the progress towards accreditation of any district that has
17 been declared unaccredited and is placed under an alternative
18 form of governance, including a review of the effectiveness of
19 the alternative governance; or

20 (c) Attach the territory of the lapsed district to another
21 district or districts for school purposes; or

22 (d) Establish one or more school districts within the
23 territory of the lapsed district, with a governance structure
24 specified by the state board of education, with the option of
25 permitting a district to remain intact for the purposes of
26 assessing, collecting, and distributing property taxes, to be
27 distributed equitably on a weighted average daily attendance
28 basis, but to be divided for operational purposes, which shall
29 take effect sixty days after the adjournment of the regular

1 session of the general assembly next following the state board's
2 decision unless a statute or concurrent resolution is enacted to
3 nullify the state board's decision prior to such effective date.

4 4. If a district remains under continued governance by the
5 school board under subdivision (1) of subsection 3 of this
6 section and either has been unaccredited for three consecutive
7 school years and failed to attain accredited status after the
8 third school year or has been unaccredited for two consecutive
9 school years and the state board of education determines its
10 academic progress is not consistent with attaining accredited
11 status after the third school year, then the state board of
12 education shall proceed under subdivision (2) of subsection 3 of
13 this section in the following school year.

14 5. A special administrative board or any other form of
15 governance appointed under this section shall retain the
16 authority granted to a board of education for the operation of
17 the lapsed school district under the laws of the state in effect
18 at the time of the lapse and may enter into contracts with
19 accredited school districts or other education service providers
20 in order to deliver high-quality educational programs to the
21 residents of the district. If a student graduates while
22 attending a school building in the district that is operated
23 under a contract with an accredited school district as specified
24 under this subsection, the student shall receive his or her
25 diploma from the accredited school district. The authority of
26 the special administrative board or any other form of governance
27 appointed under this section shall expire at the end of the third
28 full school year following its appointment, unless extended by
29 the state board of education. If the lapsed district is

1 reassigned, the [special administrative board] governing board
2 prior to lapse shall provide an accounting of all funds, assets
3 and liabilities of the lapsed district and transfer such funds,
4 assets, and liabilities of the lapsed district as determined by
5 the state board of education. Neither the special administrative
6 board nor any other form of governance appointed under this
7 section nor its members or employees shall be deemed to be the
8 state or a state agency for any purpose, including section
9 105.711, et seq. The state of Missouri, its agencies and
10 employees shall be absolutely immune from liability for any and
11 all acts or omissions relating to or in any way involving the
12 lapsed district, [the] a special administrative board, any other
13 form of governance appointed under this section, [its] or the
14 members or employees of the lapsed district, a special
15 administrative board, or any other form of governance appointed
16 under this section. Such immunities, and immunity doctrines as
17 exist or may hereafter exist benefitting boards of education,
18 their members and their employees, shall be available to the
19 special administrative board, any other form of governance
20 appointed under this section, [its] and the members and employees
21 of the special administrative board or any other form of
22 governance appointed under this section.

23 6. Neither the special administrative board nor any other
24 form of governance appointed under this section nor any district
25 or other entity assigned territory, assets or funds from a lapsed
26 district shall be considered a successor entity for the purpose
27 of employment contracts, unemployment compensation payment
28 pursuant to section 288.110, or any other purpose.

29 7. If additional teachers are needed by a district as a

1 result of increased enrollment due to the annexation of territory
2 of a lapsed or dissolved district, such district shall grant an
3 employment interview to any permanent teacher of the lapsed or
4 dissolved district upon the request of such permanent teacher.

5 8. In the event that a school district with an enrollment
6 in excess of five thousand pupils lapses, no school district
7 shall have all or any part of such lapsed school district
8 attached without the approval of the board of the receiving
9 school district.

10 9. If the state board of education reasonably believes that
11 a school district is unlikely to provide for the minimum number
12 of school hours required in a school term required by section
13 163.021 because of financial difficulty, the state board of
14 education may, prior to the start of the school term:

15 (1) Allow continued governance by the existing district
16 school board under terms and conditions established by the state
17 board of education; or

18 (2) Lapse the corporate organization of the district and
19 implement one of the options available under subdivision (2) of
20 subsection 3 of this section.

21 10. The provisions of subsection 9 of this section shall
22 not apply to any district solely on the basis of financial
23 difficulty resulting from paying tuition and providing
24 transportation for transfer students under sections 167.825 to
25 167.827.

26 162.1310. If the state board of education classifies any
27 district or attendance center as unaccredited, the district shall
28 notify the parent or guardian of any student enrolled in the
29 unaccredited district or unaccredited attendance center of the

1 loss of accreditation within seven business days. The district
2 shall also notify district taxpayers of the loss of accreditation
3 within seven business days. The district's notice shall include
4 an explanation of which students may be eligible to transfer, the
5 transfer process under sections 167.825 to 167.827, and any
6 services students may be entitled to receive. The district's
7 notice shall be written in a clear, concise, and easy-to-
8 understand manner. The district shall post the notice in a
9 conspicuous and accessible place in each district attendance
10 center. The district shall also send the notice to each
11 municipality located within the boundaries of the district.

12 162.1313. The school board of any district that operates an
13 underperforming school, as defined in section 167.848, shall
14 adopt a policy regarding the availability of home visits by
15 school personnel. Pursuant to such policy, the school may offer
16 the parent or guardian of a student enrolled in any such school
17 the opportunity to have one or more annual home visits. If the
18 school decides to offer one or more annual home visits, the
19 school shall offer an opportunity for each visit to occur at the
20 attendance center or at a mutually agreeable site.

21 163.021. 1. A school district shall receive state aid for
22 its education program only if it:

23 (1) Provides for a minimum of one hundred seventy-four days
24 and one thousand forty-four hours of actual pupil attendance in a
25 term scheduled by the board pursuant to section 160.041 for each
26 pupil or group of pupils, except that the board shall provide a
27 minimum of one hundred seventy-four days and five hundred
28 twenty-two hours of actual pupil attendance in a term for
29 kindergarten pupils. If any school is dismissed because of

1 inclement weather after school has been in session for three
2 hours, that day shall count as a school day including afternoon
3 session kindergarten students. When the aggregate hours lost in
4 a term due to inclement weather decreases the total hours of the
5 school term below the required minimum number of hours by more
6 than twelve hours for all-day students or six hours for
7 one-half-day kindergarten students, all such hours below the
8 minimum must be made up in one-half day or full day additions to
9 the term, except as provided in section 171.033;

10 (2) Maintains adequate and accurate records of attendance,
11 personnel and finances, as required by the state board of
12 education, which shall include the preparation of a financial
13 statement which shall be submitted to the state board of
14 education the same as required by the provisions of section
15 165.111 for districts;

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

20 (4) Computes average daily attendance as defined in
21 subdivision (2) of section 163.011 as modified by section
22 171.031. Whenever there has existed within the district an
23 infectious disease, contagion, epidemic, plague or similar
24 condition whereby the school attendance is substantially reduced
25 for an extended period in any school year, the apportionment of
26 school funds and all other distribution of school moneys shall be
27 made on the basis of the school year next preceding the year in
28 which such condition existed; and

29 (5) Uses funds derived from the operating levy for school

1 purposes to pay tuition remission for students who attend a
2 nonsectarian private school under section 167.828 at any time
3 that the district is classified as unaccredited by the state
4 board of education.

5 2. For the 2006-07 school year and thereafter, no school
6 district shall receive more state aid, as calculated under
7 subsections 1 and 2 of section 163.031, for its education
8 program, exclusive of categorical add-ons, than it received per
9 weighted average daily attendance for the school year 2005-06
10 from the foundation formula, line 14, gifted, remedial reading,
11 exceptional pupil aid, fair share, and free textbook payment
12 amounts, unless it has an operating levy for school purposes, as
13 determined pursuant to section 163.011, of not less than two
14 dollars and seventy-five cents after all adjustments and
15 reductions. Any district which is required, pursuant to Article
16 X, Section 22 of the Missouri Constitution, to reduce its
17 operating levy below the minimum tax rate otherwise required
18 under this subsection shall not be construed to be in violation
19 of this subsection for making such tax rate reduction. Pursuant
20 to Section 10(c) of Article X of the state constitution, a school
21 district may levy the operating levy for school purposes required
22 by this subsection less all adjustments required pursuant to
23 Article X, Section 22 of the Missouri Constitution if such rate
24 does not exceed the highest tax rate in effect subsequent to the
25 1980 tax year. Nothing in this section shall be construed to
26 mean that a school district is guaranteed to receive an amount
27 not less than the amount the school district received per
28 eligible pupil for the school year 1990-91. The provisions of
29 this subsection shall not apply to any school district located in

1 a county of the second classification which has a nuclear power
2 plant located in such district or to any school district located
3 in a county of the third classification which has an electric
4 power generation unit with a rated generating capacity of more
5 than one hundred fifty megawatts which is owned or operated or
6 both by a rural electric cooperative except that such school
7 districts may levy for current school purposes and capital
8 projects an operating levy not to exceed two dollars and
9 seventy-five cents less all adjustments required pursuant to
10 Article X, Section 22 of the Missouri Constitution.

11 3. No school district shall receive more state aid, as
12 calculated in section 163.031, for its education program,
13 exclusive of categorical add-ons, than it received per eligible
14 pupil for the school year 1993-94, if the state board of
15 education determines that the district was not in compliance in
16 the preceding school year with the requirements of section
17 163.172, until such time as the board determines that the
18 district is again in compliance with the requirements of section
19 163.172.

20 4. No school district shall receive state aid, pursuant to
21 section 163.031, if such district was not in compliance, during
22 the preceding school year, with the requirement, established
23 pursuant to section 160.530 to allocate revenue to the
24 professional development committee of the district.

25 5. No school district shall receive more state aid, as
26 calculated in subsections 1 and 2 of section 163.031, for its
27 education program, exclusive of categorical add-ons, than it
28 received per weighted average daily attendance for the school
29 year 2005-06 from the foundation formula, line 14, gifted,

1 remedial reading, exceptional pupil aid, fair share, and free
2 textbook payment amounts, if the district did not comply in the
3 preceding school year with the requirements of subsection 5 of
4 section 163.031.

