

SENATE SUBSTITUTE AMENDMENT NO. _____
FOR
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 graduates in the current year as of June thirtieth divided by the sum of the number of graduates in the current year as of June thirtieth plus the number of twelfth graders who dropped out in the current year plus the number of eleventh graders who dropped out in the preceding year plus the number of tenth graders who dropped out in the second preceding year plus the number of ninth graders who dropped out in the third preceding year] graduation rate determined by the annual performance report required by the Missouri school improvement program;

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

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

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

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

(9) "School term", a minimum of one hundred seventy-four school days, as that term is defined in section 160.041, for schools with a five-day school week or a minimum of one hundred forty-two school days, as that term is defined in section 160.041, for schools with a four-day school week, and one thousand forty-four hours of actual pupil attendance as scheduled by the board pursuant to section 171.031 during a twelve-month period in which the academic instruction of pupils is actually

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

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

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

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

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

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

28 160.400. 1. A charter school is an independent public
29 school.

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

3 (1) In a metropolitan school district;

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

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

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

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

22 (b) The sponsor is limited to the local school board or a
23 sponsor who has met the standards of accountability and
24 performance as determined by the department based on sections
25 160.400 to 160.425 and section 167.349 and properly promulgated
26 rules of the department]; [or]

27 (5) In a school district that has been accredited without
28 provisions, sponsored only by the local school board; provided
29 that no board with a current year enrollment of one thousand five

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

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

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

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

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

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

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

9 (6) The Missouri charter public school commission created
10 in section 160.425.

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

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

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

25 (3) (1) In any school district classified as unaccredited
26 or provisionally accredited where a charter school is operating
27 and is sponsored by an entity other than the local school board,
28 when the school district becomes classified as accredited without
29 provisions, a charter school may continue to be sponsored by the

1 entity sponsoring it prior to the classification of accredited
2 without provisions and shall not be limited to the local school
3 board as a sponsor.

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

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

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

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

1 8. As a nonprofit corporation incorporated pursuant to
2 chapter 355, the charter school shall select the method for
3 election of officers pursuant to section 355.326 based on the
4 class of corporation selected. Meetings of the governing board
5 of the charter school shall be subject to the provisions of
6 sections 610.010 to 610.030.

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

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

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

1 elementary and secondary education shall remit the retained funds
2 for each charter school to the school's sponsor, provided the
3 sponsor remains in good standing by fulfilling its sponsorship
4 obligations under sections 160.400 to 160.425 and 167.349 with
5 regard to each charter school it sponsors, including appropriate
6 demonstration of the following:

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

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

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

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

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

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

1 13. No university, college or community college shall grant
2 a charter to a nonprofit corporation if an employee of the
3 university, college or community college is a member of the
4 corporation's board of directors.

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

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

26 16. A sponsor shall develop the policies and procedures
27 for:

28 (1) The review of a charter school proposal including an
29 application that provides sufficient information for rigorous

1 evaluation of the proposed charter and provides clear
2 documentation that the education program and academic program are
3 aligned with the state standards and grade-level expectations,
4 and provides clear documentation of effective governance and
5 management structures, and a sustainable operational plan;

6 (2) The granting of a charter;

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

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

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

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

23
24 The department shall provide guidance to sponsors in developing
25 such policies and procedures.

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

1 board of education shall ensure each sponsor is in compliance
2 with all requirements under sections 160.400 to 160.425 and
3 167.349 for each charter school sponsored by any sponsor. The
4 state board shall notify each sponsor of the standards for
5 sponsorship of charter schools, delineating both what is mandated
6 by statute and what best practices dictate. The state board
7 shall evaluate sponsors to determine compliance with these
8 standards every three years. The evaluation shall include a
9 sponsor's policies and procedures in the areas of charter
10 application approval; required charter agreement terms and
11 content; sponsor performance evaluation and compliance
12 monitoring; and charter renewal, intervention, and revocation
13 decisions. Nothing shall preclude the department from
14 undertaking an evaluation at any time for cause.

15 (2) If the department determines that a sponsor is in
16 material noncompliance with its sponsorship duties, the sponsor
17 shall be notified and given reasonable time for remediation. If
18 remediation does not address the compliance issues identified by
19 the department, the commissioner of education shall conduct a
20 public hearing and thereafter provide notice to the charter
21 sponsor of corrective action that will be recommended to the
22 state board of education. Corrective action by the department
23 may include withholding the sponsor's funding and suspending the
24 sponsor's authority to sponsor a school that it currently
25 sponsors or to sponsor any additional school until the sponsor is
26 reauthorized by the state board of education under section
27 160.403.

28 (3) The charter sponsor may, within thirty days of receipt
29 of the notice of the commissioner's recommendation, provide a

1 written statement and other documentation to show cause as to why
2 that action should not be taken. Final determination of
3 corrective action shall be determined by the state board of
4 education based upon a review of the documentation submitted to
5 the department and the charter sponsor.

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

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

17 160.410. 1. A charter school shall enroll:

18 (1) All pupils resident in the district in which it
19 operates;

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

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

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

1 (5) Nonresident pupils from the same or an adjoining county
2 who were enrolled in and attended an unaccredited school for at
3 least one semester immediately prior to requesting the transfer
4 and who were unable to transfer to an accredited school within
5 their district of residence as provided in section 167.826,
6 provided the school is an approved charter school, as defined in
7 section 167.848, and subject to all other provisions of section
8 167.826;

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

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

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

1 (1) A charter school may establish a geographical area
2 around the school whose residents will receive a preference for
3 enrolling in the school, provided that such preferences do not
4 result in the establishment of racially or socioeconomically
5 isolated schools and provided such preferences conform to
6 policies and guidelines established by the state board of
7 education;

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

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

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

1 "full academic year" means the last Wednesday in September
2 through the administration of the Missouri assessment program
3 test without transferring out of the school and re-enrolling.

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

8 (1) The school's charter;

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

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

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

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

27 6. If a change in school district boundary lines occurs
28 under section 162.223, 162.431, 162.441, or 162.451, or by action
29 of the state board of education under section 162.081, including

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

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

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

29 2. Except as provided in subsections 3 and 4 of this

1 section, the aid payments for charter schools shall be as
2 described in this subsection.

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

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

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

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

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

28 3. A workplace charter school shall receive payment for
29 each eligible pupil as provided under subsection 2 of this

1 section, except that if the student is not a resident of the
2 district and is participating in a voluntary interdistrict
3 transfer program, the payment for such pupils shall be the same
4 as provided under section 162.1060.

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

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

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

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

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

27 **[7.]** 8. In the case of a proposed charter school that
28 intends to contract with an education service provider for
29 substantial educational services or management services, the

1 request for proposals shall additionally require the charter
2 school applicant to:

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

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

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

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

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

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

1 **[8.] 9.** A charter school may enter into contracts with
2 community partnerships and state agencies acting in collaboration
3 with such partnerships that provide services to children and
4 their families linked to the school.

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

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

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

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

28 **[12.] 13.** A charter school is authorized to incur debt in
29 anticipation of receipt of funds. A charter school may also

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

21 [13.] 14. Charter schools shall not have the power to
22 acquire property by eminent domain.

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

1 160.425. 1. The "Missouri Charter Public School
2 Commission" is hereby created with the authority to sponsor high
3 quality charter schools throughout the state of Missouri as
4 specified in section 160.400.

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

16 3. The appointees to the commission shall be selected as
17 follows:

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

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

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

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

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

1 4. Members appointed to the commission shall collectively
2 possess strong experience and expertise in governance, management
3 and finance, school leadership, assessment, curriculum and
4 instruction, and education law. All members of the commission
5 shall have demonstrated understanding of and commitment to
6 charter schooling as a strategy for strengthening public
7 education.

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

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

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

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

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

25 8. The commission shall conduct its business in accordance
26 with chapter 610.

27 9. The department of elementary and secondary education
28 shall provide start-up funding for the commission to operate.
29 The commission shall reimburse the department's costs from any

1 funds it receives as sponsor under section 160.400.

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

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

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

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

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

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

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

25 2. The state board of education shall develop and implement
26 a process to provide assistance teams to borderline districts, as
27 defined in section 167.848, as determined by the department of
28 elementary and secondary education and to underperforming
29 districts, as defined in section 167.848, upon assignment of a

1 classification designation of unaccredited or provisionally
2 accredited or determination made by the state board of education.
3 The composition and size of the team may vary, based on academic,
4 demographic, and financial circumstances of the district, but in
5 no case will the team have fewer than ten members, two of whom
6 shall be active classroom teachers in the district, two of whom
7 shall be principals, and one of whom shall be a parent of a
8 student in the district. The department staff member assigned to
9 the region in which the district is located may be included in
10 the assistance team's activities but shall not be formally
11 assigned to the team. The team shall provide recommendations for
12 improvement based on the needs of the community and the district
13 and analysis of, at a minimum, the assessment data, classroom
14 practices, and communication processes within attendance centers,
15 within the district, and with the larger community. Separate
16 teams may be used to provide analysis and recommendations at the
17 discretion of the state board. Beginning with school year
18 2017-18, the team shall provide its recommendations no later than
19 June 30, 2018, for underperforming districts and borderline
20 districts. The state board shall prioritize the assignment of
21 teams so that the districts with the lower annual performance
22 report scores are addressed first. The assistance team's
23 suggestions for improvement shall be mandatory for
24 underperforming districts but shall not be mandatory for
25 borderline districts. If an underperforming district disagrees
26 with any suggestion of the assistance team, the district shall
27 propose a different method of accomplishing the goal of the
28 assistance team's suggestion and the state board of education
29 shall be the final arbiter of the matter.

1 161.238. 1. Notwithstanding any provision of chapter 536
2 and subdivisions (9) and (14) of section 161.092 to the contrary,
3 the state board of education shall adopt a policy to classify
4 individual attendance centers. Attendance centers that do not
5 offer classes above the second grade level are exempt from
6 classification under this subsection. The policy shall require
7 that an attendance center's classification be based solely on a
8 three-year average of the attendance center's annual performance
9 report scores using the three most recent years. The state board
10 shall assign a classification consistent with such three-year
11 average score. The state board shall implement such policy and:

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

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

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

1 classification described in subsection 3 of this section.

2 3. By January 1, 2018, the state board of education shall,
3 through administrative rule, develop a system of classification
4 that accredits attendance centers within a district separately
5 from the district as a whole using the classification
6 designations provided in section 161.087. The state board of
7 education's system shall not assign classification designations
8 to attendance centers that do not offer classes above the second
9 grade level. When the state board adopts its system, it shall
10 assign a classification designation to each attendance center,
11 except for those attendance centers that do not offer classes
12 above the second grade level. The state board of education may
13 assign classification numbers outside the range of numbers
14 assigned to high schools, middle schools, junior high schools, or
15 elementary schools as classification designations for attendance
16 centers that are exempt from the accreditation classification
17 system. Public separate special education schools within a
18 special school district and within a school district are exempted
19 from the accreditation requirements of this section and section
20 161.087. While not applicable for the purpose of accreditation,
21 a special school district shall continue to report all scores on
22 its annual performance report to the department of elementary and
23 secondary education for all its schools. Juvenile detention
24 centers within a special school district are also exempted from
25 the accreditation standards of this section and section 161.087.