5 6. Any school district that levies an operating levy for
6 school purposes that is less than the performance levy, as such
7 term is defined in section 163.011, shall provide written notice
8 to the department of elementary and secondary education asserting
9 that the district is providing an adequate education to the
10 students of such district. If a school district asserts that it
11 is not providing an adequate education to its students, such
12 inadequacy shall be deemed to be a result of insufficient local
13 effort. The provisions of this subsection shall not apply to any
14 special district established under sections 162.815 to 162.940.";
15 and

16 Further amend said bill, Page 17, Section 166.720, Line 14,
17 by inserting after all of said line the following:

18 "167.121. 1. If the residence of a pupil is so located
19 that attendance in the district of residence constitutes an
20 unusual or unreasonable transportation hardship because of
21 natural barriers, travel time, or distance, the commissioner of
22 education or his or her designee may assign the pupil to another
23 district. Subject to the provisions of this section, all
24 existing assignments shall be reviewed prior to July 1, 1984, and
25 from time to time thereafter, and may be continued or rescinded.
26 The board of education of the district in which the pupil lives
27 shall pay the tuition of the pupil assigned. The tuition shall
28 not exceed the pro rata cost of instruction.

29 2. (1) For the school year beginning July 1, 2008, and

1 each succeeding school year, a parent or guardian residing in a
2 lapsed public school district or a parent or guardian residing in
3 a district that has [scored] received an annual performance
4 report score consistent with a state board of education
5 classification of either unaccredited or provisionally
6 accredited[, or a combination thereof, on two consecutive annual
7 performance reports] may enroll the parent's or guardian's child
8 in the Missouri virtual school created in section 161.670
9 provided the pupil first enrolls in the school district of
10 residence. The school district of residence shall include the
11 pupil's enrollment in the virtual school created in section
12 161.670 in determining the district's average daily attendance.
13 Full-time enrollment in the virtual school shall constitute one
14 average daily attendance equivalent in the school district of
15 residence. Average daily attendance for part-time enrollment in
16 the virtual school shall be calculated as a percentage of the
17 total number of virtual courses enrolled in divided by the number
18 of courses required for full-time attendance in the school
19 district of residence.

20 (2) A pupil's residence, for purposes of this section,
21 means residency established under section 167.020. Except for
22 students residing in a K-8 district attending high school in a
23 district under section 167.131, the board of the home district
24 shall pay to the virtual school the amount required under section
25 161.670.

26 (3) Nothing in this section shall require any school
27 district or the state to provide computers, equipment, internet
28 or other access, supplies, materials or funding, except as
29 provided in this section, as may be deemed necessary for a pupil

1 to participate in the virtual school created in section 161.670.

2 (4) Any rule or portion of a rule, as that term is defined
3 in section 536.010, that is created under the authority delegated
4 in this section shall become effective only if it complies with
5 and is subject to all of the provisions of chapter 536 and, if
6 applicable, section 536.028. This section and chapter 536 are
7 nonseverable and if any of the powers vested with the general
8 assembly pursuant to chapter 536 to review, to delay the
9 effective date, or to disapprove and annul a rule are
10 subsequently held unconstitutional, then the grant of rulemaking
11 authority and any rule proposed or adopted after August 28, 2007,
12 shall be invalid and void.

13 167.127. If a school district contains a facility that
14 serves neglected children or delinquent children residing in a
15 court-ordered group home, an institution for neglected children,
16 or an institution for delinquent children, the department of
17 elementary and secondary education shall be prohibited from
18 creating any report or publication related to the Missouri school
19 improvement program, or any successor program, in which data from
20 the district's regularly enrolled pupils is aggregated with data
21 from the children residing in such facilities, unless the
22 department creates an annotation to such report or publication
23 with the data collected only from the district's regularly
24 enrolled pupils and an explanation of the effects of the data
25 from the children enrolled in such facilities on the aggregate
26 data of the district.

27 167.131. 1. The board of education of each district in
28 this state that does not maintain [an accredited] a high school
29 [pursuant to the authority of the state board of education to

1 classify schools as established in section 161.092] offering work
2 through the twelfth grade shall pay [the] tuition [of] as
3 calculated by the receiving district under subsection 2 of this
4 section and provide transportation consistent with the provisions
5 of section 167.241 for each pupil resident therein who has
6 completed the work of the highest grade offered in the schools of
7 the district and who attends an accredited public high school in
8 another district of the same or an adjoining county.

9 2. The rate of tuition to be charged by the district
10 attended and paid by the sending district is the per pupil cost
11 of maintaining the district's grade level grouping which includes
12 the school attended. The rate of tuition to be charged by the
13 approved charter school attended and paid by the sending district
14 is the per pupil cost of maintaining the approved charter
15 school's grade level grouping. For a district, the cost of
16 maintaining a grade level grouping shall be determined by the
17 board of education of the district but in no case shall it exceed
18 all amounts spent for teachers' wages, incidental purposes, debt
19 service, maintenance and replacements. For an approved charter
20 school, the cost of maintaining a grade level grouping shall be
21 determined by the approved charter school but in no case shall it
22 exceed all amounts spent by the district in which the approved
23 charter school is located for teachers' wages, incidental
24 purposes, debt service, maintenance, and replacements. The term
25 "debt service", as used in this section, means expenditures for
26 the retirement of bonded indebtedness and expenditures for
27 interest on bonded indebtedness. Per pupil cost of the grade
28 level grouping shall be determined by dividing the cost of
29 maintaining the grade level grouping by the average daily pupil

attendance. If there is disagreement as to the amount of tuition to be paid, the facts shall be submitted to the state board of education, and its decision in the matter shall be final.

Subject to the limitations of this section, each pupil shall be free to attend the public school of his or her choice.

3. For purposes of this section, "approved charter school" means a charter school that has existed for less than three years or a charter school with a three-year average score of seventy percent or higher on its annual performance report.

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

(1) "Available receiving district", an accredited district able to receive transfer students under section 167.826;

(2) "Average per-pupil current expenditure", the average per-pupil current expenditure for a district as a whole as reported to the department of elementary and secondary education in its most recent school accountability report card under section 160.522;

(3) "Receiving approved charter school", an approved charter school, as defined in section 167.848, receiving transfer students under section 167.826;

(4) "Receiving district", a district receiving transfer students under section 167.826;

(5) "Sending district", a district from which students are transferring to an available receiving district or an approved charter school, as allowed under section 167.826.

2. Notwithstanding any other provisions of law to the contrary, a receiving district or a receiving approved charter school may negotiate with a sending district to accept a reduced

1 tuition rate for transfer students. The receiving district or
2 receiving approved charter school may limit the number of
3 transfer students accepted at the reduced tuition rate as
4 calculated under subsection 3 of this section. If the receiving
5 district or receiving approved charter school elects to accept
6 tuition as calculated under subsection 3 of this section and does
7 not limit the number of transfer students accepted at such
8 reduced rate, such district or approved charter school shall
9 receive students through the education authority based solely on
10 the parent request and available seats.

11 3. In school year 2017-18 and subsequent years, if a
12 sending district and a receiving district or receiving approved
13 charter school have agreed upon a reduced tuition rate, such
14 tuition shall be calculated as the product of:

15 (1) The sum of the average per-pupil current expenditures
16 of all available receiving districts for the sending district
17 divided by the number of all available receiving districts for
18 the sending district; and

19 (2) Seventy percent.

20 4. The appropriate education authority, as defined in
21 section 167.848, that is coordinating the transfers for students
22 in the sending district shall perform the calculation in
23 subsection 3 of this section annually.

24 5. If there is disagreement as to the amount of tuition to
25 be paid, the facts shall be submitted to the state board of
26 education, and its decision in the matter shall be final.

27 6. For each of the first two full school years that a
28 receiving district or receiving approved charter school charges a
29 rate of tuition as calculated under subsection 3 of this section,

1 accepts a minimum of twenty-five transfer students at such
2 reduced rate, and does not limit the number of transfer students
3 accepted at such reduced rate, if the aggregate scores of student
4 growth of all the transfer students in the receiving district or
5 receiving approved charter school meet or exceed targets
6 established in the state accountability system, the receiving
7 district or receiving approved charter school shall earn
8 additional credit in academic achievement on its annual
9 performance report. The department of elementary and secondary
10 education shall promulgate an administrative rule to implement
11 the provisions of this subsection. Any rule or portion of a
12 rule, as that term is defined in section 536.010, that is created
13 under the authority delegated in this section shall become
14 effective only if it complies with and is subject to all of the
15 provisions of chapter 536 and, if applicable, section 536.028.
16 This section and chapter 536 are nonseverable, and if any of the
17 powers vested with the general assembly pursuant to chapter 536
18 to review, to delay the effective date, or to disapprove and
19 annul a rule are subsequently held unconstitutional, then the
20 grant of rulemaking authority and any rule proposed or adopted
21 after the effective date of this section shall be invalid and
22 void.

23 7. If a receiving district elects to accept tuition as
24 calculated under subsection 3 of this section and does not limit
25 the number of transfer students accepted at such reduced rate,
26 the department of elementary and secondary education shall
27 consider such action as an additional criterion when determining
28 whether to assign the receiving district a classification of
29 accredited with distinction.

1 8. If a receiving district or receiving approved charter
2 school elects to accept tuition as calculated under subsection 3
3 of this section and does not limit the number of transfer
4 students accepted at such reduced rate, ten percent of the amount
5 calculated under subdivision (1) of subsection 3 of this section
6 for the receiving district or receiving approved charter school
7 shall be paid from the supplemental tuition fund created in
8 subsection 9 of this section.

9 9. There is hereby created in the state treasury the
10 "Supplemental Tuition Fund". The fund shall consist of any
11 moneys appropriated annually by the general assembly from general
12 revenue to such fund, any moneys paid into the state treasury and
13 required by law to be credited to such fund and any gifts,
14 bequests, or public or private donations to such fund. The state
15 treasurer shall be custodian of the fund. The department of
16 elementary and secondary education shall administer the fund. In
17 accordance with sections 30.170 and 30.180, the state treasurer
18 may approve disbursements. The fund shall be a dedicated fund
19 and, upon appropriation, moneys in the fund shall be used solely
20 for the administration of this section. Notwithstanding the
21 provisions of section 33.080 to the contrary, any moneys
22 remaining in the fund at the end of the biennium shall not revert
23 to the credit of the general revenue fund. The state treasurer
24 shall invest moneys in the fund in the same manner as other funds
25 are invested. Any interest and moneys earned on such investments
26 shall be credited to the fund.

27 167.685. 1. Each unaccredited district shall offer free
28 tutoring and supplemental education services to students who are
29 performing below grade level or identified by the district as

1 struggling, using funds from the school district improvement fund
2 to the extent that such funds are available. A district may
3 implement the free tutoring services requirement by entering into
4 a contract with a public library for online tutoring services as
5 provided in section 170.215.

6 2. There is hereby created in the state treasury the
7 "School District Improvement Fund". The fund shall consist of
8 any gifts, bequests, or public or private donations to such fund.
9 Any person or entity that makes a gift, bequest, or donation to
10 the fund may specify the district that shall be the recipient of
11 such gift, bequest, or donation.

12 3. The state treasurer shall be custodian of the fund. In
13 accordance with sections 30.170 and 30.180, the state treasurer
14 may approve disbursements of public moneys in accordance with
15 distribution requirements and procedures developed by the
16 department of elementary and secondary education and shall make
17 disbursement of private funds according to the directions of the
18 donor. If the donor did not specify how the private funds were
19 to be disbursed, the state treasurer shall contact the donor to
20 determine the manner of disbursement. The fund shall be a
21 dedicated fund and, upon appropriation, moneys in the fund shall
22 be used solely for the administration of this section. A
23 district that receives moneys from the fund may use such moneys
24 to cover the cost of online tutoring services provided through a
25 contract with a public library under section 170.215.

26 4. Notwithstanding the provisions of section 33.080 to the
27 contrary, any moneys remaining in the fund at the end of the
28 biennium shall not revert to the credit of the general revenue
29 fund.

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

4 167.688. 1. Any underperforming district, as defined in
5 section 167.848, may perform any or all of the following actions
6 including, but not limited to:

7 (1) Implement a new curriculum, including appropriate
8 professional development, based on scientifically based research
9 that offers substantial promise of improving educational
10 achievement of low-achieving students;

11 (2) Retain an outside expert to advise the district or
12 school on its progress toward regaining accreditation;

13 (3) Enter into a contract with an education management
14 company or education services provider that has a demonstrated
15 record of effectiveness operating a school or schools;

16 (4) For any unaccredited school, enter into a collaborative
17 relationship and agreement with an accredited district in which
18 teachers from the unaccredited school may exchange positions with
19 teachers from an accredited school in an accredited district for
20 a period of two school weeks; or

21 (5) Implement any other change that is suggested by the
22 state board of education, an expert or contractor approved under
23 this section, or an assistance team under section 161.087, in
24 accordance with state law, that the school board has reason to
25 believe will result in improved performance for accreditation
26 purposes.

27 2. Any underperforming district that offers an attendance
28 recovery program designed exclusively to allow students to
29 recapture attendance hours lost due to absences shall be allowed

1 to include such attendance recovery hours in the district's
2 attendance rate for purposes of the Missouri school improvement
3 program accreditation scoring. Districts may offer attendance
4 recovery programs on Saturdays or at any time before or after the
5 school's regularly scheduled school hours. Extended hour and day
6 programs designed for remediation or enrichment purposes shall
7 not fulfill the criteria of attendance recovery programs as
8 provided in this subsection.

9 167.730. 1. Beginning July 1, 2018, and continuing
10 thereafter, every public school, including every charter school,
11 in the metropolitan school district or in any urban school
12 district containing most or all of a home rule city with more
13 than four hundred thousand inhabitants and located in more than
14 one county shall incorporate a response-to-intervention tiered
15 approach to reading instruction to focus resources on students
16 who are determined by their school to need additional or changed
17 instruction to make progress as readers. At a minimum, the
18 reading levels of students in kindergarten through tenth grade
19 shall be assessed at the beginning and middle of the school year,
20 and students who score below district benchmarks shall be
21 provided with intensive and systematic reading instruction.

22 2. Beginning January 1, 2018, and every January first
23 thereafter, every public school, including every charter school,
24 in the metropolitan school district or in any urban school
25 district containing most or all of a home rule city with more
26 than four hundred thousand inhabitants and located in more than
27 one county shall prepare a personalized learning plan for any
28 kindergarten or first grade student whose most recent school-wide
29 reading assessment result shows the student is working below

1 grade level unless the student has been determined by other means
2 in the current school year to be working at grade level or above.
3 The provisions of this section shall not apply to students
4 otherwise served under an individualized education program, to
5 students receiving services through a plan prepared under Section
6 504 of the Rehabilitation Act of 1973 that includes an element
7 addressing reading below grade level, or to students determined
8 to have limited English proficiency.

9 3. For any student who is required by this section to have
10 a personalized learning plan, the student's main teacher shall
11 consult with the student's parent or guardian during the
12 preparation of the plan and shall consult, as appropriate, any
13 district personnel or department of elementary and secondary
14 education personnel with necessary expertise to develop such a
15 plan. The school shall require the written consent of the parent
16 or guardian to implement the plan; however, if the school is
17 unsuccessful in contacting the parent or guardian by January
18 fifteenth, the school may send a letter by certified mail to the
19 student's last known address stating its intention to implement
20 the plan by February first.

21 4. After implementing the personalized learning plan
22 through the end of the student's first grade year, the school
23 shall refer any student who still performs below grade level for
24 assessment to determine if an individualized education program is
25 necessary for the student. A student who is assessed as not
26 needing an individualized education program but who is reading
27 below grade level at the end of the first grade shall continue to
28 be required to have a personalized learning plan until the
29 student is reading at grade level.

1 5. Notwithstanding any provision of law to the contrary,
2 any student in a metropolitan school district, in any urban
3 school district containing most or all of a home rule city with
4 more than four hundred thousand inhabitants and located in more
5 than one county, or in any charter school located in any such
6 district who is not reading at second-grade level by the end of
7 second grade may be promoted to the third grade only under one of
8 the following circumstances:

9 (1) The school provides additional reading instruction
10 during the summer and demonstrates the student is ready for third
11 grade at the end of the summer school;

12 (2) The school provides a combined classroom in which the
13 student continues with the same teacher, sometimes referred to as
14 "looping". If the student in such a classroom is not reading at
15 third-grade level by the end of third grade, the student shall be
16 retained in third grade; or

17 (3) The student's parents or guardians have signed a notice
18 that they prefer to have their student promoted although the
19 student is reading below grade level. The school shall have the
20 final determination on the issue of retention.

21 6. The metropolitan school district, any urban school
22 district containing most or all of a home rule city with more
23 than four hundred thousand inhabitants and located in more than
24 one county, and each charter school located in them shall provide
25 in its annual report card under section 160.522 the numbers and
26 percentages by grade from first grade to tenth grade in each
27 school of any students at any grade level who have been promoted
28 who have been determined as reading below grade level, except
29 that no reporting shall permit the identification of an

1 individual student.

2 7. School districts and charter schools under this section
3 may provide for a student promotion and retention program and a
4 reading instruction program that are equivalent to those that are
5 described in this section with the oversight and approval of the
6 department of elementary and secondary education.

7 167.825. 1. For school year 2017-18, students who
8 transferred from an unaccredited district to an accredited
9 district in the same or an adjoining county under section 167.131
10 as it existed on July 1, 2014, shall be allowed to participate
11 under the same terms that governed such transfers in school years
12 2014-15 through 2016-17, except that section 167.132 shall apply
13 to determine the reimbursement of their tuition.

14 2. For school year 2017-18, if an unaccredited district
15 becomes classified as provisionally accredited or accredited
16 without provisions by the state board of education, any resident
17 student of the unaccredited district who has transferred under
18 section 167.131 as it existed on July 1, 2014, shall be permitted
19 to continue the student's educational program through the
20 completion of middle school, junior high school, or high school,
21 whichever occurs first, except that a student who attends any
22 school serving students through high school graduation but
23 starting at grades lower than ninth grade shall be permitted to
24 complete high school in the school to which he or she has
25 transferred.

26 3. Notwithstanding any other provision of law, any student
27 who was participating in the school transfer program before
28 January 1, 2017, and who attended, for at least one semester
29 immediately prior to transferring, a school in an unaccredited

district, shall have the option of transferring to a virtual school as provided in subsection 8 of section 162.1250, an approved charter school, or another public school in the student's district of residence that offers the student's grade level of enrollment, as further provided in section 167.826.

167.826. 1. Any student may transfer to another public school in the student's district of residence that offers the student's grade level of enrollment and that is accredited without provisions by the state board of education if such student is enrolled in and has attended an unaccredited school in an unaccredited district for the full semester immediately prior to requesting the transfer.

2. Any student may transfer to another public school in the student's district of residence that offers the student's grade level of enrollment and that is accredited without provisions by the state board of education if such student is enrolled in and has attended an unaccredited school, for the full semester immediately prior to requesting the transfer, in:

(1) An urban school district;

(2) A metropolitan school district;

(3) A district that has most or all of its land area located in a county with a charter form of government and with more than nine hundred fifty thousand inhabitants; or

(4) A district that has most or all of its land area located in a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants.

3. No such transfer under subsections 1 and 2 of this section shall result in a class size and assigned enrollment in a

1 receiving school that exceeds the standards for class size and
2 assigned enrollment as promulgated in the Missouri school
3 improvement program's resource standards. If the student chooses
4 to attend a magnet school, an academically selective school, or a
5 school with a competitive entrance process within his or her
6 district of residence that has admissions requirements, the
7 student shall meet such admissions requirements in order to
8 attend. The school board of each district described in
9 subsections 1 and 2 of this section that operates an unaccredited
10 school shall determine the capacity at each of the district's
11 attendance centers that the state board of education has assigned
12 a classification designation of accredited or accredited with
13 distinction. The district's school board shall be responsible
14 for coordinating student transfers from unaccredited schools to
15 accredited schools within the district. No student enrolled in
16 and attending an attendance center that does not offer classes
17 above the second grade level shall be eligible to transfer under
18 this section.

19 4. Any student who is enrolled in and has attended an
20 unaccredited school in an unaccredited district for the full
21 semester immediately prior to requesting the transfer and who has
22 first attempted but is unable to transfer to an accredited school
23 within his or her district of residence under subsection 1 of
24 this section due to a lack of capacity in accredited schools in
25 the district of residence may apply for a scholarship to the
26 appropriate education authority to transfer to:

27 (1) An accredited school in another district located in the
28 same or an adjoining county;

29 (2) An approved charter school, as defined in section

1 167.848, in another district located in the same or an adjoining
2 county; or

3 (3) A nonsectarian private school, as defined in section
4 167.848.

5 5. After the state board of education has assigned
6 classification designations to all attendance centers under
7 subsection 3 of section 161.238 and continuing thereafter, any
8 student who is eligible to transfer under subsection 2 of this
9 section and who has first attempted but is unable to transfer to
10 an accredited school within his or her district of residence
11 under subsection 2 of this section due to a lack of capacity in
12 accredited schools in the district of residence may apply for a
13 scholarship to the appropriate education authority to transfer
14 to:

15 (1) An accredited school in another district located in the
16 same or an adjoining county;

17 (2) An approved charter school, as defined in section
18 167.848, in another district located in the same or an adjoining
19 county; or

20 (3) A nonsectarian private school, as defined in section
21 167.848.