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

1 5. An attendance center that does not offer classes above
2 the second grade level shall be exempt from any requirements
3 related to statewide assessments.

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

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

21 161.950. 1. The provisions of sections 161.950 to 161.956 shall
22 be known as the "Missouri Parent/Teacher Involvement Act". The
23 "Missouri Parent/Teacher Involvement Program" is hereby
24 established for the purpose of providing grant awards to schools
25 in which a majority of school staff, including administrators,
26 teachers, counselors, and other support staff agree to develop
27 and build trusting relationships between families and school
28 staff, thereby increasing communication and accountability, with
29 the goal of contributing to the academic and social success of

1 pupils. The department of elementary and secondary education
2 shall coordinate and administer the program. Priority for
3 distribution of grant moneys under the program established under
4 sections 161.950 to 161.956 shall be given to districts with
5 Missouri assessment program scores in the lowest twentieth
6 percentile.

7 2. Schools serving grades K-12 within the state shall
8 operate parent/teacher involvement programs that meet the
9 following requirements:

10 (1) At least fifty percent of the staff employed at the
11 school site shall voluntarily agree to participate in either
12 periodic visits to the homes of pupils or in community meetings
13 that are held at times and locations convenient to parents and
14 legal guardians;

15 (2) Prior to the commencement of home visits, a school
16 shall establish a compact in which parents and legal guardians
17 agree to participate in periodic home visits or community
18 meetings;

19 (3) A teacher who participates in the program shall receive
20 training in strategies for communicating effectively with parents
21 and legal guardians and in conducting periodic home visits or
22 community meetings. These strategies may include providing
23 parents and legal guardians with guidance on how to reinforce
24 educational objectives with their children at home;

25 (4) Teachers, administrators, counselors, and other support
26 staff shall be compensated for their participation in home visits
27 or community meetings at an hourly rate no less than the hourly
28 rate derived from their regular base salary;

29 (5) All home visits and community meetings under the

1 program shall be conducted by a pair or team that includes at
2 least one staff member and, in the case of schools maintaining K-
3 5, the classroom teacher of the pupil.

4 3. For purposes of subsection 2 of this section, "community
5 meetings" means periodic public meetings between the teacher and
6 the parent or legal guardian held by schools for the purpose of
7 strengthening communication between the schools and parents and
8 legal guardians for the improvement of pupil academic
9 achievement.

10 161.950. 1. The provisions of sections 161.950 to 161.956
11 shall be known as the "Missouri Parent/Teacher Involvement Act".
12 The "Missouri Parent/Teacher Involvement Program" is hereby
13 established for the purpose of providing grant awards to schools
14 in which a majority of school staff, including administrators,
15 teachers, counselors, and other support staff agree to develop
16 and build trusting relationships between families and school
17 staff, thereby increasing communication and accountability, with
18 the goal of contributing to the academic and social success of
19 pupils. The department of elementary and secondary education
20 shall coordinate and administer the program. Priority for
21 distribution of grant moneys under the program established under
22 sections 161.950 to 161.956 shall be given to districts with
23 Missouri assessment program scores in the lowest twentieth
24 percentile.

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29 school site shall voluntarily agree to participate in either

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5 shall establish a compact in which parents and legal guardians
6 agree to participate in periodic home visits or community
7 meetings;

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9 training in strategies for communicating effectively with parents
10 and legal guardians and in conducting periodic home visits or
11 community meetings. These strategies may include providing
12 parents and legal guardians with guidance on how to reinforce
13 educational objectives with their children at home;

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15 staff shall be compensated for their participation in home visits
16 or community meetings at an hourly rate no less than the hourly
17 rate derived from their regular base salary;

18 (5) All home visits and community meetings under the
19 program shall be conducted by a pair or team that includes at
20 least one staff member and, in the case of schools maintaining K-
21 5, the classroom teacher of the pupil.

22 3. For purposes of subsection 2 of this section, "community
23 meetings" means periodic public meetings between the teacher and
24 the parent or legal guardian held by schools for the purpose of
25 strengthening communication between the schools and parents and
26 legal guardians for the improvement of pupil academic
27 achievement.

28 161.952. 1. Beginning with school year 2017-18, each
29 school board shall adopt a policy on parental involvement in the

1 schools of the district. The policy shall be designed to build
2 consistent and effective communication between the parents and
3 guardians of pupils enrolled in the district and the teachers and
4 administrators assigned to the schools the pupils attend. The
5 policy shall provide the opportunity for parents and guardians to
6 be actively involved in the pupil's education and to be informed
7 of the following:

8 (1) The importance of the involvement of parents and
9 guardians in directly affecting the success of their children's
10 educational efforts;

11 (2) How and when to assist their children or foster
12 children in and support their children's or foster children's
13 classroom learning activities;

14 (3) Techniques, strategies, and skills to use at home to
15 improve their children's academic success and to support their
16 children's academic efforts at school and their children's
17 development as future responsible adult members of society.

18 2. The state board of education shall adopt recommendations
19 for the development of parental involvement policies under this
20 section.

21 161.954. 1. There is hereby created in the state treasury
22 the "Missouri Parent/Teacher Involvement Program Fund", which
23 shall consist of money appropriated for the program established
24 under section 161.950. The state treasurer shall be custodian of
25 the fund. In accordance with sections 30.170 and 30.180, the
26 state treasurer may approve disbursements. The fund shall be a
27 dedicated fund and, upon appropriation, money in the fund shall
28 be used solely for the administration of sections 161.950 to
29 161.956.

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

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

8 161.956. Under section 23.253 of the Missouri sunset act:

9 (1) The provisions of the new program authorized under
10 sections 161.950 to 161.956 shall automatically sunset six years
11 after the effective date of sections 161.950 to 161.956 unless
12 reauthorized by an act of the general assembly; and

13 (2) If such program is reauthorized, the program authorized
14 under sections 161.950 to 161.956 shall automatically sunset
15 twelve years after the effective date of the reauthorization of
16 sections 161.950 to 161.956; and

17 (3) Sections 161.950 to 161.956 shall terminate on
18 September first of the calendar year immediately following the
19 calendar year in which the program authorized under sections
20 161.950 to 161.956 is sunset.

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

28 2. The department shall ensure that the dyslexia specialist
29 has completed training and received certification from a program

1 approved by the legislative task force on dyslexia and is able to
2 provide necessary information and support to school district
3 teachers.

4 3. The dyslexia specialist shall:

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

7 (2) Be responsible for the implementation of professional
8 development; and

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

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

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

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

29 (2) Determine the date the district shall lapse and

1 determine an alternative governing structure for the district.

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

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

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

24 (2) Lapse the corporate organization of all or part of the
25 unaccredited district and:

26 (a) Appoint a special administrative board for the
27 operation of all or part of the district. If a special
28 administrative board is appointed for the operation of a part of
29 a school district, the state board of education shall determine

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

1 classified by the state board of education as provisionally
2 accredited for at least two successive academic years, after
3 which time the state board of education may provide for a
4 transition pursuant to section 162.083; or

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

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

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

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

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

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

24 (d) Establish one or more school districts within the
25 territory of the lapsed district, with a governance structure
26 specified by the state board of education, with the option of
27 permitting a district to remain intact for the purposes of
28 assessing, collecting, and distributing property taxes, to be
29 distributed equitably on a weighted average daily attendance

1 basis, but to be divided for operational purposes, which shall
2 take effect sixty days after the adjournment of the regular
3 session of the general assembly next following the state board's
4 decision unless a statute or concurrent resolution is enacted to
5 nullify the state board's decision prior to such effective date.

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

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

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

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

1 pursuant to section 288.110, or any other purpose.

2 7. If additional teachers are needed by a district as a
3 result of increased enrollment due to the annexation of territory
4 of a lapsed or dissolved district, such district shall grant an
5 employment interview to any permanent teacher of the lapsed or
6 dissolved district upon the request of such permanent teacher.

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

12 9. If the state board of education reasonably believes that
13 a school district is unlikely to provide for the minimum number
14 of school hours required in a school term required by section
15 163.021 because of financial difficulty, the state board of
16 education may, prior to the start of the school term:

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

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

23 10. The provisions of subsection 9 of this section shall
24 not apply to any district solely on the basis of financial
25 difficulty resulting from paying tuition and providing
26 transportation for transfer students under sections 167.825 to
27 167.827.

28 162.1303. 1. For purposes of this section, "transient
29 student" means any student who withdraws from one attendance

1 center and enrolls in any other attendance center two or more
2 times within two school years.

3 2. The department of elementary and secondary education
4 shall annually calculate a transient student ratio for each
5 attendance center, each charter school, and each local
6 educational agency. The department shall annually calculate a
7 transient student ratio for each school district based on the
8 transient student ratios of all the attendance centers in such
9 district. The department shall publish the transient student
10 ratio of each district, each attendance center, each charter
11 school, and each local educational agency on its website.

12 3. The department shall include, or cause to be included,
13 in each district's school accountability report card the
14 transient student ratio of the district and of each attendance
15 center operated by the district.

16 4. The department shall include the transient student
17 ratios of attendance centers, charter schools, and local
18 educational agencies in their respective school accountability
19 report cards.

20 5. The department shall publish the state's aggregate
21 transient student ratio on its website.

22 6. A transient student ratio shall be calculated as the
23 product of:

24 (1) One hundred; and

25 (2) The quotient of:

26 (a) The sum of the number of transient students and the
27 number of students who withdrew from the district during the
28 school year; and

29 (b) The sum of the number of students who enrolled in the

1 district on or before the last Wednesday in September and the
2 number of students who enrolled in the district after the last
3 Wednesday of September.

4 7. Each school district, charter school, and local
5 educational agency shall annually report to the department, by a
6 date established by the department, any information and data
7 required to comply with and perform the calculation required by
8 the provisions of this section.

9 162.1305. 1. For purposes of this section, "transient
10 student" means any student who withdraws from one attendance
11 center and enrolls in any other attendance center two or more
12 times within two school years.

13 2. In the first year of attendance in a district or charter
14 school, a transient student's score on a statewide assessment
15 shall not be included when calculating the status or progress
16 scores on the district's or charter school's annual performance
17 report scores. A transient student's growth score shall be
18 weighted at one hundred percent.

19 3. In the second year of attendance, a transient student's
20 score on a statewide assessment shall be weighted at thirty
21 percent when calculating the district's or charter school's
22 performance for purposes of the district's or charter school's
23 annual performance report status or progress score, with the
24 transient student's growth score weighted at one hundred percent.

25 4. In the third year of attendance, a transient student's
26 score on a statewide assessment shall be weighted at seventy
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 transient student's growth score weighted at one hundred percent.

2 5. In the fourth year of attendance and any subsequent
3 years of attendance, a transient student's score on a statewide
4 assessment shall be weighted at one hundred percent when
5 calculating the district's or charter school's performance for
6 purposes of the district's or charter school's annual performance
7 report status or progress score, with the transient student's
8 growth score weighted at one hundred percent.