22 6. The application to the education authority to transfer
23 shall be made by March first before the school year in which the
24 student intends to transfer.

25 7. A student who is eligible to begin kindergarten or first
26 grade at an unaccredited school as described in subsection 1 or 2
27 of this section may apply to the appropriate education authority
28 for a transfer if he or she resides in the attendance area of an
29 unaccredited school on March first preceding the school year of

1 first attendance. A student who does not apply by March first
2 shall be required to enroll and attend for one semester to become
3 eligible to transfer. If the student chooses to apply to attend
4 a magnet school, an academically selective school, or a school
5 with a competitive entrance process that has admissions
6 requirements, the student shall furnish proof that he or she
7 meets such admissions requirements. Any student who does not
8 maintain residency in the attendance area of his or her
9 attendance center in the district of residence shall lose
10 eligibility to transfer. Any student who transfers but later
11 withdraws shall lose eligibility to transfer. The transfer
12 provisions of this subsection shall not apply to a district
13 created under sections 162.815 to 162.840 or to any early
14 childhood programs or early childhood special education programs.

15 8. No unaccredited district, provisionally accredited
16 district, unaccredited school, or provisionally accredited school
17 shall be eligible to receive transfer students, except that,
18 within an unaccredited district, students may transfer from
19 unaccredited schools to accredited schools, and a transfer
20 student who chooses to attend a provisionally accredited school
21 in the district of residence shall be allowed to transfer to such
22 school if there is an available slot.

23 9. If a charter school may receive nonresident transfer
24 students under this section because it has been operating for
25 less than three years but then loses its status as an approved
26 charter school immediately after those three years because its
27 three-year average score on its annual performance report is
28 below seventy percent, any students who previously transferred to
29 the charter school may remain enrolled in the charter school but

1 no additional nonresident students may transfer to the charter
2 school.

3 10. No attendance center with a three-year average score of
4 seventy percent or lower on its annual performance report shall
5 be eligible to receive any transfer students, irrespective of its
6 state board of education classification designation, except that
7 any student who was granted a transfer to such an attendance
8 center prior to the effective date of this section may remain
9 enrolled in that attendance center.

10 11. For a receiving district or receiving approved charter
11 school, no acceptance of a transfer student shall require any of
12 the following actions, unless the school board of the receiving
13 district or the receiving approved charter school's governing
14 board has approved the action:

15 (1) A class size and assigned enrollment in a receiving
16 school that exceeds the number of students provided by its
17 approved policy on class size under subsection 12 of this
18 section;

19 (2) The hiring of additional classroom teachers; or

20 (3) The construction of additional classrooms.

21 12. Each receiving district and each receiving approved
22 charter school shall have the right to establish and adopt, by
23 objective means, a policy for desirable class size and student-
24 teacher ratios. A district's policy may allow for estimated
25 growth in the resident student population. An approved charter
26 school may use the class size, student-teacher ratios, and growth
27 projections for student enrollment contained in the charter
28 school's charter application and charter when adopting a policy.
29 Any district or approved charter school that adopts such a policy

1 shall do so by January first annually. A receiving district or
2 receiving approved charter school shall publish its policy and
3 shall not be required to accept any transfer students under this
4 section that would violate its class size or student-teacher
5 ratio. If a student seeking to transfer is denied admission to a
6 district or approved charter school based on a lack of space
7 under the policy, the student or the student's parent or guardian
8 may appeal the ruling to the state board of education if he or
9 she believes the district's policy or approved charter school's
10 policy is unduly restrictive to student transfers. If more than
11 one student or parent appeals a denial of admission from the same
12 district or approved charter school to the state board of
13 education, the state board shall make an effort to hear such
14 actions at the same time. If the state board of education finds
15 that the policy is unduly restrictive to student transfers, the
16 state board may limit the policy. The state board's decision
17 shall be final.

18 13. For each student who transfers to another district or
19 approved charter school, the student's district of residence
20 shall pay the tuition amount for each transfer student to the
21 receiving district or receiving approved charter school in two
22 increments annually, once at the start of the school year and
23 once at the start of the second semester of the school year.
24 Each receiving district and receiving approved charter school
25 shall adopt a policy establishing a tuition rate by February
26 first annually.

27 14. If an unaccredited school becomes classified as
28 provisionally accredited or accredited without provisions by the
29 state board of education, any student who was assigned to such

1 attendance center or a nonsectarian private school in the
2 district of residence and who has transferred under this section
3 shall be permitted to continue his or her educational program in
4 that education option through the completion of middle school,
5 junior high school, or high school, whichever occurs first,
6 except that a student who attends any school serving students
7 through high school graduation but starting at grades lower than
8 ninth grade shall be permitted to complete high school in the
9 school to which he or she has transferred.

10 15. (1) Except as provided in subdivision (2) of this
11 subsection, if a district described in subsection 1 or 2 of this
12 section operates an unaccredited school, the education authority
13 for the county in which the district is located shall designate
14 at least one accredited district in the same or an adjoining
15 county to which the district operating the unaccredited school
16 shall provide transportation for transfer students. If the
17 designated district reaches full student capacity and is unable
18 to receive additional students, the education authority shall
19 designate at least one additional accredited district to which
20 the district operating an unaccredited school shall provide
21 transportation for transfer students.

22 (2) For the 2017-18 school year, and until such time as the
23 governor has appointed a number of members sufficient to
24 constitute a quorum to the education authority whose geographic
25 coverage area includes a district operating an unaccredited
26 school, the department of elementary and secondary education
27 shall designate at least one accredited district in the same or
28 an adjoining county to which a district operating an unaccredited
29 school shall provide transportation for transfer students. If

1 the designated district reaches full student capacity and is
2 unable to receive additional students, the department shall
3 designate at least one additional accredited district to which a
4 district operating an unaccredited school shall provide
5 transportation for transfer students.

6 (3) During the 2017-18 school year, for any district in a
7 county with a charter form of government and with more than nine
8 hundred fifty thousand inhabitants that the state board of
9 education classified as unaccredited effective January 1, 2014,
10 the costs of providing transportation for transfer students to a
11 designated accredited district in the same or an adjoining county
12 shall be paid from the student transfer transportation fund.

13 There is hereby created in the state treasury the "Student
14 Transfer Transportation Fund", which shall consist of moneys
15 appropriated to this fund. The state treasurer shall be
16 custodian of the fund. The commissioner of education shall
17 administer the fund. In accordance with sections 30.170 and
18 30.180, the state treasurer may approve disbursements. The fund
19 shall be a dedicated fund, and moneys in the fund shall be used
20 solely by the department of elementary and secondary education
21 for the purposes of this subdivision. Notwithstanding the
22 provisions of section 33.080 to the contrary, any moneys
23 remaining in the fund at the end of the biennium shall not revert
24 to the credit of the general revenue fund. The state treasurer
25 shall invest moneys in the fund in the same manner as other funds
26 are invested. Any interest and moneys earned on such investments
27 shall be credited to the fund.

28 16. Notwithstanding the provisions of subsection 13 of this
29 section to the contrary, if costs associated with the provision

1 of special education and related services to a student with a
2 disability exceed the tuition amount established under this
3 section, the transfer student's district of residence shall
4 remain responsible to pay the excess cost to the receiving
5 district or receiving approved charter school. If the receiving
6 district is a component district of a special school district,
7 the transfer student's district of residence, including any
8 metropolitan school district, shall contract with the special
9 school district for the entirety of the costs to provide special
10 education and related services, excluding transportation pursuant
11 to this section. The special school district may contract with
12 the transfer student's district of residence, including any
13 metropolitan district, for the provision of transportation of a
14 student with a disability, or the transfer student's district of
15 residence may provide transportation on its own.

16 17. A special school district shall continue to provide
17 special education and related services, with the exception of
18 transportation under this section, to a student with a disability
19 transferring from an unaccredited school within a component
20 district to an accredited school within the same or a different
21 component district within the special school district.

22 18. If any metropolitan school district operates an
23 unaccredited school, it shall remain responsible for the
24 provision of special education and related services, including
25 transportation, to students with disabilities. A special school
26 district in an adjoining county to a metropolitan school district
27 may contract with the metropolitan school district for the
28 reimbursement of special education services pursuant to sections
29 162.705 and 162.710 provided by the special school district for

1 transfer students who are residents of the district operating an
2 unaccredited school.

3 19. Regardless of whether transportation is identified as a
4 related service within a student's individualized education
5 program, a receiving district that is not part of a special
6 school district shall not be responsible for providing
7 transportation to a student transferring under this section. A
8 district operating an unaccredited school may contract with a
9 receiving district that is not part of a special school district
10 pursuant to sections 162.705 and 162.710 for transportation of
11 students with disabilities.

12 20. If a seven-director district or urban school district
13 as described under subsection 1 or 2 of this section operates an
14 unaccredited school, it may contract with a receiving district
15 that is not part of a special school district in the same or an
16 adjoining county for the reimbursement of special education and
17 related services pursuant to sections 162.705 and 162.710
18 provided by the receiving district for transfer students who are
19 residents of the district operating an unaccredited school.

20 167.827. 1. By August 1, 2017, and by January first
21 annually, each district eligible to receive transfer students
22 under section 167.826 shall report to the education authority for
23 the county in which the district is located its number of
24 available enrollment slots in accredited schools by grade level.
25 Each district described in subsection 1 or 2 of section 167.826
26 operating an unaccredited school shall report to the education
27 authority the number of available enrollment slots in the
28 accredited schools of the district by August 1, 2017, and by
29 January first annually. Each approved charter school and

1 nonsectarian private school that is eligible to receive transfer
2 students under section 167.826 shall report the number of
3 available enrollment slots by August 1, 2017, and by January
4 first annually.

5 2. Any education authority whose geographic area includes a
6 district described in subsection 1 or 2 of section 167.826
7 operating an unaccredited school shall make information and
8 assistance available to parents or guardians who intend to
9 transfer their child from an unaccredited school to an accredited
10 school in another district in the same or an adjoining county or
11 an approved charter school in another district in the same or an
12 adjoining county or a nonsectarian private school.

13 3. The parent or guardian of a student who intends to
14 transfer his or her child from an unaccredited school to an
15 accredited school in another district in the same or an adjoining
16 county or an approved charter school in another district in the
17 same or an adjoining county shall send initial notification to
18 the education authority for the county in which he or she resides
19 by March first for enrollment in the subsequent school year.

20 4. The education authority whose geographic area includes a
21 district that operates an unaccredited school described in
22 subsection 1 or 2 of section 167.826 shall assign those students
23 who are unable to transfer to an accredited school in their
24 district of residence and seek to transfer to an accredited
25 school in another district in the same or an adjoining county or
26 an approved charter school in another district in the same or an
27 adjoining county or a nonsectarian private school. When
28 assigning transfer students to approved charter schools, an
29 education authority shall coordinate with each approved charter

1 school and its admissions process if capacity is insufficient to
2 enroll all students who submit a timely application. An approved
3 charter school shall not be required to receive any transfer
4 students that would require it to institute a lottery procedure
5 for determining the admission of resident students. The
6 authority shall give first priority to students who live in the
7 same household with any family member within the first or second
8 degree of consanguinity or affinity who have already transferred
9 and who apply to attend the same school. If insufficient grade-
10 appropriate enrollment slots are available for a student to be
11 able to transfer, that student shall receive first priority the
12 following school year. The authority shall only disrupt student
13 and parent choice for transfer if the available slots are
14 requested by more students than there are slots available. The
15 authority shall consider the following factors in assigning
16 schools, with the student's or parent's choice as the most
17 important factor:

18 (1) The student's or parent's choice of the receiving
19 school;

20 (2) The best interests of the student; and

21 (3) Distance and travel time to a receiving school.

22
23 The education authority shall not consider student academic
24 performance, free and reduced price lunch status, or athletic
25 ability in assigning a student to a school. When assigning
26 transfer students to approved charter schools, an education
27 authority shall coordinate with each approved charter school and
28 its admissions process if capacity is insufficient to enroll all
29 students who submit a timely application.

1 5. An education authority may deny a transfer to a student
2 who in the most recent school year has been suspended from school
3 two or more times or who has been suspended for an act of school
4 violence under subsection 2 of section 160.261. A student whose
5 transfer is initially precluded under this subsection may be
6 permitted to transfer on a provisional basis as a probationary
7 transfer student, subject to no further disruptive behavior, upon
8 a statement from the student's current school that the student is
9 not disruptive. A student who is denied a transfer under this
10 subsection has the right to an in-person meeting with a
11 representative of the authority. Each education authority shall
12 develop administrative guidelines to provide common standards for
13 determining disruptive behavior that shall include, but not be
14 limited to, criteria under the safe schools act.

15 6. Notwithstanding any other provision of law, the test
16 scores of transfer students attending schools in districts other
17 than their district of residence under section 167.826 shall be
18 counted as follows:

19 (1) In the first year of attendance in a district or
20 approved charter school, a transfer student's score on a
21 statewide assessment shall not be included when calculating the
22 status or progress scores on the district's or charter school's
23 annual performance report scores. The growth score shall be
24 weighted at one hundred percent;

25 (2) In the second year of attendance, a transfer student's
26 score on a statewide assessment shall be weighted at thirty
27 percent when calculating the district's or charter school's
28 performance for purposes of the district's or charter school's
29 annual performance report status or progress score, with the

1 growth score weighted at one hundred percent;

2 (3) In the third year of attendance, a transfer student's
3 score on a statewide assessment shall be weighted at seventy
4 percent when calculating the district's or charter school's
5 performance for purposes of the district's or charter school's
6 annual performance report status or progress score, with the
7 growth score weighted at one hundred percent;

8 (4) In the fourth year of attendance and any subsequent
9 years of attendance, a transfer student's score on a statewide
10 assessment shall be weighted at one hundred percent when
11 calculating the district's or charter school's performance for
12 purposes of the district's or charter school's annual performance
13 report status or progress score, with the growth score weighted
14 at one hundred percent.

15 7. When performing the requirements of this section,
16 section 167.132, or sections 167.830 to 167.845, if an education
17 authority whose geographic area includes a district that operates
18 an unaccredited school as described in subsection 1 or 2 of
19 section 167.826 is not coordinating transfers due to insufficient
20 funding or because the governor has not yet appointed a number of
21 members sufficient to constitute a quorum to the education
22 authority, the department of elementary and secondary education
23 shall contract with or collaborate with any organizations it
24 chooses, subject to the exception described in subsection 8 of
25 this section, in order to coordinate transfers that each
26 education authority is required to coordinate under such
27 sections. The department of elementary and secondary education
28 and such organization or organizations it chooses shall fulfill
29 all functions of the education authorities, including the duty to

1 perform the tuition calculation as described in subsection 4 of
2 section 167.132. Any applications for transfers and any reports
3 of available enrollment slots that the education authorities
4 would have received shall be submitted to the department of
5 elementary and secondary education or such organization or
6 organizations it chooses instead.

7 167.828. 1. The school board of any unaccredited district
8 located in any city not within a county, any county with a
9 charter form of government and with more than nine hundred fifty
10 thousand inhabitants, or in any county with a charter form of
11 government and with more than six hundred thousand but fewer than
12 seven hundred thousand inhabitants that operates an unaccredited
13 school shall provide a scholarship for any student who has
14 enrolled in and attended an unaccredited school in the district
15 for one semester to attend a nonsectarian private school, as
16 defined in section 167.848, located in his or her district of
17 residence and is assigned to such school by the education
18 authority.

19 2. The amount of the scholarship to be paid shall be paid
20 from the district's operating levy for school purposes and shall
21 not exceed the lesser of:

22 (1) The nonsectarian private school's tuition rate; or

23 (2) Seventy percent of the unaccredited district's cost of
24 maintaining a grade level grouping as provided by subdivision (1)
25 of subsection 6 of section 167.826.

26 3. A nonsectarian private school shall qualify to receive
27 scholarship tuition payments under this section only if it
28 satisfies the following conditions:

29 (1) Is accredited by the North Central Association

1 Commission On Accreditation and School Improvement or
2 demonstrates similar academic quality credentials to the
3 department of elementary and secondary education;

4 (2) Administers or allows for the administration of the
5 statewide assessments in English language arts and mathematics
6 for transfer students;

7 (3) Complies with all health and safety laws or codes that
8 apply to nonpublic schools;

9 (4) Holds a valid occupancy permit if required by its
10 municipality;

11 (5) Certifies that it will not discriminate in admissions
12 on the basis of race, color, religion, national origin, or
13 disability;

14 (6) For all students enrolled in the school under the
15 nonsectarian option set forth in section 167.826, complies with
16 the following statutes and any regulations promulgated thereunder
17 by the department of elementary and secondary education:
18 sections 43.408, 43.540, 160.041, 160.045, 160.257, 160.261,
19 160.262, 160.263, 160.518 for state assessments, the cost of
20 which shall be paid consistent with the manner in which they are
21 paid for students in public schools, 160.522, 160.539, 160.570,
22 160.660, 160.775, 160.1990, 161.850, 161.102, 161.650, 162.014,
23 162.068, 162.069, 162.208, 162.215, 162.401, 162.670, 162.720,
24 subdivisions (1) to (3) of section 162.821, 162.1250, 162.1125,
25 subdivisions (1) and (2) of subsection 1 of section 163.021 for
26 eligibility to receive local funds but compliance with these
27 sections shall not make nonsectarian private schools eligible to
28 receive state funding under section 163.031, 167.018, 167.019,
29 167.020, 167.022, 167.023, 167.031, 167.115, 167.117, 167.122,

1 167.123, 167.161, 167.166, 167.171, 167.181, 167.191, 167.208,
2 167.211, 167.227, 167.268, 167.275, 167.280, 167.621 to 167.635,
3 167.645, 167.700, 167.720, 167.765, 170.005, 170.011, 170.051,
4 170.315, 170.340, 171.021, 171.031 to 171.033, 171.053, 171.151,
5 171.171, 178.530, 182.815, 182.817, 191.765 to 191.777, 210.003,
6 210.110, 210.115, 210.145, 210.150, 210.165, 210.167, 210.760,
7 210.865, 211.032, 211.034, 211.181, 211.185, 211.188, 320.010,
8 452.375, 452.376, and 544.193. Nothing in this subdivision shall
9 be construed to exempt the nonsectarian private school from other
10 statutes and regulations which applied to the nonsectarian
11 schools as of January 1, 2014;

12 (7) Furnishes to the department of elementary and secondary
13 education all necessary data for the calculation of an annual
14 performance report score, which the department shall calculate
15 for each participating nonsectarian private school. At the
16 option of the nonsectarian private school, such score shall be
17 based upon only the records pertaining to students enrolled in
18 the school through the transfer program or for all students if
19 the school chooses to administer state testing to all students;

20 (8) Where applicable, contracts with a special school
21 district to provide special education services to eligible
22 students on the same terms as public schools, and the costs
23 associated with the services shall be paid in the same manner;

24 (9) Certifies to the department of elementary and secondary
25 education and to the unaccredited district that it shall accept
26 the tuition amount specified in subsection 2 of this section as
27 payment in full for the transfer student and shall not require
28 the parent or guardian to pay any additional amount for tuition;
29 and

1 (10) Files with the department of elementary and secondary
2 education, the appropriate education authority, and the
3 unaccredited district a statement of intent to accept transfer
4 students that includes the information listed in this subsection.

5 4. When the percentage of transfer students at a
6 nonsectarian private school receiving transfer students under
7 this section reaches twenty-five percent of the school's
8 enrollment, the school shall conform to the Missouri school
9 improvement program performance standards to continue its
10 eligibility for the program under this section.

11 5. Tuition for a student who attends a nonsectarian private
12 school shall be paid only using funds received by the district
13 from the operating levy for school purposes.

14 6. The student's district of residence may provide
15 transportation for him or her to attend a nonsectarian private
16 school located within the district but shall not be required to
17 do so.

18 7. (1) The option for any student who has enrolled in and
19 attended an unaccredited school in an unaccredited district for
20 one semester to attend a nonsectarian private school as provided
21 in this section shall become effective only after the governing
22 body of an unaccredited district, as specified in subsection 1 of
23 this section, submits to the district's voters at a general
24 election a proposal to authorize the governing body to use local
25 operating funds for school purposes to pay tuition at a
26 nonsectarian private school for students assigned to an
27 unaccredited school in the district under sections 167.826 to
28 167.828 and such proposal is approved by the voters of the
29 district as provided in this subsection. The governing body of

1 the school district shall submit the proposal to the voters of
2 the district at the next general election after the decision of
3 the state board of education declaring the district unaccredited
4 for which the deadline for submission of such ballot proposals is
5 open. The ballot proposal presented to the local voters shall
6 contain substantially the following language:

7 Shall the (school district's name) allow the use of
8 the district's local operating funds for school purposes to pay a
9 scholarship at nonsectarian private schools for students who are
10 assigned to an unaccredited public school in the district and who
11 apply to transfer to nonsectarian private schools under section
12 167.828, RSMo?