9 162.1310. If the state board of education classifies any
10 district or attendance center as unaccredited, the district shall
11 notify the parent or guardian of any student enrolled in the
12 unaccredited district or unaccredited attendance center of the
13 loss of accreditation within seven business days. The district
14 shall also notify district taxpayers of the loss of accreditation
15 within seven business days. The district's notice shall include
16 an explanation of which students may be eligible to transfer, the
17 transfer process under sections 167.825 to 167.827, and any
18 services students may be entitled to receive. The district's
19 notice shall be written in a clear, concise, and easy-to-
20 understand manner. The district shall post the notice in a
21 conspicuous and accessible place in each district attendance
22 center. The district shall also send the notice to each
23 municipality located within the boundaries of the district.

24 162.1313. The school board of any district that operates an
25 underperforming school, as defined in section 167.848, shall
26 adopt a policy regarding the availability of home visits by
27 school personnel. Pursuant to such policy, the school may offer
28 the parent or guardian of a student enrolled in any such school
29 the opportunity to have one or more annual home visits. If the

1 school decides to offer one or more annual home visits, the
2 school shall offer an opportunity for each visit to occur at the
3 attendance center or at a mutually agreeable site.

4 163.021. 1. A school district shall receive state aid for
5 its education program only if it:

6 (1) Provides for a minimum of one hundred seventy-four days
7 and one thousand forty-four hours of actual pupil attendance in a
8 term scheduled by the board pursuant to section 160.041 for each
9 pupil or group of pupils, except that the board shall provide a
10 minimum of one hundred seventy-four days and five hundred
11 twenty-two hours of actual pupil attendance in a term for
12 kindergarten pupils. If any school is dismissed because of
13 inclement weather after school has been in session for three
14 hours, that day shall count as a school day including afternoon
15 session kindergarten students. When the aggregate hours lost in
16 a term due to inclement weather decreases the total hours of the
17 school term below the required minimum number of hours by more
18 than twelve hours for all-day students or six hours for
19 one-half-day kindergarten students, all such hours below the
20 minimum must be made up in one-half day or full day additions to
21 the term, except as provided in section 171.033;

22 (2) Maintains adequate and accurate records of attendance,
23 personnel and finances, as required by the state board of
24 education, which shall include the preparation of a financial
25 statement which shall be submitted to the state board of
26 education the same as required by the provisions of section
27 165.111 for districts;

28 (3) Levies an operating levy for school purposes of not
29 less than one dollar and twenty-five cents after all adjustments

1 and reductions on each one hundred dollars assessed valuation of
2 the district;

3 (4) Computes average daily attendance as defined in
4 subdivision (2) of section 163.011 as modified by section
5 171.031. Whenever there has existed within the district an
6 infectious disease, contagion, epidemic, plague or similar
7 condition whereby the school attendance is substantially reduced
8 for an extended period in any school year, the apportionment of
9 school funds and all other distribution of school moneys shall be
10 made on the basis of the school year next preceding the year in
11 which such condition existed; and

12 (5) Uses funds derived from the operating levy for school
13 purposes to pay tuition remission for students who attend a
14 nonsectarian private school under section 167.828 at any time
15 that the district is classified as unaccredited by the state
16 board of education.

17 2. For the 2006-07 school year and thereafter, no school
18 district shall receive more state aid, as calculated under
19 subsections 1 and 2 of section 163.031, for its education
20 program, exclusive of categorical add-ons, than it received per
21 weighted average daily attendance for the school year 2005-06
22 from the foundation formula, line 14, gifted, remedial reading,
23 exceptional pupil aid, fair share, and free textbook payment
24 amounts, unless it has an operating levy for school purposes, as
25 determined pursuant to section 163.011, of not less than two
26 dollars and seventy-five cents after all adjustments and
27 reductions. Any district which is required, pursuant to Article
28 X, Section 22 of the Missouri Constitution, to reduce its
29 operating levy below the minimum tax rate otherwise required

1 under this subsection shall not be construed to be in violation
2 of this subsection for making such tax rate reduction. Pursuant
3 to Section 10(c) of Article X of the state constitution, a school
4 district may levy the operating levy for school purposes required
5 by this subsection less all adjustments required pursuant to
6 Article X, Section 22 of the Missouri Constitution if such rate
7 does not exceed the highest tax rate in effect subsequent to the
8 1980 tax year. Nothing in this section shall be construed to
9 mean that a school district is guaranteed to receive an amount
10 not less than the amount the school district received per
11 eligible pupil for the school year 1990-91. The provisions of
12 this subsection shall not apply to any school district located in
13 a county of the second classification which has a nuclear power
14 plant located in such district or to any school district located
15 in a county of the third classification which has an electric
16 power generation unit with a rated generating capacity of more
17 than one hundred fifty megawatts which is owned or operated or
18 both by a rural electric cooperative except that such school
19 districts may levy for current school purposes and capital
20 projects an operating levy not to exceed two dollars and
21 seventy-five cents less all adjustments required pursuant to
22 Article X, Section 22 of the Missouri Constitution.

23 3. No school district shall receive more state aid, as
24 calculated in section 163.031, for its education program,
25 exclusive of categorical add-ons, than it received per eligible
26 pupil for the school year 1993-94, if the state board of
27 education determines that the district was not in compliance in
28 the preceding school year with the requirements of section
29 163.172, until such time as the board determines that the

1 district is again in compliance with the requirements of section
2 163.172.

3 4. No school district shall receive state aid, pursuant to
4 section 163.031, if such district was not in compliance, during
5 the preceding school year, with the requirement, established
6 pursuant to section 160.530 to allocate revenue to the
7 professional development committee of the district.

8 5. No school district shall receive more state aid, as
9 calculated in subsections 1 and 2 of section 163.031, for its
10 education program, exclusive of categorical add-ons, than it
11 received per weighted average daily attendance for the school
12 year 2005-06 from the foundation formula, line 14, gifted,
13 remedial reading, exceptional pupil aid, fair share, and free
14 textbook payment amounts, if the district did not comply in the
15 preceding school year with the requirements of subsection 5 of
16 section 163.031.

17 6. Any school district that levies an operating levy for
18 school purposes that is less than the performance levy, as such
19 term is defined in section 163.011, shall provide written notice
20 to the department of elementary and secondary education asserting
21 that the district is providing an adequate education to the
22 students of such district. If a school district asserts that it
23 is not providing an adequate education to its students, such
24 inadequacy shall be deemed to be a result of insufficient local
25 effort. The provisions of this subsection shall not apply to any
26 special district established under sections 162.815 to 162.940.";
27 and

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

1 "167.121. 1. If the residence of a pupil is so located
2 that attendance in the district of residence constitutes an
3 unusual or unreasonable transportation hardship because of
4 natural barriers, travel time, or distance, the commissioner of
5 education or his or her designee may assign the pupil to another
6 district. Subject to the provisions of this section, all
7 existing assignments shall be reviewed prior to July 1, 1984, and
8 from time to time thereafter, and may be continued or rescinded.
9 The board of education of the district in which the pupil lives
10 shall pay the tuition of the pupil assigned. The tuition shall
11 not exceed the pro rata cost of instruction.

12 2. (1) For the school year beginning July 1, 2008, and
13 each succeeding school year, a parent or guardian residing in a
14 lapsed public school district or a parent or guardian residing in
15 a district that has [scored] received an annual performance
16 report score consistent with a state board of education
17 classification of either unaccredited or provisionally
18 accredited[, or a combination thereof, on two consecutive annual
19 performance reports] may enroll the parent's or guardian's child
20 in the Missouri virtual school created in section 161.670
21 provided the pupil first enrolls in the school district of
22 residence. The school district of residence shall include the
23 pupil's enrollment in the virtual school created in section
24 161.670 in determining the district's average daily attendance.
25 Full-time enrollment in the virtual school shall constitute one
26 average daily attendance equivalent in the school district of
27 residence. Average daily attendance for part-time enrollment in
28 the virtual school shall be calculated as a percentage of the
29 total number of virtual courses enrolled in divided by the number

1 of courses required for full-time attendance in the school
2 district of residence.

3 (2) A pupil's residence, for purposes of this section,
4 means residency established under section 167.020. Except for
5 students residing in a K-8 district attending high school in a
6 district under section 167.131, the board of the home district
7 shall pay to the virtual school the amount required under section
8 161.670.

9 (3) Nothing in this section shall require any school
10 district or the state to provide computers, equipment, internet
11 or other access, supplies, materials or funding, except as
12 provided in this section, as may be deemed necessary for a pupil
13 to participate in the virtual school created in section 161.670.

14 (4) Any rule or portion of a rule, as that term is defined
15 in section 536.010, that is created under the authority delegated
16 in this section shall become effective only if it complies with
17 and is subject to all of the provisions of chapter 536 and, if
18 applicable, section 536.028. This section and chapter 536 are
19 nonseverable and if any of the powers vested with the general
20 assembly pursuant to chapter 536 to review, to delay the
21 effective date, or to disapprove and annul a rule are
22 subsequently held unconstitutional, then the grant of rulemaking
23 authority and any rule proposed or adopted after August 28, 2007,
24 shall be invalid and void.

25 167.127. If a school district contains a facility that
26 serves neglected children or delinquent children residing in a
27 court-ordered group home, an institution for neglected children,
28 or an institution for delinquent children, the department of
29 elementary and secondary education shall be prohibited from

1 creating any report or publication related to the Missouri school
2 improvement program, or any successor program, in which data from
3 the district's regularly enrolled pupils is aggregated with data
4 from the children residing in such facilities, unless the
5 department creates an annotation to such report or publication
6 with the data collected only from the district's regularly
7 enrolled pupils and an explanation of the effects of the data
8 from the children enrolled in such facilities on the aggregate
9 data of the district.

10 167.131. 1. The board of education of each district in
11 this state that does not maintain [an accredited] a high school
12 [pursuant to the authority of the state board of education to
13 classify schools as established in section 161.092] offering work
14 through the twelfth grade shall pay [the] tuition [of] as
15 calculated by the receiving district under subsection 2 of this
16 section and provide transportation consistent with the provisions
17 of section 167.241 for each pupil resident therein who has
18 completed the work of the highest grade offered in the schools of
19 the district and who attends an accredited public high school in
20 another district of the same or an adjoining county.

21 2. The rate of tuition to be charged by the district
22 attended and paid by the sending district is the per pupil cost
23 of maintaining the district's grade level grouping which includes
24 the school attended. The rate of tuition to be charged by the
25 approved charter school attended and paid by the sending district
26 is the per pupil cost of maintaining the approved charter
27 school's grade level grouping. For a district, the cost of
28 maintaining a grade level grouping shall be determined by the
29 board of education of the district but in no case shall it exceed

1 all amounts spent for teachers' wages, incidental purposes, debt
2 service, maintenance and replacements. For an approved charter
3 school, the cost of maintaining a grade level grouping shall be
4 determined by the approved charter school but in no case shall it
5 exceed all amounts spent by the district in which the approved
6 charter school is located for teachers' wages, incidental
7 purposes, debt service, maintenance, and replacements. The term
8 "debt service", as used in this section, means expenditures for
9 the retirement of bonded indebtedness and expenditures for
10 interest on bonded indebtedness. Per pupil cost of the grade
11 level grouping shall be determined by dividing the cost of
12 maintaining the grade level grouping by the average daily pupil
13 attendance. If there is disagreement as to the amount of tuition
14 to be paid, the facts shall be submitted to the state board of
15 education, and its decision in the matter shall be final.
16 Subject to the limitations of this section, each pupil shall be
17 free to attend the public school of his or her choice.