13 ☐ YES

☐ NO

14 If a majority of the votes cast on the question by the qualified
15 voters voting thereon is in favor of the question, the option for
16 students to transfer to a nonsectarian private school shall
17 become effective in that district the next school year. If a
18 majority of the votes cast on the question by the qualified
19 voters voting thereon is opposed to the question, the option
20 shall not become effective unless and until the proposal is
21 resubmitted under this subsection to the qualified voters at a
22 general election and such proposal is approved by a majority of
23 the qualified voters voting on the proposal.

24 (2) Whenever the governing body of a school district
25 specified in subsection 1 of this section that has not authorized
26 the use of its local operating funds for school purposes as
27 provided in this subsection receives a petition from a
28 nonsectarian private school, signed by the school's chief
29 operating officer, calling for an election to authorize the use

1 of local operating funds for school purposes to pay scholarship
2 at a private nonsectarian school under this subsection, the
3 governing body shall submit to the voters a proposal to authorize
4 such use of funds at the next general election for which the
5 deadline for submission of such ballot proposals is open. If a
6 majority of the votes cast on the question by the qualified
7 voters voting thereon is in favor of the proposal, the option for
8 students to transfer to a nonsectarian private school shall
9 become effective in that district the next school year. If a
10 majority of the votes cast on the proposal by the qualified
11 voters voting thereon is opposed to the proposal, the option
12 shall not become effective unless and until the proposal is
13 resubmitted under this subsection to the qualified voters at a
14 general election and such proposal is approved by a majority of
15 the qualified voters voting on the proposal.

16 8. Notwithstanding the provisions of subsection 7 of this
17 section to the contrary, if any district remains classified as
18 unaccredited by the state board of education for three
19 consecutive years, resident students of the district shall be
20 eligible to enroll in and attend a nonsectarian private school
21 located in the district of residence and have a scholarship paid
22 by the district school board under this section, irrespective of
23 whether the district voters have approved a proposal to authorize
24 the district's governing body to use local operating funds for
25 school purposes to pay scholarship at a nonsectarian private
26 school.

27 9. Notwithstanding the provisions of subsection 2 of this
28 section to the contrary, where costs associated with the
29 provision of special education and related services to a student

1 with a disability exceed the scholarship amount established under
2 this section, the unaccredited district shall remain responsible
3 to pay the excess cost to the nonsectarian private school.

4 167.830. 1. There is hereby established the "St. Louis
5 Area Education Authority". The authority is hereby constituted a
6 public instrumentality and body politic and corporate, and the
7 exercise by the authority of the powers conferred by this section
8 shall be deemed and held to be the performance of an essential
9 public function. Unless otherwise provided, the authority shall
10 be subject to all general laws pertaining to the operation of
11 seven-director districts as defined in section 160.011.

12 2. If any metropolitan school district, any district
13 located in any county with a charter form of government and with
14 more than nine hundred fifty thousand inhabitants, or any
15 district located in an adjoining county to them operates at least
16 one unaccredited school, the authority shall coordinate student
17 transfers from unaccredited schools to schools in accredited
18 districts as set forth in section 167.826 and, if applicable, to
19 approved charter schools or nonsectarian private schools.

20 3. The authority shall consist of five members to be
21 appointed by the governor, by and with the advice and consent of
22 the senate, each of whom shall be a resident of the state. The
23 members shall reflect the population characteristics of the
24 districts they represent. Not more than three of the five
25 members of the authority shall be of the same political party.
26 Two members shall be residents of the metropolitan school
27 district, two members shall be residents of school districts
28 located in a county with a charter form of government and with
29 more than nine hundred fifty thousand inhabitants, and one member

1 shall be a resident of a district located in an adjoining county
2 to a county with a charter form of government and with more than
3 nine hundred fifty thousand inhabitants. The length of term for
4 members shall be six years except for the initial members, who
5 shall be appointed in the following manner:

6 (1) One member shall be appointed for a term of two years;

7 (2) One member shall be appointed for a term of three
8 years;

9 (3) One member shall be appointed for a term of four years;

10 (4) One member shall be appointed for a term of five years;

11 and

12 (5) One member shall be appointed for a term of six years.

13 4. The term length of each initial appointee shall be
14 designated by the governor at the time of making the appointment.

15 Upon the expiration of the initial terms of office, successor
16 members shall be appointed for terms of six years and shall serve
17 until their successors have been appointed and have qualified.

18 Any member shall be eligible for reappointment. The governor
19 shall fill any vacancy for the remainder of any unexpired term
20 within thirty days of notification of the vacancy. Any member of
21 the authority may be removed by the governor for misfeasance,
22 malfeasance, willful neglect of duty, or other cause after notice
23 and a public hearing unless the notice or hearing shall be
24 expressly waived in writing.

25 5. Members of the authority shall receive no compensation
26 for services, but shall be entitled to reimbursement for
27 necessary expenses, including traveling and lodging expenses,
28 incurred in the discharge of their duties. Any payment for
29 expenses shall be paid from funds of the authority.

1 6. One member of the authority, designated by the governor
2 for the purpose, shall call and convene the initial
3 organizational meeting of the authority and shall temporarily
4 serve as its president. At the initial meeting and annually
5 thereafter, the authority shall elect one of its members as
6 president. The authority may appoint an executive director who
7 shall not be a member of the authority and who shall serve at its
8 pleasure. If an executive director is appointed, he or she shall
9 receive such compensation as shall be fixed from time to time by
10 action of the authority. The authority shall appoint a member as
11 secretary who shall keep a record of the proceedings of the
12 authority and shall be the custodian of all books, documents, and
13 papers filed with the authority, the minute books or journal
14 thereof, and its official seal. The secretary may cause copies
15 to be made of all minutes and other records and documents of the
16 authority and may give certificates under the official seal of
17 the authority to the effect that the copies are true and correct
18 copies, and all persons dealing with the authority may rely on
19 such certificates. The authority, by resolution duly adopted,
20 shall fix the powers and duties of its executive director as it
21 may, from time to time, deem proper and necessary.

22 7. Meetings, records, and operations of the authority shall
23 be subject to the provisions of chapter 610.

24 8. The authority shall have the following powers, together
25 with all powers incidental thereto or necessary for the
26 performance thereof to:

27 (1) Have perpetual succession as a body politic and
28 corporate;

29 (2) Adopt bylaws for the regulation of its affairs and the

1 conduct of its business;

2 (3) Sue and be sued and prosecute and defend, at law or in
3 equity, in any court having jurisdiction of the subject matter
4 and of the parties;

5 (4) Establish and use a corporate seal and alter the same
6 at pleasure;

7 (5) Maintain an office at such place or places in the state
8 of Missouri as it may designate;

9 (6) Employ an executive director and other staff as needed,
10 with compensation fixed by the authority;

11 (7) Coordinate student transfers located in its
12 jurisdiction, as provided by law; and

13 (8) Coordinate and collaborate with local districts,
14 approved charter schools, and local governments for the transfer
15 of students, as provided by law.

16 167.833. 1. There is hereby created in the state treasury
17 the "St. Louis Area Education Authority Fund". The fund shall
18 consist of any appropriations, gifts, bequests, or public or
19 private donations to such fund. Any moneys in the fund shall be
20 used to fund the operations of the education authority. The
21 state treasurer shall be custodian of the fund. In accordance
22 with sections 30.170 and 30.180, the state treasurer may approve
23 disbursements of public moneys in accordance with distribution
24 requirements and procedures developed by the department of
25 elementary and secondary education and shall make disbursement of
26 private funds according to the directions of the donor. If the
27 donor did not specify how the private funds were to be disbursed,
28 the state treasurer shall contact the donor to determine the
29 manner of disbursement. The fund shall be a dedicated fund and,

1 upon appropriation, moneys in the fund shall be used solely for
2 the administration of sections 167.830 and 167.833.

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

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

10 167.836. 1. There is hereby established the "Kansas City
11 Area Education Authority". The authority is hereby constituted a
12 public instrumentality and body politic and corporate, and the
13 exercise by the authority of the powers conferred by this section
14 shall be deemed and held to be the performance of an essential
15 public function. Unless otherwise provided, the authority shall
16 be subject to all general laws pertaining to the operation of
17 seven-director districts as defined in section 160.011.

18 2. If any district located in any county with a charter
19 form of government and with more than six hundred thousand but
20 fewer than seven hundred thousand inhabitants or in an adjoining
21 county operates at least one unaccredited school, the authority
22 shall coordinate student transfers from unaccredited schools to
23 schools in accredited districts as set forth in section 167.826
24 and, if applicable, to approved charter schools or nonsectarian
25 private schools.

26 3. The authority shall consist of five members appointed by
27 the governor, by and with the advice and consent of the senate,
28 each of whom shall be a resident of the state. Three members
29 shall be residents of an urban school district containing most or

1 all of a home rule city with more than four hundred thousand
2 inhabitants and located in more than one county. One member
3 shall be a resident of a school district located in a county with
4 a charter form of government and with more than six hundred
5 thousand but fewer than seven hundred thousand inhabitants but
6 such member shall be a resident of a school district other than
7 an urban school district containing most or all of a home rule
8 city with more than four hundred thousand inhabitants and located
9 in more than one county. One member shall be a resident of a
10 school district located in a county adjoining to a county with a
11 charter form of government and with more than six hundred
12 thousand but fewer than seven hundred thousand inhabitants. The
13 members shall reflect the population characteristics of the
14 districts they represent. Not more than three of the five
15 members of the authority shall be of the same political party.
16 The length of term for members shall be six years except for the
17 initial members, who shall be appointed in the following manner:
18 (1) One member shall be appointed for a term of two years;
19 (2) One member shall be appointed for a term of three
20 years;
21 (3) One member shall be appointed for a term of four years;
22 (4) One member shall be appointed for a term of five years;
23 and
24 (5) One member shall be appointed for a term of six years.
25 4. The term length of each initial appointee shall be
26 designated by the governor at the time of making the appointment.
27 Upon the expiration of the initial terms of office, successor
28 members shall be appointed for terms of six years and shall serve
29 until their successors have been appointed and have qualified.

1 Any member shall be eligible for reappointment. The governor
2 shall fill any vacancy for the remainder of any unexpired term
3 within thirty days of notification of the vacancy. Any member of
4 the authority may be removed by the governor for misfeasance,
5 malfeasance, willful neglect of duty, or other cause after notice
6 and a public hearing unless the notice or hearing shall be
7 expressly waived in writing.

8 5. Members of the authority shall receive no compensation
9 for services, but shall be entitled to reimbursement for
10 necessary expenses, including traveling and lodging expenses,
11 incurred in the discharge of their duties. Any payment for
12 expenses shall be paid from funds of the authority.