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

22 167.132. 1. For purposes of this section, the following
23 terms mean:

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

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

1 section 160.522;

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

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

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

10 2. Notwithstanding any other provisions of law to the
11 contrary, a receiving district or a receiving approved charter
12 school may negotiate with a sending district to accept a reduced
13 tuition rate for transfer students. The receiving district or
14 receiving approved charter school may limit the number of
15 transfer students accepted at the reduced tuition rate as
16 calculated under subsection 3 of this section. If the receiving
17 district or receiving approved charter school elects to accept
18 tuition as calculated under subsection 3 of this section and does
19 not limit the number of transfer students accepted at such
20 reduced rate, such district or approved charter school shall
21 receive students through the education authority based solely on
22 the parent request and available seats.

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

27 (1) The sum of the average per-pupil current expenditures
28 of all available receiving districts for the sending district
29 divided by the number of all available receiving districts for

1 the sending district; and

2 (2) Seventy percent.

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

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

10 6. For each of the first two full school years that a
11 receiving district or receiving approved charter school charges a
12 rate of tuition as calculated under subsection 3 of this section,
13 accepts a minimum of twenty-five transfer students at such
14 reduced rate, and does not limit the number of transfer students
15 accepted at such reduced rate, if the aggregate scores of student
16 growth of all the transfer students in the receiving district or
17 receiving approved charter school meet or exceed targets
18 established in the state accountability system, the receiving
19 district or receiving approved charter school shall earn
20 additional credit in academic achievement on its annual
21 performance report. The department of elementary and secondary
22 education shall promulgate an administrative rule to implement
23 the provisions of this subsection. Any rule or portion of a
24 rule, as that term is defined in section 536.010, that is created
25 under the authority delegated in this section shall become
26 effective only if it complies with and is subject to all of the
27 provisions of chapter 536 and, if applicable, section 536.028.
28 This section and chapter 536 are nonseverable, and if any of the
29 powers vested with the general assembly pursuant to chapter 536

1 to review, to delay the effective date, or to disapprove and
2 annul a rule are subsequently held unconstitutional, then the
3 grant of rulemaking authority and any rule proposed or adopted
4 after the effective date of this section shall be invalid and
5 void.

6 7. If a receiving district elects to accept tuition as
7 calculated under subsection 3 of this section and does not limit
8 the number of transfer students accepted at such reduced rate,
9 the department of elementary and secondary education shall
10 consider such action as an additional criterion when determining
11 whether to assign the receiving district a classification of
12 accredited with distinction.

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

21 9. There is hereby created in the state treasury the
22 "Supplemental Tuition Fund". The fund shall consist of any
23 moneys appropriated annually by the general assembly from general
24 revenue to such fund, any moneys paid into the state treasury and
25 required by law to be credited to such fund and any gifts,
26 bequests, or public or private donations to such fund. The state
27 treasurer shall be custodian of the fund. The department of
28 elementary and secondary education shall administer the fund. In
29 accordance with sections 30.170 and 30.180, the state treasurer

1 may approve disbursements. The fund shall be a dedicated fund
2 and, upon appropriation, moneys in the fund shall be used solely
3 for the administration of this section. Notwithstanding the
4 provisions of section 33.080 to the contrary, any moneys
5 remaining in the fund at the end of the biennium shall not revert
6 to the credit of the general revenue fund. The state treasurer
7 shall invest moneys in the fund in the same manner as other funds
8 are invested. Any interest and moneys earned on such investments
9 shall be credited to the fund.

10 167.685. 1. Each unaccredited district shall offer free
11 tutoring and supplemental education services to students who are
12 performing below grade level or identified by the district as
13 struggling, using funds from the school district improvement fund
14 to the extent that such funds are available. A district may
15 implement the free tutoring services requirement by entering into
16 a contract with a public library for online tutoring services as
17 provided in section 170.215.

18 2. There is hereby created in the state treasury the
19 "School District Improvement Fund". The fund shall consist of
20 any gifts, bequests, or public or private donations to such fund.
21 Any person or entity that makes a gift, bequest, or donation to
22 the fund may specify the district that shall be the recipient of
23 such gift, bequest, or donation.

24 3. The state treasurer shall be custodian of the fund. In
25 accordance with sections 30.170 and 30.180, the state treasurer
26 may approve disbursements of public moneys in accordance with
27 distribution requirements and procedures developed by the
28 department of elementary and secondary education and shall make
29 disbursement of private funds according to the directions of the

1 donor. If the donor did not specify how the private funds were
2 to be disbursed, the state treasurer shall contact the donor to
3 determine the manner of disbursement. The fund shall be a
4 dedicated fund and, upon appropriation, moneys in the fund shall
5 be used solely for the administration of this section. A
6 district that receives moneys from the fund may use such moneys
7 to cover the cost of online tutoring services provided through a
8 contract with a public library under section 170.215.

9 4. Notwithstanding the provisions of section 33.080 to the
10 contrary, any moneys remaining in the fund at the end of the
11 biennium shall not revert to the credit of the general revenue
12 fund.

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

16 167.688. 1. Any underperforming district, as defined in
17 section 167.848, may perform any or all of the following actions
18 including, but not limited to:

19 (1) Implement a new curriculum, including appropriate
20 professional development, based on scientifically based research
21 that offers substantial promise of improving educational
22 achievement of low-achieving students;

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

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

28 (4) For any unaccredited school, enter into a collaborative
29 relationship and agreement with an accredited district in which

1 teachers from the unaccredited school may exchange positions with
2 teachers from an accredited school in an accredited district for
3 a period of two school weeks; or

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

10 2. Any underperforming district that offers an attendance
11 recovery program designed exclusively to allow students to
12 recapture attendance hours lost due to absences shall be allowed
13 to include such attendance recovery hours in the district's
14 attendance rate for purposes of the Missouri school improvement
15 program accreditation scoring. Districts may offer attendance
16 recovery programs on Saturdays or at any time before or after the
17 school's regularly scheduled school hours. Extended hour and day
18 programs designed for remediation or enrichment purposes shall
19 not fulfill the criteria of attendance recovery programs as
20 provided in this subsection.

21 167.730. 1. Beginning July 1, 2018, and continuing
22 thereafter, every public school, including every charter school,
23 in the metropolitan school district or in any urban school
24 district containing most or all of a home rule city with more
25 than four hundred thousand inhabitants and located in more than
26 one county shall incorporate a response-to-intervention tiered
27 approach to reading instruction to focus resources on students
28 who are determined by their school to need additional or changed
29 instruction to make progress as readers. At a minimum, the

1 reading levels of students in kindergarten through tenth grade
2 shall be assessed at the beginning and middle of the school year,
3 and students who score below district benchmarks shall be
4 provided with intensive and systematic reading instruction.

5 2. Beginning January 1, 2018, and every January first
6 thereafter, every public school, including every charter school,
7 in the metropolitan school district or in any urban school
8 district containing most or all of a home rule city with more
9 than four hundred thousand inhabitants and located in more than
10 one county shall prepare a personalized learning plan for any
11 kindergarten or first grade student whose most recent school-wide
12 reading assessment result shows the student is working below
13 grade level unless the student has been determined by other means
14 in the current school year to be working at grade level or above.
15 The provisions of this section shall not apply to students
16 otherwise served under an individualized education program, to
17 students receiving services through a plan prepared under Section
18 504 of the Rehabilitation Act of 1973 that includes an element
19 addressing reading below grade level, or to students determined
20 to have limited English proficiency.

21 3. For any student who is required by this section to have
22 a personalized learning plan, the student's main teacher shall
23 consult with the student's parent or guardian during the
24 preparation of the plan and shall consult, as appropriate, any
25 district personnel or department of elementary and secondary
26 education personnel with necessary expertise to develop such a
27 plan. The school shall require the written consent of the parent
28 or guardian to implement the plan; however, if the school is
29 unsuccessful in contacting the parent or guardian by January

1 fifteenth, the school may send a letter by certified mail to the
2 student's last known address stating its intention to implement
3 the plan by February first.

4 4. After implementing the personalized learning plan
5 through the end of the student's first grade year, the school
6 shall refer any student who still performs below grade level for
7 assessment to determine if an individualized education program is
8 necessary for the student. A student who is assessed as not
9 needing an individualized education program but who is reading
10 below grade level at the end of the first grade shall continue to
11 be required to have a personalized learning plan until the
12 student is reading at grade level.

13 5. Notwithstanding any provision of law to the contrary,
14 any student in a metropolitan school district, in any urban
15 school district containing most or all of a home rule city with
16 more than four hundred thousand inhabitants and located in more
17 than one county, or in any charter school located in any such
18 district who is not reading at second-grade level by the end of
19 second grade may be promoted to the third grade only under one of
20 the following circumstances:

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

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

29 (3) The student's parents or guardians have signed a notice

1 that they prefer to have their student promoted although the
2 student is reading below grade level. The school shall have the
3 final determination on the issue of retention.

4 6. The metropolitan school district, any urban school
5 district containing most or all of a home rule city with more
6 than four hundred thousand inhabitants and located in more than
7 one county, and each charter school located in them shall provide
8 in its annual report card under section 160.522 the numbers and
9 percentages by grade from first grade to tenth grade in each
10 school of any students at any grade level who have been promoted
11 who have been determined as reading below grade level, except
12 that no reporting shall permit the identification of an
13 individual student.

14 7. School districts and charter schools under this section
15 may provide for a student promotion and retention program and a
16 reading instruction program that are equivalent to those that are
17 described in this section with the oversight and approval of the
18 department of elementary and secondary education.

19 167.825. 1. For school year 2017-18, students who
20 transferred from an unaccredited district to an accredited
21 district in the same or an adjoining county under section 167.131
22 as it existed on July 1, 2014, shall be allowed to participate
23 under the same terms that governed such transfers in school years
24 2014-15 through 2016-17, except that section 167.132 shall apply
25 to determine the reimbursement of their tuition.

26 2. For school year 2017-18, if an unaccredited district
27 becomes classified as provisionally accredited or accredited
28 without provisions by the state board of education, any resident
29 student of the unaccredited district who has transferred under

1 section 167.131 as it existed on July 1, 2014, shall be permitted
2 to continue the student's educational program through the
3 completion of middle school, junior high school, or high school,
4 whichever occurs first, except that a student who attends any
5 school serving students through high school graduation but
6 starting at grades lower than ninth grade shall be permitted to
7 complete high school in the school to which he or she has
8 transferred.

9 3. Notwithstanding any other provision of law, any student
10 who was participating in the school transfer program before
11 January 1, 2017, and who attended, for at least one semester
12 immediately prior to transferring, a school in an unaccredited
13 district, shall have the option of transferring to a virtual
14 school as provided in subsection 8 of section 162.1250, an
15 approved charter school, or another public school in the
16 student's district of residence that offers the student's grade
17 level of enrollment, as further provided in section 167.826.

18 167.826. 1. Any student may transfer to another public
19 school in the student's district of residence that offers the
20 student's grade level of enrollment and that is accredited
21 without provisions by the state board of education if such
22 student is enrolled in and has attended an unaccredited school in
23 an unaccredited district for the full semester immediately prior
24 to requesting the transfer.

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

1 immediately prior to requesting the transfer, in:

2 (1) An urban school district;

3 (2) A metropolitan school district;

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

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

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

1 this section.

2 4. Any student who is enrolled in and has attended an
3 unaccredited school in an unaccredited district for the full
4 semester immediately prior to requesting the transfer and who has
5 first attempted but is unable to transfer to an accredited school
6 within his or her district of residence under subsection 1 of
7 this section due to a lack of capacity in accredited schools in
8 the district of residence may apply for a scholarship to the
9 appropriate education authority to transfer to:

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

12 (2) An approved charter school, as defined in section
13 167.848, in another district located in the same or an adjoining
14 county; or

15 (3) A nonsectarian private school, as defined in section
16 167.848.

17 5. After the state board of education has assigned
18 classification designations to all attendance centers under
19 subsection 3 of section 161.238 and continuing thereafter, any
20 student who is eligible to transfer under subsection 2 of this
21 section and who has first attempted but is unable to transfer to
22 an accredited school within his or her district of residence
23 under subsection 2 of this section due to a lack of capacity in
24 accredited schools in the district of residence may apply for a
25 scholarship to the appropriate education authority to transfer
26 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 6. The application to the education authority to transfer
6 shall be made by March first before the school year in which the
7 student intends to transfer.

8 7. A student who is eligible to begin kindergarten or first
9 grade at an unaccredited school as described in subsection 1 or 2
10 of this section may apply to the appropriate education authority
11 for a transfer if he or she resides in the attendance area of an
12 unaccredited school on March first preceding the school year of
13 first attendance. A student who does not apply by March first
14 shall be required to enroll and attend for one semester to become
15 eligible to transfer. If the student chooses to apply to attend
16 a magnet school, an academically selective school, or a school
17 with a competitive entrance process that has admissions
18 requirements, the student shall furnish proof that he or she
19 meets such admissions requirements. Any student who does not
20 maintain residency in the attendance area of his or her
21 attendance center in the district of residence shall lose
22 eligibility to transfer. Any student who transfers but later
23 withdraws shall lose eligibility to transfer. The transfer
24 provisions of this subsection shall not apply to a district
25 created under sections 162.815 to 162.840 or to any early
26 childhood programs or early childhood special education programs.

27 8. No unaccredited district, provisionally accredited
28 district, unaccredited school, or provisionally accredited school
29 shall be eligible to receive transfer students, except that,

1 within an unaccredited district, students may transfer from
2 unaccredited schools to accredited schools, and a transfer
3 student who chooses to attend a provisionally accredited school
4 in the district of residence shall be allowed to transfer to such
5 school if there is an available slot.

6 9. If a charter school may receive nonresident transfer
7 students under this section because it has been operating for
8 less than three years but then loses its status as an approved
9 charter school immediately after those three years because its
10 three-year average score on its annual performance report is
11 below seventy percent, any students who previously transferred to
12 the charter school may remain enrolled in the charter school but
13 no additional nonresident students may transfer to the charter
14 school.

15 10. No attendance center with a three-year average score of
16 seventy percent or lower on its annual performance report shall
17 be eligible to receive any transfer students, irrespective of its
18 state board of education classification designation, except that
19 any student who was granted a transfer to such an attendance
20 center prior to the effective date of this section may remain
21 enrolled in that attendance center.

22 11. For a receiving district or receiving approved charter
23 school, no acceptance of a transfer student shall require any of
24 the following actions, unless the school board of the receiving
25 district or the receiving approved charter school's governing
26 board has approved the action:

27 (1) A class size and assigned enrollment in a receiving
28 school that exceeds the number of students provided by its
29 approved policy on class size under subsection 12 of this

1 section;

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

3 (3) The construction of additional classrooms.

4 12. Each receiving district and each receiving approved
5 charter school shall have the right to establish and adopt, by
6 objective means, a policy for desirable class size and student-
7 teacher ratios. A district's policy may allow for estimated
8 growth in the resident student population. An approved charter
9 school may use the class size, student-teacher ratios, and growth
10 projections for student enrollment contained in the charter
11 school's charter application and charter when adopting a policy.
12 Any district or approved charter school that adopts such a policy
13 shall do so by January first annually. A receiving district or
14 receiving approved charter school shall publish its policy and
15 shall not be required to accept any transfer students under this
16 section that would violate its class size or student-teacher
17 ratio. If a student seeking to transfer is denied admission to a
18 district or approved charter school based on a lack of space
19 under the policy, the student or the student's parent or guardian
20 may appeal the ruling to the state board of education if he or
21 she believes the district's policy or approved charter school's
22 policy is unduly restrictive to student transfers. If more than
23 one student or parent appeals a denial of admission from the same
24 district or approved charter school to the state board of
25 education, the state board shall make an effort to hear such
26 actions at the same time. If the state board of education finds
27 that the policy is unduly restrictive to student transfers, the
28 state board may limit the policy. The state board's decision
29 shall be final.

1 13. For each student who transfers to another district or
2 approved charter school, the student's district of residence
3 shall pay the tuition amount for each transfer student to the
4 receiving district or receiving approved charter school in two
5 increments annually, once at the start of the school year and
6 once at the start of the second semester of the school year.
7 Each receiving district and receiving approved charter school
8 shall adopt a policy establishing a tuition rate by February
9 first annually.

10 14. If an unaccredited school becomes classified as
11 provisionally accredited or accredited without provisions by the
12 state board of education, any student who was assigned to such
13 attendance center or a nonsectarian private school in the
14 district of residence and who has transferred under this section
15 shall be permitted to continue his or her educational program in
16 that education option through the completion of middle school,
17 junior high school, or high school, whichever occurs first,
18 except that a student who attends any school serving students
19 through high school graduation but starting at grades lower than
20 ninth grade shall be permitted to complete high school in the
21 school to which he or she has transferred.

22 15. (1) Except as provided in subdivision (2) of this
23 subsection, if a district described in subsection 1 or 2 of this
24 section operates an unaccredited school, the education authority
25 for the county in which the district is located shall designate
26 at least one accredited district in the same or an adjoining
27 county to which the district operating the unaccredited school
28 shall provide transportation for transfer students. If the
29 designated district reaches full student capacity and is unable

1 to receive additional students, the education authority shall
2 designate at least one additional accredited district to which
3 the district operating an unaccredited school shall provide
4 transportation for transfer students.

5 (2) For the 2017-18 school year, and until such time as the
6 governor has appointed a number of members sufficient to
7 constitute a quorum to the education authority whose geographic
8 coverage area includes a district operating an unaccredited
9 school, the department of elementary and secondary education
10 shall designate at least one accredited district in the same or
11 an adjoining county to which a district operating an unaccredited
12 school shall provide transportation for transfer students. If
13 the designated district reaches full student capacity and is
14 unable to receive additional students, the department shall
15 designate at least one additional accredited district to which a
16 district operating an unaccredited school shall provide
17 transportation for transfer students.

18 (3) During the 2017-18 school year, for any district in a
19 county with a charter form of government and with more than nine
20 hundred fifty thousand inhabitants that the state board of
21 education classified as unaccredited effective January 1, 2014,
22 the costs of providing transportation for transfer students to a
23 designated accredited district in the same or an adjoining county
24 shall be paid from the student transfer transportation fund.
25 There is hereby created in the state treasury the "Student
26 Transfer Transportation Fund", which shall consist of moneys
27 appropriated to this fund. The state treasurer shall be
28 custodian of the fund. The commissioner of education shall
29 administer the fund. In accordance with sections 30.170 and

1 30.180, the state treasurer may approve disbursements. The fund
2 shall be a dedicated fund, and moneys in the fund shall be used
3 solely by the department of elementary and secondary education
4 for the purposes of this subdivision. Notwithstanding the
5 provisions of section 33.080 to the contrary, any moneys
6 remaining in the fund at the end of the biennium shall not revert
7 to the credit of the general revenue fund. The state treasurer
8 shall invest moneys in the fund in the same manner as other funds
9 are invested. Any interest and moneys earned on such investments
10 shall be credited to the fund.

11 16. Notwithstanding the provisions of subsection 13 of this
12 section to the contrary, if costs associated with the provision
13 of special education and related services to a student with a
14 disability exceed the tuition amount established under this
15 section, the transfer student's district of residence shall
16 remain responsible to pay the excess cost to the receiving
17 district or receiving approved charter school. If the receiving
18 district is a component district of a special school district,
19 the transfer student's district of residence, including any
20 metropolitan school district, shall contract with the special
21 school district for the entirety of the costs to provide special
22 education and related services, excluding transportation pursuant
23 to this section. The special school district may contract with
24 the transfer student's district of residence, including any
25 metropolitan district, for the provision of transportation of a
26 student with a disability, or the transfer student's district of
27 residence may provide transportation on its own.

28 17. A special school district shall continue to provide
29 special education and related services, with the exception of

1 transportation under this section, to a student with a disability
2 transferring from an unaccredited school within a component
3 district to an accredited school within the same or a different
4 component district within the special school district.

5 18. If any metropolitan school district operates an
6 unaccredited school, it shall remain responsible for the
7 provision of special education and related services, including
8 transportation, to students with disabilities. A special school
9 district in an adjoining county to a metropolitan school district
10 may contract with the metropolitan school district for the
11 reimbursement of special education services pursuant to sections
12 162.705 and 162.710 provided by the special school district for
13 transfer students who are residents of the district operating an
14 unaccredited school.

15 19. Regardless of whether transportation is identified as a
16 related service within a student's individualized education
17 program, a receiving district that is not part of a special
18 school district shall not be responsible for providing
19 transportation to a student transferring under this section. A
20 district operating an unaccredited school may contract with a
21 receiving district that is not part of a special school district
22 pursuant to sections 162.705 and 162.710 for transportation of
23 students with disabilities.

24 20. If a seven-director district or urban school district
25 as described under subsection 1 or 2 of this section operates an
26 unaccredited school, it may contract with a receiving district
27 that is not part of a special school district in the same or an
28 adjoining county for the reimbursement of special education and
29 related services pursuant to sections 162.705 and 162.710

1 provided by the receiving district for transfer students who are
2 residents of the district operating an unaccredited school.

3 167.827. 1. By August 1, 2017, and by January first
4 annually, each district eligible to receive transfer students
5 under section 167.826 shall report to the education authority for
6 the county in which the district is located its number of
7 available enrollment slots in accredited schools by grade level.
8 Each district described in subsection 1 or 2 of section 167.826
9 operating an unaccredited school shall report to the education
10 authority the number of available enrollment slots in the
11 accredited schools of the district by August 1, 2017, and by
12 January first annually. Each approved charter school and
13 nonsectarian private school that is eligible to receive transfer
14 students under section 167.826 shall report the number of
15 available enrollment slots by August 1, 2017, and by January
16 first annually.