13 6. One member of the authority, designated by the governor
14 for the purpose, shall call and convene the initial
15 organizational meeting of the authority and shall serve as its
16 president pro tempore. At the initial meeting and annually
17 thereafter, the authority shall elect one of its members as
18 president. The authority may appoint an executive director who
19 shall not be a member of the authority and who shall serve at its
20 pleasure. If an executive director is appointed, he or she shall
21 receive such compensation as shall be fixed from time to time by
22 action of the authority. The authority shall appoint a member as
23 secretary who shall keep a record of the proceedings of the
24 authority and shall be the custodian of all books, documents, and
25 papers filed with the authority, the minute books or journal
26 thereof, and its official seal. The secretary may cause copies
27 to be made of all minutes and other records and documents of the
28 authority and may give certificates under the official seal of
29 the authority to the effect that the copies are true and correct

1 copies, and all persons dealing with the authority may rely on
2 such certificates. The authority, by resolution duly adopted,
3 shall fix the powers and duties of its executive director as it
4 may, from time to time, deem proper and necessary.

5 7. Meetings, records, and operations of the authority shall
6 be subject to the provisions of chapter 610.

7 8. The authority shall have the following powers, together
8 with all powers incidental thereto or necessary for the
9 performance thereof, to:

10 (1) Have perpetual succession as a body politic and
11 corporate;

12 (2) Adopt bylaws for the regulation of its affairs and the
13 conduct of its business;

14 (3) Sue and be sued and prosecute and defend, at law or in
15 equity, in any court having jurisdiction of the subject matter
16 and of the parties;

17 (4) Establish and use a corporate seal and alter the same
18 at pleasure;

19 (5) Maintain an office at such place or places in the state
20 of Missouri as it may designate;

21 (6) Employ an executive director and other staff as needed,
22 with compensation fixed by the authority;

23 (7) Coordinate student transfers located in its
24 jurisdiction, as provided by law; and

25 (8) Coordinate and collaborate with local districts,
26 approved charter schools, and local governments for the transfer
27 of students, as provided by law.

28 167.839. 1. There is hereby created in the state treasury
29 the "Kansas City Area Education Authority Fund". The fund shall

1 consist of any appropriations, gifts, bequests, or public or
2 private donations to such fund. Any moneys in the fund shall be
3 used to fund the operations of the education authority. The
4 state treasurer shall be custodian of the fund. In accordance
5 with sections 30.170 and 30.180, the state treasurer may approve
6 disbursements of public moneys in accordance with distribution
7 requirements and procedures developed by the department of
8 elementary and secondary education and shall make disbursement of
9 private funds according to the directions of the donor. If the
10 donor did not specify how the private funds were to be disbursed,
11 the state treasurer shall contact the donor to determine the
12 manner of disbursement. The fund shall be a dedicated fund and,
13 upon appropriation, moneys in the fund shall be used solely for
14 the administration of sections 167.836 and 167.839.

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

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

22 167.842. 1. There is hereby established the "Statewide
23 Education Authority". The authority is hereby constituted a
24 public instrumentality and body politic and corporate, and the
25 exercise by the authority of the powers conferred by this section
26 shall be deemed and held to be the performance of an essential
27 public function. Unless otherwise provided, the authority shall
28 be subject to all general laws pertaining to the operation of
29 seven-director districts as defined in section 160.011. The

1 jurisdiction of the statewide education authority shall be all
2 counties except for:

3 (1) Any city not within a county;

4 (2) Any county with a charter form of government and with
5 more than six hundred thousand but fewer than seven hundred
6 thousand inhabitants and adjoining counties; and

7 (3) Any county with a charter form of government and with
8 more than nine hundred fifty thousand inhabitants and adjoining
9 counties.

10 2. If any district located in the statewide education
11 authority's jurisdiction operates at least one unaccredited
12 school, the authority shall coordinate student transfers from
13 unaccredited schools to schools in accredited districts as set
14 forth in section 167.826 and, if applicable, to approved charter
15 schools or nonsectarian private schools.

16 3. The authority shall consist of five members to be
17 appointed by the governor, by and with the advice and consent of
18 the senate, each of whom shall be a resident of the state. The
19 members shall reflect the population characteristics of the
20 districts they represent. Not more than three of the five
21 members of the authority shall be of the same political party.
22 The governor shall not appoint members to the authority until the
23 state board of education gives notice that a district in the
24 authority's jurisdiction has been classified as unaccredited.
25 The length of term for members shall be six years except for the
26 initial members, who shall be appointed in the following manner:

27 (1) One member shall be appointed for a term of two years;

28 (2) One member shall be appointed for a term of three
29 years;

1 (3) One member shall be appointed for a term of four years;

2 (4) One member shall be appointed for a term of five years;

3 and

4 (5) One member shall be appointed for a term of six years.

5 4. The term length of each initial appointee shall be
6 designated by the governor at the time of making the appointment.

7 Upon the expiration of the initial terms of office, successor
8 members shall be appointed for terms of six years and shall serve
9 until their successors have been appointed and have qualified.

10 Any member shall be eligible for reappointment. The governor
11 shall fill any vacancy for the remainder of any unexpired term
12 within thirty days of notification of the vacancy. Any member of
13 the authority may be removed by the governor for misfeasance,
14 malfeasance, willful neglect of duty, or other cause after notice
15 and a public hearing unless the notice or hearing shall be
16 expressly waived in writing.

17 5. Members of the authority shall receive no compensation
18 for services, but shall be entitled to reimbursement for
19 necessary expenses, including traveling and lodging expenses,
20 incurred in the discharge of their duties. Any payment for
21 expenses shall be paid from funds of the authority.

22 6. One member of the authority, designated by the governor
23 for the purpose, shall call and convene the initial
24 organizational meeting of the authority and shall serve as its
25 president pro tempore. At the initial meeting and annually
26 thereafter, the authority shall elect one of its members as
27 president. The authority may appoint an executive director who
28 shall not be a member of the authority and who shall serve at its
29 pleasure. If an executive director is appointed, he or she shall

1 receive such compensation as shall be fixed from time to time by
2 action of the authority. The authority shall appoint a member as
3 secretary who shall keep a record of the proceedings of the
4 authority and shall be the custodian of all books, documents, and
5 papers filed with the authority, the minute books or journal
6 thereof, and its official seal. The secretary may cause copies
7 to be made of all minutes and other records and documents of the
8 authority and may give certificates under the official seal of
9 the authority to the effect that the copies are true and correct
10 copies, and all persons dealing with the authority may rely on
11 such certificates. The authority, by resolution duly adopted,
12 shall fix the powers and duties of its executive director as it
13 may, from time to time, deem proper and necessary.

14 7. Meetings, records, and operations of the authority shall
15 be subject to the provisions of chapter 610.

16 8. The authority shall have the following powers, together
17 with all powers incidental thereto or necessary for the
18 performance thereof, to:

19 (1) Have perpetual succession as a body politic and
20 corporate;

21 (2) Adopt bylaws for the regulation of its affairs and the
22 conduct of its business;

23 (3) Sue and be sued and prosecute and defend, at law or in
24 equity, in any court having jurisdiction of the subject matter
25 and of the parties;

26 (4) Establish and use a corporate seal and alter the same
27 at pleasure;

28 (5) Maintain an office at such place or places in the state
29 of Missouri as it may designate;

1 (6) Employ an executive director and other staff as needed,
2 with compensation fixed by the authority;

3 (7) Coordinate student transfers located in its
4 jurisdiction, as provided by law; and

5 (8) Coordinate and collaborate with local districts,
6 approved charter schools, and local governments for the transfer
7 of students, as provided by law.

8 167.845. 1. There is hereby created in the state treasury
9 the "Statewide Education Authority Fund". The fund shall consist
10 of any appropriations, gifts, bequests, or public or private
11 donations to such fund. Any moneys in the fund shall be used to
12 fund the operations of the education authority. The state
13 treasurer shall be custodian of the fund. In accordance with
14 sections 30.170 and 30.180, the state treasurer may approve
15 disbursements of public moneys in accordance with distribution
16 requirements and procedures developed by the department of
17 elementary and secondary education and shall make disbursement of
18 private funds according to the directions of the donor. If the
19 donor did not specify how the private funds were to be disbursed,
20 the state treasurer shall contact the donor to determine the
21 manner of disbursement. The fund shall be a dedicated fund and,
22 upon appropriation, moneys in the fund shall be used solely for
23 the administration of sections 167.842 and 167.845.

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

28 3. The state treasurer shall invest moneys in the fund in
29 the same manner as other funds are invested. Any interest and

1 moneys earned on such investments shall be credited to the fund.

2 167.848. For purposes of sections 161.084, 161.087,
3 161.238, 162.1250, 162.1305, 162.1310, 162.1313, 167.642,
4 167.685, 167.688, and 167.825 to 167.848, the following terms
5 mean:

6 (1) "Accredited district", a school district that is
7 classified as accredited or accredited with distinction by the
8 state board of education pursuant to the authority of the state
9 board of education to classify schools as established in sections
10 161.087 and 161.092;

11 (2) "Accredited school", an attendance center that is
12 classified as accredited or accredited with distinction by the
13 state board of education pursuant to the authority of the state
14 board of education to classify schools as established in sections
15 161.087, 161.092, and 161.238;

16 (3) "Approved charter school", a charter school that has
17 existed for less than three years or a charter school with a
18 three-year average score of seventy percent or higher on its
19 annual performance report;

20 (4) "Attendance center", a public school building or
21 buildings or part of a school building that constitutes one unit
22 for accountability purposes under the Missouri school improvement
23 program;

24 (5) "Borderline district", a school district that has a
25 current annual performance report score between seventy-five and
26 seventy with the last two consecutive years showing a decline in
27 the score, with a district third-grade or eighth-grade statewide
28 reading assessment that shows that fifty percent or more of the
29 students are at a level less than proficient, and a transient

1 student ratio in the top quartile of districts;

2 (6) "Education authority" or "authority", an education
3 authority established under sections 167.830 to 167.845;

4 (7) "Nonsectarian school", "nonsectarian private school",
5 or "private nonsectarian school", a school that is not part of
6 the public school system of the state of Missouri, that charges
7 tuition for the rendering of elementary and secondary educational
8 services, and that is not disqualified from accepting public
9 funds by any provision of the Missouri or United States
10 Constitutions;

11 (8) "Provisionally accredited district", a school district
12 that is classified as provisionally accredited by the state board
13 of education pursuant to the authority of the state board of
14 education to classify schools as established in sections 161.087
15 and 161.092;

16 (9) "Provisionally accredited school", an attendance center
17 that is classified as provisionally accredited by the state board
18 of education pursuant to the authority of the state board of
19 education to classify schools as established in sections 161.087,
20 161.092, and 161.238;

21 (10) "Unaccredited district", a school district classified
22 as unaccredited by the state board of education pursuant to the
23 authority of the state board of education to classify schools as
24 established in sections 161.087 and 161.092;

25 (11) "Unaccredited school", an attendance center that is
26 classified as unaccredited by the state board of education
27 pursuant to the authority of the state board of education to
28 classify schools as established in sections 161.087, 161.092, and
29 161.238;

1 (12) "Underperforming", a school district or an attendance
2 center that has been classified as unaccredited or provisionally
3 accredited pursuant to the authority of the state board of
4 education to classify schools or has a three-year average annual
5 performance report score consistent with a classification of
6 provisionally accredited or unaccredited.