17 2. Any education authority whose geographic area includes a
18 district described in subsection 1 or 2 of section 167.826
19 operating an unaccredited school shall make information and
20 assistance available to parents or guardians who intend to
21 transfer their child from an unaccredited school to an accredited
22 school in another district in the same or an adjoining county or
23 an approved charter school in another district in the same or an
24 adjoining county or a nonsectarian private school.

25 3. The parent or guardian of a student who intends to
26 transfer his or her child from an unaccredited school to an
27 accredited school in another district in the same or an adjoining
28 county or an approved charter school in another district in the
29 same or an adjoining county shall send initial notification to

1 the education authority for the county in which he or she resides
2 by March first for enrollment in the subsequent school year.

3 4. The education authority whose geographic area includes a
4 district that operates an unaccredited school described in
5 subsection 1 or 2 of section 167.826 shall assign those students
6 who are unable to transfer to an accredited school in their
7 district of residence and seek to transfer to an accredited
8 school in another district in the same or an adjoining county or
9 an approved charter school in another district in the same or an
10 adjoining county or a nonsectarian private school. When
11 assigning transfer students to approved charter schools, an
12 education authority shall coordinate with each approved charter
13 school and its admissions process if capacity is insufficient to
14 enroll all students who submit a timely application. An approved
15 charter school shall not be required to receive any transfer
16 students that would require it to institute a lottery procedure
17 for determining the admission of resident students. The
18 authority shall give first priority to students who live in the
19 same household with any family member within the first or second
20 degree of consanguinity or affinity who have already transferred
21 and who apply to attend the same school. If insufficient grade-
22 appropriate enrollment slots are available for a student to be
23 able to transfer, that student shall receive first priority the
24 following school year. The authority shall only disrupt student
25 and parent choice for transfer if the available slots are
26 requested by more students than there are slots available. The
27 authority shall consider the following factors in assigning
28 schools, with the student's or parent's choice as the most
29 important factor:

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

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

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

5
6 The education authority shall not consider student academic
7 performance, free and reduced price lunch status, or athletic
8 ability in assigning a student to a school. When assigning
9 transfer students to approved charter schools, an education
10 authority shall coordinate with each approved charter school and
11 its admissions process if capacity is insufficient to enroll all
12 students who submit a timely application.

13 5. An education authority may deny a transfer to a student
14 who in the most recent school year has been suspended from school
15 two or more times or who has been suspended for an act of school
16 violence under subsection 2 of section 160.261. A student whose
17 transfer is initially precluded under this subsection may be
18 permitted to transfer on a provisional basis as a probationary
19 transfer student, subject to no further disruptive behavior, upon
20 a statement from the student's current school that the student is
21 not disruptive. A student who is denied a transfer under this
22 subsection has the right to an in-person meeting with a
23 representative of the authority. Each education authority shall
24 develop administrative guidelines to provide common standards for
25 determining disruptive behavior that shall include, but not be
26 limited to, criteria under the safe schools act.

27 6. Notwithstanding any other provision of law, the test
28 scores of transfer students attending schools in districts other
29 than their district of residence under section 167.826 shall be

1 counted as follows:

2 (1) In the first year of attendance in a district or
3 approved charter school, a transfer student's score on a
4 statewide assessment shall not be included when calculating the
5 status or progress scores on the district's or charter school's
6 annual performance report scores. The growth score shall be
7 weighted at one hundred percent;

8 (2) In the second year of attendance, a transfer student's
9 score on a statewide assessment shall be weighted at thirty
10 percent when calculating the district's or charter school's
11 performance for purposes of the district's or charter school's
12 annual performance report status or progress score, with the
13 growth score weighted at one hundred percent;

14 (3) In the third year of attendance, a transfer student's
15 score on a statewide assessment shall be weighted at seventy
16 percent when calculating the district's or charter school's
17 performance for purposes of the district's or charter school's
18 annual performance report status or progress score, with the
19 growth score weighted at one hundred percent;

20 (4) In the fourth year of attendance and any subsequent
21 years of attendance, a transfer student's score on a statewide
22 assessment shall be weighted at one hundred percent when
23 calculating the district's or charter school's performance for
24 purposes of the district's or charter school's annual performance
25 report status or progress score, with the growth score weighted
26 at one hundred percent.

27 7. When performing the requirements of this section,
28 section 167.132, or sections 167.830 to 167.845, if an education
29 authority whose geographic area includes a district that operates

1 an unaccredited school as described in subsection 1 or 2 of
2 section 167.826 is not coordinating transfers due to insufficient
3 funding or because the governor has not yet appointed a number of
4 members sufficient to constitute a quorum to the education
5 authority, the department of elementary and secondary education
6 shall contract with or collaborate with any organizations it
7 chooses, subject to the exception described in subsection 8 of
8 this section, in order to coordinate transfers that each
9 education authority is required to coordinate under such
10 sections. The department of elementary and secondary education
11 and such organization or organizations it chooses shall fulfill
12 all functions of the education authorities, including the duty to
13 perform the scholarship calculation as described in subsection 4
14 of section 167.132. Any applications for transfers and any
15 reports of available enrollment slots that the education
16 authorities would have received shall be submitted to the
17 department of elementary and secondary education or such
18 organization or organizations it chooses instead.

19 167.828. 1. The school board of any unaccredited district
20 located in any city not within a county, any county with a
21 charter form of government and with more than nine hundred fifty
22 thousand inhabitants, or in any county with a charter form of
23 government and with more than six hundred thousand but fewer than
24 seven hundred thousand inhabitants that operates an unaccredited
25 school shall provide a scholarship for any student who has
26 enrolled in and attended an unaccredited school in the district
27 for one semester to attend a nonsectarian private school, as
28 defined in section 167.848, located in his or her district of
29 residence and is assigned to such school by the education

1 authority.

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

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

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

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

12 (1) Is accredited by the North Central Association
13 Commission On Accreditation and School Improvement or
14 demonstrates similar academic quality credentials to the
15 department of elementary and secondary education;

16 (2) Administers or allows for the administration of the
17 statewide assessments in English language arts and mathematics
18 for transfer students;

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

21 (4) Holds a valid occupancy permit if required by its
22 municipality;

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

26 (6) For all students enrolled in the school under the
27 nonsectarian option set forth in section 167.826, complies with
28 the following statutes and any regulations promulgated thereunder
29 by the department of elementary and secondary education:

1 sections 43.408, 43.540, 160.041, 160.045, 160.257, 160.261,
2 160.262, 160.263, 160.518 for state assessments, the cost of
3 which shall be paid consistent with the manner in which they are
4 paid for students in public schools, 160.522, 160.539, 160.570,
5 160.660, 160.775, 160.1990, 161.850, 161.102, 161.650, 162.014,
6 162.068, 162.069, 162.208, 162.215, 162.401, 162.670, 162.720,
7 subdivisions (1) to (3) of section 162.821, 162.1250, 162.1125,
8 subdivisions (1) and (2) of subsection 1 of section 163.021 for
9 eligibility to receive local funds but compliance with these
10 sections shall not make nonsectarian private schools eligible to
11 receive state funding under section 163.031, 167.018, 167.019,
12 167.020, 167.022, 167.023, 167.031, 167.115, 167.117, 167.122,
13 167.123, 167.161, 167.166, 167.171, 167.181, 167.191, 167.208,
14 167.211, 167.227, 167.268, 167.275, 167.280, 167.621 to 167.635,
15 167.645, 167.700, 167.720, 167.765, 170.005, 170.011, 170.051,
16 170.315, 170.340, 171.021, 171.031 to 171.033, 171.053, 171.151,
17 171.171, 178.530, 182.815, 182.817, 191.765 to 191.777, 210.003,
18 210.110, 210.115, 210.145, 210.150, 210.165, 210.167, 210.760,
19 210.865, 211.032, 211.034, 211.181, 211.185, 211.188, 320.010,
20 452.375, 452.376, and 544.193. Nothing in this subdivision shall
21 be construed to exempt the nonsectarian private school from other
22 statutes and regulations which applied to the nonsectarian
23 schools as of January 1, 2014;

24 (7) Furnishes to the department of elementary and secondary
25 education all necessary data for the calculation of an annual
26 performance report score, which the department shall calculate
27 for each participating nonsectarian private school. At the
28 option of the nonsectarian private school, such score shall be
29 based upon only the records pertaining to students enrolled in

1 the school through the transfer program or for all students if
2 the school chooses to administer state testing to all students;

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

7 (9) Certifies to the department of elementary and secondary
8 education and to the unaccredited district that it shall accept
9 the tuition amount specified in subsection 2 of this section as
10 payment in full for the transfer student and shall not require
11 the parent or guardian to pay any additional amount for tuition;
12 and

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

17 4. When the percentage of transfer students at a
18 nonsectarian private school receiving transfer students under
19 this section reaches twenty-five percent of the school's
20 enrollment, the school shall conform to the Missouri school
21 improvement program performance standards to continue its
22 eligibility for the program under this section.

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

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

1 7. (1) The option for any student who has enrolled in and
2 attended an unaccredited school in an unaccredited district for
3 one semester to attend a nonsectarian private school as provided
4 in this section shall become effective only after the governing
5 body of an unaccredited district, as specified in subsection 1 of
6 this section, submits to the district's voters at a general
7 election a proposal to authorize the governing body to use local
8 operating funds for school purposes to pay for a scholarship at a
9 nonsectarian private school for students assigned to an
10 unaccredited school in the district under sections 167.826 to
11 167.828 and such proposal is approved by the voters of the
12 district as provided in this subsection. The governing body of
13 the school district shall submit the proposal to the voters of
14 the district at the next general election after the decision of
15 the state board of education declaring the district unaccredited
16 for which the deadline for submission of such ballot proposals is
17 open. The ballot proposal presented to the local voters shall
18 contain substantially the following language:

19 Shall the (school district's name) allow the use of
20 the district's local operating funds for school purposes to pay
21 for a scholarship at nonsectarian private schools for students
22 who are assigned to an unaccredited public school in the district
23 and who apply to transfer to nonsectarian private schools under
24 section 167.828, RSMo?

25 ☐ YES

☐ NO

26 If a majority of the votes cast on the question by the qualified
27 voters voting thereon is in favor of the question, the option for
28 students to transfer to a nonsectarian private school shall
29 become effective in that district the next school year. If a

1 majority of the votes cast on the question by the qualified
2 voters voting thereon is opposed to the question, the option
3 shall not become effective unless and until the proposal is
4 resubmitted under this subsection to the qualified voters at a
5 general election and such proposal is approved by a majority of
6 the qualified voters voting on the proposal.

7 (2) Whenever the governing body of a school district
8 specified in subsection 1 of this section that has not authorized
9 the use of its local operating funds for school purposes as
10 provided in this subsection receives a petition from a
11 nonsectarian private school, signed by the school's chief
12 operating officer, calling for an election to authorize the use
13 of local operating funds for school purposes to pay for a
14 scholarship at a private nonsectarian school under this
15 subsection, the governing body shall submit to the voters a
16 proposal to authorize such use of funds at the next general
17 election for which the deadline for submission of such ballot
18 proposals is open. If a majority of the votes cast on the
19 question by the qualified voters voting thereon is in favor of
20 the proposal, the option for students to transfer to a
21 nonsectarian private school shall become effective in that
22 district the next school year. If a majority of the votes cast
23 on the proposal by the qualified voters voting thereon is opposed
24 to the proposal, the option shall not become effective unless and
25 until the proposal is resubmitted under this subsection to the
26 qualified voters at a general election and such proposal is
27 approved by a majority of the qualified voters voting on the
28 proposal.

29 8. Notwithstanding the provisions of subsection 7 of this

1 section to the contrary, if any district remains classified as
2 unaccredited by the state board of education for three
3 consecutive years, resident students of the district shall be
4 eligible to enroll in and attend a nonsectarian private school
5 located in the district of residence and have scholarship tuition
6 paid by the district school board under this section,
7 irrespective of whether the district voters have approved a
8 proposal to authorize the district's governing body to use local
9 operating funds for school purposes to pay scholarship at a
10 nonsectarian private school.

11 9. Notwithstanding the provisions of subsection 2 of this
12 section to the contrary, where costs associated with the
13 provision of special education and related services to a student
14 with a disability exceed the scholarship amount established under
15 this section, the unaccredited district shall remain responsible
16 to pay the excess cost to the nonsectarian private school.

17 167.830. 1. There is hereby established the "St. Louis
18 Area Education Authority". The authority is hereby constituted a
19 public instrumentality and body politic and corporate, and the
20 exercise by the authority of the powers conferred by this section
21 shall be deemed and held to be the performance of an essential
22 public function. Unless otherwise provided, the authority shall
23 be subject to all general laws pertaining to the operation of
24 seven-director districts as defined in section 160.011.

25 2. If any metropolitan school district, any district
26 located in any county with a charter form of government and with
27 more than nine hundred fifty thousand inhabitants, or any
28 district located in an adjoining county to them operates at least
29 one unaccredited school, the authority shall coordinate student

1 transfers from unaccredited schools to schools in accredited
2 districts as set forth in section 167.826 and, if applicable, to
3 approved charter schools or nonsectarian private schools.

4 3. The authority shall consist of five members to be
5 appointed by the governor, by and with the advice and consent of
6 the senate, each of whom shall be a resident of the state. The
7 members shall reflect the population characteristics of the
8 districts they represent. Not more than three of the five
9 members of the authority shall be of the same political party.
10 Two members shall be residents of the metropolitan school
11 district, two members shall be residents of school districts
12 located in a county with a charter form of government and with
13 more than nine hundred fifty thousand inhabitants, and one member
14 shall be a resident of a district located in an adjoining county
15 to a county with a charter form of government and with more than
16 nine hundred fifty thousand inhabitants. The length of term for
17 members shall be six years except for the initial members, who
18 shall be appointed in the following manner:

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

20 (2) One member shall be appointed for a term of three
21 years;

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

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

24 and

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

26 4. The term length of each initial appointee shall be
27 designated by the governor at the time of making the appointment.
28 Upon the expiration of the initial terms of office, successor
29 members shall be appointed for terms of six years and shall serve

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

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

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

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

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

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

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

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

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

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

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

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

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

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

29 167.833. 1. There is hereby created in the state treasury

1 the "St. Louis Area Education Authority Fund". The fund shall
2 consist of any appropriations, gifts, bequests, or public or
3 private donations to such fund. Any moneys in the fund shall be
4 used to fund the operations of the education authority. The
5 state treasurer shall be custodian of the fund. In accordance
6 with sections 30.170 and 30.180, the state treasurer may approve
7 disbursements of public moneys in accordance with distribution
8 requirements and procedures developed by the department of
9 elementary and secondary education and shall make disbursement of
10 private funds according to the directions of the donor. If the
11 donor did not specify how the private funds were to be disbursed,
12 the state treasurer shall contact the donor to determine the
13 manner of disbursement. The fund shall be a dedicated fund and,
14 upon appropriation, moneys in the fund shall be used solely for
15 the administration of sections 167.830 and 167.833.

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

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

23 167.836. 1. There is hereby established the "Kansas City
24 Area Education Authority". The authority is hereby constituted a
25 public instrumentality and body politic and corporate, and the
26 exercise by the authority of the powers conferred by this section
27 shall be deemed and held to be the performance of an essential
28 public function. Unless otherwise provided, the authority shall
29 be subject to all general laws pertaining to the operation of

1 seven-director districts as defined in section 160.011.

2 2. If any district located in any county with a charter
3 form of government and with more than six hundred thousand but
4 fewer than seven hundred thousand inhabitants or in an adjoining
5 county operates at least one unaccredited school, the authority
6 shall coordinate student transfers from unaccredited schools to
7 schools in accredited districts as set forth in section 167.826
8 and, if applicable, to approved charter schools or nonsectarian
9 private schools.

10 3. The authority shall consist of five members appointed by
11 the governor, by and with the advice and consent of the senate,
12 each of whom shall be a resident of the state. Three members
13 shall be residents of an urban school district containing most or
14 all of a home rule city with more than four hundred thousand
15 inhabitants and located in more than one county. One member
16 shall be a resident of a school district located in a county with
17 a charter form of government and with more than six hundred
18 thousand but fewer than seven hundred thousand inhabitants but
19 such member shall be a resident of a school district other than
20 an urban school district containing most or all of a home rule
21 city with more than four hundred thousand inhabitants and located
22 in more than one county. One member shall be a resident of a
23 school district located in a county adjoining to a county with a
24 charter form of government and with more than six hundred
25 thousand but fewer than seven hundred thousand inhabitants. The
26 members shall reflect the population characteristics of the
27 districts they represent. Not more than three of the five
28 members of the authority shall be of the same political party.
29 The length of term for members shall be six years except for the

1 initial members, who shall be appointed in the following manner:

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

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

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

6 (4) One member shall be appointed for a term of five years;
7 and

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

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

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

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

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

26 6. One member of the authority, designated by the governor
27 for the purpose, shall call and convene the initial
28 organizational meeting of the authority and shall serve as its
29 president pro tempore. At the initial meeting and annually

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

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

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

23 (1) Have perpetual succession as a body politic and
24 corporate;

25 (2) Adopt bylaws for the regulation of its affairs and the
26 conduct of its business;

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

1 (4) Establish and use a corporate seal and alter the same
2 at pleasure;

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

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

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

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

12 167.839. 1. There is hereby created in the state treasury
13 the "Kansas City Area Education Authority Fund". The fund shall
14 consist of any appropriations, gifts, bequests, or public or
15 private donations to such fund. Any moneys in the fund shall be
16 used to fund the operations of the education authority. The
17 state treasurer shall be custodian of the fund. In accordance
18 with sections 30.170 and 30.180, the state treasurer may approve
19 disbursements of public moneys in accordance with distribution
20 requirements and procedures developed by the department of
21 elementary and secondary education and shall make disbursement of
22 private funds according to the directions of the donor. If the
23 donor did not specify how the private funds were to be disbursed,
24 the state treasurer shall contact the donor to determine the
25 manner of disbursement. The fund shall be a dedicated fund and,
26 upon appropriation, moneys in the fund shall be used solely for
27 the administration of sections 167.836 and 167.839.

28 2. Notwithstanding the provisions of section 33.080 to the
29 contrary, any moneys remaining in the fund at the end of the

1 biennium shall not revert to the credit of the general revenue
2 fund.

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

6 167.842. 1. There is hereby established the "Statewide
7 Education Authority". The authority is hereby constituted a
8 public instrumentality and body politic and corporate, and the
9 exercise by the authority of the powers conferred by this section
10 shall be deemed and held to be the performance of an essential
11 public function. Unless otherwise provided, the authority shall
12 be subject to all general laws pertaining to the operation of
13 seven-director districts as defined in section 160.011. The
14 jurisdiction of the statewide education authority shall be all
15 counties except for:

16 (1) Any city not within a county;

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

20 (3) Any county with a charter form of government and with
21 more than nine hundred fifty thousand inhabitants and adjoining
22 counties.

23 2. If any district located in the statewide education
24 authority's jurisdiction operates at least one unaccredited
25 school, the authority shall coordinate student transfers from
26 unaccredited schools to schools in accredited districts as set
27 forth in section 167.826 and, if applicable, to approved charter
28 schools or nonsectarian private schools.

29 3. The authority shall consist of five members to be

1 appointed by the governor, by and with the advice and consent of
2 the senate, each of whom shall be a resident of the state. The
3 members shall reflect the population characteristics of the
4 districts they represent. Not more than three of the five
5 members of the authority shall be of the same political party.
6 The governor shall not appoint members to the authority until the
7 state board of education gives notice that a district in the
8 authority's jurisdiction has been classified as unaccredited.
9 The length of term for members shall be six years except for the
10 initial members, who shall be appointed in the following manner:

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

12 (2) One member shall be appointed for a term of three
13 years;

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

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

16 and

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

18 4. The term length of each initial appointee shall be
19 designated by the governor at the time of making the appointment.
20 Upon the expiration of the initial terms of office, successor
21 members shall be appointed for terms of six years and shall serve
22 until their successors have been appointed and have qualified.
23 Any member shall be eligible for reappointment. The governor
24 shall fill any vacancy for the remainder of any unexpired term
25 within thirty days of notification of the vacancy. Any member of
26 the authority may be removed by the governor for misfeasance,
27 malfeasance, willful neglect of duty, or other cause after notice
28 and a public hearing unless the notice or hearing shall be
29 expressly waived in writing.

1 5. Members of the authority shall receive no compensation
2 for services, but shall be entitled to reimbursement for
3 necessary expenses, including traveling and lodging expenses,
4 incurred in the discharge of their duties. Any payment for
5 expenses shall be paid from funds of the authority.

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

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

29 8. The authority shall have the following powers, together

1 with all powers incidental thereto or necessary for the
2 performance thereof, to:

3 (1) Have perpetual succession as a body politic and
4 corporate;

5 (2) Adopt bylaws for the regulation of its affairs and the
6 conduct of its business;

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

10 (4) Establish and use a corporate seal and alter the same
11 at pleasure;

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

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

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

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

21 167.845. 1. There is hereby created in the state treasury
22 the "Statewide Education Authority Fund". The fund shall consist
23 of any appropriations, gifts, bequests, or public or private
24 donations to such fund. Any moneys in the fund shall be used to
25 fund the operations of the education authority. The state
26 treasurer shall be custodian of the fund. In accordance with
27 sections 30.170 and 30.180, the state treasurer may approve
28 disbursements of public moneys in accordance with distribution
29 requirements and procedures developed by the department of

1 elementary and secondary education and shall make disbursement of
2 private funds according to the directions of the donor. If the
3 donor did not specify how the private funds were to be disbursed,
4 the state treasurer shall contact the donor to determine the
5 manner of disbursement. The fund shall be a dedicated fund and,
6 upon appropriation, moneys in the fund shall be used solely for
7 the administration of sections 167.842 and 167.845.