7 167.890. 1. The department of elementary and secondary
8 education shall compile and maintain student performance data
9 scores of all transfer students enrolled in districts other than
10 their resident districts as provided in sections 167.825 and
11 167.826 and make such data available on the Missouri
12 comprehensive data system. No personally identifiable data shall
13 be accessible on the database.

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

27 170.215. 1. Any school district may enter into a contract
28 with a public library to provide online tutoring services through
29 a third-party vendor or a nonprofit organization for the

1 district's students. Any tutoring services shall be conducted
2 through any compatible computer to participating students who
3 have a library card, both within and without the public library
4 facility.

5 2. Online tutoring services may include, but shall not be
6 limited to, providing participating students with a library card
7 the following:

8 (1) Assistance with homework;

9 (2) Collaboration and study tools in math, science, social
10 sciences, English, language arts, and computer literacy;

11 (3) Access to comprehensive writing assistance productivity
12 software; and

13 (4) Test preparation tools.

14 3. Any contract may allow participating students with a
15 library card dedicated access to assistance during specified
16 hours of the day and specified days of the week. A contract may
17 also allow students to submit questions to tutors or join online
18 study groups.

19 4. Online tutoring services shall be designed and
20 implemented in such a manner as to:

21 (1) Protect individual student privacy;

22 (2) Prohibit voice communication between the parties; and

23 (3) Prohibit face-to-face visual communication.

24 5. No employee of any third-party vendor or nonprofit
25 organization with which a public library has contracted for
26 online tutoring services shall solicit personally identifiable
27 information from any participating student including, but not
28 limited to, home address, telephone number, and email address.

29 6. Any entity that offers online tutoring services under

1 this section shall maintain an archive of all communications
2 between students and tutors for two years.

3 7. School districts may use available funds or seek grants
4 from private foundations to cover the costs of online tutoring
5 services.

6 170.320. 1. There is hereby created in the state treasury
7 the "Parent Portal Fund". The fund shall consist of any gifts,
8 bequests, or public or private donations to such fund. Any
9 moneys in the fund shall be used to assist districts in
10 establishing and maintaining a parent portal. School districts
11 may establish a parent portal that shall be accessible by mobile
12 technology for parents to have access to educational information
13 and access to student data. Any person or entity that makes a
14 gift, bequest, or donation to the fund may specify the district
15 that shall be the recipient of such gift, bequest, or donation.

16 2. The state treasurer shall be custodian of the fund. In
17 accordance with sections 30.170 and 30.180, the state treasurer
18 may approve disbursements of public moneys in accordance with
19 distribution requirements and procedures developed by the
20 department of elementary and secondary education and shall make
21 disbursements of private funds according to the directions of the
22 donor. If the donor did not specify how the private funds were
23 to be disbursed, the state treasurer shall contact the donor to
24 determine the manner of disbursement. The fund shall be a
25 dedicated fund and, upon appropriation, moneys in the fund shall
26 be used solely for the administration of this section.

27 3. Notwithstanding the provisions of section 33.080 to the
28 contrary, any moneys remaining in the fund at the end of the
29 biennium shall not revert to the credit of the general revenue

1 fund.

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

5 171.031. 1. Each school board shall prepare annually a
6 calendar for the school term, specifying the opening date and
7 providing a minimum term of at least one hundred seventy-four
8 days for schools with a five-day school week or one hundred
9 forty-two days for schools with a four-day school week, and one
10 thousand forty-four hours of actual pupil attendance. In
11 addition, such calendar shall include six make-up days for
12 possible loss of attendance due to inclement weather as defined
13 in subsection 1 of section 171.033.

14 2. Each local school district may set its opening date each
15 year, which date shall be no earlier than ten calendar days prior
16 to the first Monday in September. No public school district
17 shall select an earlier start date unless the district follows
18 the procedure set forth in subsection 3 of this section.

19 3. A district may set an opening date that is more than ten
20 calendar days prior to the first Monday in September only if the
21 local school board first gives public notice of a public meeting
22 to discuss the proposal of opening school on a date more than ten
23 days prior to the first Monday in September, and the local school
24 board holds said meeting and, at the same public meeting, a
25 majority of the board votes to allow an earlier opening date. If
26 all of the previous conditions are met, the district may set its
27 opening date more than ten calendar days prior to the first
28 Monday in September. The condition provided in this subsection
29 must be satisfied by the local school board each year that the

1 board proposes an opening date more than ten days before the
2 first Monday in September.

3 4. If any local district violates the provisions of this
4 section, the department of elementary and secondary education
5 shall withhold an amount equal to one quarter of the state
6 funding the district generated under section 163.031 for each
7 date the district was in violation of this section.

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

11 6. The state board of education may grant an exemption from
12 this section to a school district that demonstrates highly
13 unusual and extenuating circumstances justifying exemption from
14 the provisions of subsections 2 to 4 of this section. Any
15 exemption granted by the state board of education shall be valid
16 for one academic year only.

17 7. No school day for schools with a five-day school week
18 shall be longer than seven hours except for:

19 (1) Vocational schools which may adopt an eight-hour day in
20 a metropolitan school district and a school district in a first
21 class county adjacent to a city not within a county, and any
22 school that adopts a four-day school week in accordance with
23 section 171.029; and

24 (2) A school district that increases the length of the
25 school day or the number of required hours by following the
26 procedure established in subsection 8 of this section.

27 8. The school board of any district in this state that has
28 been classified as unaccredited or provisionally accredited by
29 the state board of education or that is accredited but has a

1 three-year average annual performance report score consistent
2 with a classification of unaccredited or provisionally accredited
3 may increase the length of the school day upon adoption of a
4 resolution by a majority vote to authorize such action. Such a
5 school district may also increase the annual hours of instruction
6 above the required number of hours in subsection 1 of this
7 section by the adoption of a resolution by a majority vote to
8 authorize such action.

9 9. (1) There is hereby created in the state treasury the
10 "Extended Learning Time Fund". The fund shall consist of any
11 moneys that may be appropriated by the general assembly from
12 general revenue to such fund, any moneys paid into the state
13 treasury and required by law to be credited to such fund, and any
14 gifts, bequests, or public or private donations to such fund.

15 (2) The state treasurer shall be custodian of the fund. In
16 accordance with sections 30.170 and 30.180, the state treasurer
17 may approve disbursements in accordance with distribution
18 requirements and procedures developed by the department of
19 elementary and secondary education. The fund shall be a
20 dedicated fund and, upon appropriation, moneys in the fund shall
21 be used solely for the administration of subsection 8 of this
22 section.

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

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

177.015. 1. Each district that owns a building that is not occupied shall, by March fifteenth annually, prepare a public document listing the status of each district-owned building that is not occupied. The document shall include the address of each building and the amount of money the district spends annually on the building including, but not limited to, a separate accounting for repairs, maintenance, utilities, and insurance. The document shall include an estimate of the fair market value of each building. The district shall post this information on its internet website and make the document available to each district taxpayer.

2. For purposes of this section, the term "occupied" means a district-owned building used for the education of children between the ages of four and twenty-one for at least three hours a day for a school term.

7. (1) In fiscal years 2018 and 2019, in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants that contains all or any portion of a school district that has been designated as unaccredited or provisionally accredited by the state board of education, up to five percent of the community children's services fund's yearly revenues, based on the total dollar amount needed to provide services as determined by a needs assessment, shall be devoted to a grant program that delivers services directly to schools in such districts according to the procedure in this subsection. The president of the school board shall notify the board of directors within five business days after such designation. The board shall, in its budget process for the following fiscal year, ensure that the total amount of funds needed to provide services

1 based on the needs assessment is allocated according to this
2 subsection, not to exceed five percent of the fund's yearly
3 revenues. If the total amount of funds needed to provide such
4 services exceeds five percent of the fund's yearly revenues, the
5 funds shall be distributed in an order based on the greatest need
6 for each district. Any moneys distributed from the fund to a
7 district shall be subject to an annual audit.

8 (2) The board shall undertake a needs assessment for any
9 such school district within ninety days after receipt of the
10 notice under this subsection. The needs assessment shall be used
11 as a basis for comprehensive mental health wraparound services
12 delivery for which the board shall contract as provided under
13 subsection 3 of this section.

14 (3) The board shall appoint one of its members to a direct
15 school service coordinating committee, which is hereby created.
16 The board may appoint an additional one of its members to serve
17 as an ex officio member. The board shall appoint a social worker
18 to the committee. The school board of each affected district
19 shall appoint two parents with a child enrolled in a public
20 school in the district based on school district identification
21 numbers from the department of elementary and secondary
22 education, rotating year to year from highest number to lowest
23 number. The school board of each affected district shall appoint
24 a school services staff member. The superintendent of each
25 affected district shall serve on the committee. An additional
26 member from each affected district may be appointed to serve as
27 an ex officio member.

28 (4) The direct school service coordinating committee shall
29 provide recommendations and oversight to the program of

1 contracted services under this subsection.

2 (5) If an additional district becomes unaccredited or
3 provisionally accredited in the service area of the children's
4 services fund, the general assembly shall review the percentage
5 of revenue dedicated to the grant program for a possible
6 increase.

7 (6) The provisions of this subsection shall terminate on
8 June 30, 2019.

9 Section 1. If any provision of this act, or the application
10 thereof to anyone or to any circumstances is held invalid, the
11 remainder of the provisions of this act and the application of
12 such provisions to others or other circumstances shall not be
13 affected thereby.

14 Section B. Because of the importance of improving and
15 sustaining Missouri's elementary and secondary education system
16 and establishing standards for student transfers to school
17 districts, section A of this act is deemed necessary for the
18 immediate preservation of the public health, welfare, peace, and
19 safety, and is hereby declared to be an emergency act within the
20 meaning of the constitution, and section A of this act shall be
21 in full force and effect upon its passage and approval."; and

22 Further amend the title and enacting clause accordingly.