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

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

15 167.848. For purposes of sections 161.084, 161.087,
16 161.238, 162.1250, 162.1305, 162.1310, 162.1313, 167.642,
17 167.685, 167.688, and 167.825 to 167.848, the following terms
18 mean:

19 (1) "Accredited district", a school district that is
20 classified as accredited or accredited with distinction by the
21 state board of education pursuant to the authority of the state
22 board of education to classify schools as established in sections
23 161.087 and 161.092;

24 (2) "Accredited school", an attendance center that is
25 classified as accredited or accredited with distinction by the
26 state board of education pursuant to the authority of the state
27 board of education to classify schools as established in sections
28 161.087, 161.092, and 161.238;

29 (3) "Approved charter school", a charter school that has

1 existed for less than three years or a charter school with a
2 three-year average score of seventy percent or higher on its
3 annual performance report;

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

8 (5) "Borderline district", a school district that has a
9 current annual performance report score between seventy-five and
10 seventy with the last two consecutive years showing a decline in
11 the score, with a district third-grade or eighth-grade statewide
12 reading assessment that shows that fifty percent or more of the
13 students are at a level less than proficient, and a transient
14 student ratio in the top quartile of districts;

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

17 (7) "Nonsectarian school", "nonsectarian private school",
18 or "private nonsectarian school", a school that is not part of
19 the public school system of the state of Missouri, that charges
20 tuition for the rendering of elementary and secondary educational
21 services, and that is not disqualified from accepting public
22 funds by any provision of the Missouri or United States
23 Constitutions;

24 (8) "Provisionally accredited district", a school district
25 that is classified as provisionally accredited by the state board
26 of education pursuant to the authority of the state board of
27 education to classify schools as established in sections 161.087
28 and 161.092;

29 (9) "Provisionally accredited school", an attendance center

1 that is classified as provisionally accredited by the state board
2 of education pursuant to the authority of the state board of
3 education to classify schools as established in sections 161.087,
4 161.092, and 161.238;

5 (10) "Unaccredited district", a school district classified
6 as unaccredited by the state board of education pursuant to the
7 authority of the state board of education to classify schools as
8 established in sections 161.087 and 161.092;

9 (11) "Unaccredited school", an attendance center that is
10 classified as unaccredited by the state board of education
11 pursuant to the authority of the state board of education to
12 classify schools as established in sections 161.087, 161.092, and
13 161.238;

14 (12) "Underperforming", a school district or an attendance
15 center that has been classified as unaccredited or provisionally
16 accredited pursuant to the authority of the state board of
17 education to classify schools or has a three-year average annual
18 performance report score consistent with a classification of
19 provisionally accredited or unaccredited.

20 167.890. 1. The department of elementary and secondary
21 education shall compile and maintain student performance data
22 scores of all transfer students enrolled in districts other than
23 their resident districts as provided in sections 167.825 and
24 167.826 and make such data available on the Missouri
25 comprehensive data system. No personally identifiable data shall
26 be accessible on the database.

27 2. The department of elementary and secondary education may
28 promulgate all necessary rules and regulations for the
29 administration of this section. Any rule or portion of a rule,

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

11 170.215. 1. Any school district may enter into a contract
12 with a public library to provide online tutoring services through
13 a third-party vendor or a nonprofit organization for the
14 district's students. Any tutoring services shall be conducted
15 through any compatible computer to participating students who
16 have a library card, both within and without the public library
17 facility.

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

21 (1) Assistance with homework;

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

24 (3) Access to comprehensive writing assistance productivity
25 software; and

26 (4) Test preparation tools.

27 3. Any contract may allow participating students with a
28 library card dedicated access to assistance during specified
29 hours of the day and specified days of the week. A contract may

1 also allow students to submit questions to tutors or join online
2 study groups.

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

5 (1) Protect individual student privacy;

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

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

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

13 6. Any entity that offers online tutoring services under
14 this section shall maintain an archive of all communications
15 between students and tutors for two years.

16 7. School districts may use available funds or seek grants
17 from private foundations to cover the costs of online tutoring
18 services.

19 170.320. 1. There is hereby created in the state treasury
20 the "Parent Portal Fund". The fund shall consist of any gifts,
21 bequests, or public or private donations to such fund. Any
22 moneys in the fund shall be used to assist districts in
23 establishing and maintaining a parent portal. School districts
24 may establish a parent portal that shall be accessible by mobile
25 technology for parents to have access to educational information
26 and access to student data. Any person or entity that makes a
27 gift, bequest, or donation to the fund may specify the district
28 that shall be the recipient of such gift, bequest, or donation.

29 2. The state treasurer shall be custodian of the fund. In

1 accordance with sections 30.170 and 30.180, the state treasurer
2 may approve disbursements of public moneys in accordance with
3 distribution requirements and procedures developed by the
4 department of elementary and secondary education and shall make
5 disbursements of private funds according to the directions of the
6 donor. If the donor did not specify how the private funds were
7 to be disbursed, the state treasurer shall contact the donor to
8 determine the manner of disbursement. The fund shall be a
9 dedicated fund and, upon appropriation, moneys in the fund shall
10 be used solely for the administration of this section.

11 3. Notwithstanding the provisions of section 33.080 to the
12 contrary, any moneys remaining in the fund at the end of the
13 biennium shall not revert to the credit of the general revenue
14 fund.

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

18 171.031. 1. Each school board shall prepare annually a
19 calendar for the school term, specifying the opening date and
20 providing a minimum term of at least one hundred seventy-four
21 days for schools with a five-day school week or one hundred
22 forty-two days for schools with a four-day school week, and one
23 thousand forty-four hours of actual pupil attendance. In
24 addition, such calendar shall include six make-up days for
25 possible loss of attendance due to inclement weather as defined
26 in subsection 1 of section 171.033.

27 2. Each local school district may set its opening date each
28 year, which date shall be no earlier than ten calendar days prior
29 to the first Monday in September. No public school district

1 shall select an earlier start date unless the district follows
2 the procedure set forth in subsection 3 of this section.

3 3. A district may set an opening date that is more than ten
4 calendar days prior to the first Monday in September only if the
5 local school board first gives public notice of a public meeting
6 to discuss the proposal of opening school on a date more than ten
7 days prior to the first Monday in September, and the local school
8 board holds said meeting and, at the same public meeting, a
9 majority of the board votes to allow an earlier opening date. If
10 all of the previous conditions are met, the district may set its
11 opening date more than ten calendar days prior to the first
12 Monday in September. The condition provided in this subsection
13 must be satisfied by the local school board each year that the
14 board proposes an opening date more than ten days before the
15 first Monday in September.

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

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

24 6. The state board of education may grant an exemption from
25 this section to a school district that demonstrates highly
26 unusual and extenuating circumstances justifying exemption from
27 the provisions of subsections 2 to 4 of this section. Any
28 exemption granted by the state board of education shall be valid
29 for one academic year only.

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

3 (1) Vocational schools which may adopt an eight-hour day in
4 a metropolitan school district and a school district in a first
5 class county adjacent to a city not within a county, and any
6 school that adopts a four-day school week in accordance with
7 section 171.029; and

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

11 8. The school board of any district in this state that has
12 been classified as unaccredited or provisionally accredited by
13 the state board of education or that is accredited but has a
14 three-year average annual performance report score consistent
15 with a classification of unaccredited or provisionally accredited
16 may increase the length of the school day upon adoption of a
17 resolution by a majority vote to authorize such action. Such a
18 school district may also increase the annual hours of instruction
19 above the required number of hours in subsection 1 of this
20 section by the adoption of a resolution by a majority vote to
21 authorize such action.

22 9. (1) There is hereby created in the state treasury the
23 "Extended Learning Time Fund". The fund shall consist of any
24 moneys that may be appropriated by the general assembly from
25 general revenue to such fund, any moneys paid into the state
26 treasury and required by law to be credited to such fund, and any
27 gifts, bequests, or public or private donations to such fund.

28 (2) The state treasurer shall be custodian of the fund. In
29 accordance with sections 30.170 and 30.180, the state treasurer

1 may approve disbursements in accordance with distribution
2 requirements and procedures developed by the department of
3 elementary and secondary education. The fund shall be a
4 dedicated fund and, upon appropriation, moneys in the fund shall
5 be used solely for the administration of subsection 8 of this
6 section.

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

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

14 177.015. 1. Each district that owns a building that is not
15 occupied shall, by March fifteenth annually, prepare a public
16 document listing the status of each district-owned building that
17 is not occupied. The document shall include the address of each
18 building and the amount of money the district spends annually on
19 the building including, but not limited to, a separate accounting
20 for repairs, maintenance, utilities, and insurance. The document
21 shall include an estimate of the fair market value of each
22 building. The district shall post this information on its
23 internet website and make the document available to each district
24 taxpayer.

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

29 7. (1) In fiscal years 2018 and 2019, in any county with a

1 charter form of government and with more than nine hundred fifty
2 thousand inhabitants that contains all or any portion of a school
3 district that has been designated as unaccredited or
4 provisionally accredited by the state board of education, up to
5 five percent of the community children's services fund's yearly
6 revenues, based on the total dollar amount needed to provide
7 services as determined by a needs assessment, shall be devoted to
8 a grant program that delivers services directly to schools in
9 such districts according to the procedure in this subsection.
10 The president of the school board shall notify the board of
11 directors within five business days after such designation. The
12 board shall, in its budget process for the following fiscal year,
13 ensure that the total amount of funds needed to provide services
14 based on the needs assessment is allocated according to this
15 subsection, not to exceed five percent of the fund's yearly
16 revenues. If the total amount of funds needed to provide such
17 services exceeds five percent of the fund's yearly revenues, the
18 funds shall be distributed in an order based on the greatest need
19 for each district. Any moneys distributed from the fund to a
20 district shall be subject to an annual audit.

21 (2) The board shall undertake a needs assessment for any
22 such school district within ninety days after receipt of the
23 notice under this subsection. The needs assessment shall be used
24 as a basis for comprehensive mental health wraparound services
25 delivery for which the board shall contract as provided under
26 subsection 3 of this section.

27 (3) The board shall appoint one of its members to a direct
28 school service coordinating committee, which is hereby created.
29 The board may appoint an additional one of its members to serve

1 as an ex officio member. The board shall appoint a social worker
2 to the committee. The school board of each affected district
3 shall appoint two parents with a child enrolled in a public
4 school in the district based on school district identification
5 numbers from the department of elementary and secondary
6 education, rotating year to year from highest number to lowest
7 number. The school board of each affected district shall appoint
8 a school services staff member. The superintendent of each
9 affected district shall serve on the committee. An additional
10 member from each affected district may be appointed to serve as
11 an ex officio member.

12 (4) The direct school service coordinating committee shall
13 provide recommendations and oversight to the program of
14 contracted services under this subsection.

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

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

22 Section 1. If any provision of this act, or the application
23 thereof to anyone or to any circumstances is held invalid, the
24 remainder of the provisions of this act and the application of
25 such provisions to others or other circumstances shall not be
26 affected thereby.

27 Section B. Because of the importance of improving and
28 sustaining Missouri's elementary and secondary education system
29 and establishing standards for student transfers to school

1 districts, section A of this act is deemed necessary for the
2 immediate preservation of the public health, welfare, peace, and
3 safety, and is hereby declared to be an emergency act within the
4 meaning of the constitution, and section A of this act shall be
5 in full force and effect upon its passage and approval."; and
6 Further amend the title and enacting clause accordingly.