

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend SS/SCS/Senate Bill Nos. 4, 42, & 89, Page 1, Section A, Line 4,

2 by inserting after all of said line the following:

3 "160.011. As used in chapters 160, 161, 162, 163, 164,
4 165, 167, 168, 170, 171, 177 and 178, the following terms
5 mean:

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

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

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

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

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

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

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

24 (4) "Graduation rate", the quotient of the number of
25 graduates in the current year as of June thirtieth divided
26 by the sum of the number of graduates in the current year as

27 of June thirtieth plus the number of twelfth graders who
28 dropped out in the current year plus the number of eleventh
29 graders who dropped out in the preceding year plus the
30 number of tenth graders who dropped out in the second
31 preceding year plus the number of ninth graders who dropped
32 out in the third preceding year;

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

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

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

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

44 (9) "School term", a minimum of one hundred seventy-
45 four school days, as that term is defined in section
46 160.041, [for schools with a five-day school week or a
47 minimum of one hundred forty-two school days, as that term
48 is defined in section 160.041, for schools with a four-day
49 school week,] and one thousand forty-four hours of actual
50 pupil attendance as scheduled by the board pursuant to
51 section 171.031 during a twelve-month period in which the
52 academic instruction of pupils is actually and regularly
53 carried on for a group of students in the public schools of
54 any school district. [In school year 2019-20 and subsequent
55 years, one thousand forty-four hours of actual pupil
56 attendance shall be required with no minimum number of
57 school days required.] A school term may be within a school
58 year or may consist of parts of two consecutive school
59 years, but does not include summer school. A district may

60 choose to operate two or more terms for different groups of
61 children. A school term for students participating in a
62 school flex program as established in section 160.539 may
63 consist of a combination of actual pupil attendance and
64 attendance at college or technical career education or
65 approved employment aligned with the student's career
66 academic plan for a total of the required number of hours as
67 provided in this subdivision;

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

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

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

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

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

86 160.041. 1. Notwithstanding any provision of law to
87 the contrary, every public elementary or secondary school in
88 the state shall attend a five-day school week. The "minimum
89 school day" consists of three hours [for schools with a five-
90 day school week or four hours for schools with a four-day
91 school week] in which the pupils are under the guidance and
92 direction of teachers in the teaching process. A "school

93 month" consists of four weeks of five days each [for schools
94 with a five-day school week or four weeks of four days each
95 for schools with a four-day school week. In school year
96 2019-20 and subsequent years, no minimum number of school
97 days shall be required, and "school day" shall mean any day
98 in which, for any amount of time, pupils are under the
99 guidance and direction of teachers in the teaching
100 process]. The "school year" commences on the first day of
101 July and ends on the thirtieth day of June following.

102 2. Notwithstanding the provisions of subsection 1 of
103 this section, the commissioner of education is authorized to
104 reduce the required number of hours or days in which the
105 pupils are under the guidance and direction of teachers in
106 the teaching process if:

107 (1) There is damage to or destruction of a public
108 school facility which requires the dual utilization of
109 another school facility; or

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

113 Such reduction shall not extend beyond two calendar years in
114 duration."; and

115 Further amend said bill, page 17, section 170.370, line
116 28, by inserting after all of said line the following:

117 "171.031. 1. Each school board shall prepare annually
118 a calendar for the school term, specifying the opening date,
119 days of planned attendance, and providing a minimum term of
120 at least one hundred seventy-four days [for schools with]
121 and a five-day school week [or one hundred forty-two days
122 for schools with a four-day school week], and one thousand
123 forty-four hours of actual pupil attendance. [In school
124 year 2019-20 and subsequent years, one thousand forty-four
125 hours of actual pupil attendance shall be required for the

126 school term with no minimum number of school days.] In
127 addition, such calendar shall include six make-up days for
128 possible loss of attendance due to inclement weather as
129 defined in subsection 1 of section 171.033. [In school year
130 2019-20 and subsequent years, such calendar shall include
131 thirty-six make-up hours for possible loss of attendance due
132 to inclement weather, as defined in subsection 1 of section
133 171.033, with no minimum number of make-up days.]

134 2. Each local school district may set its opening date
135 each year, which date shall be no earlier than fourteen
136 calendar days prior to the first Monday in September. No
137 public school district shall select an earlier start date
138 unless, for calendars for school years before school year
139 2020-21, the district follows the procedure set forth in
140 subsection 3 of this section. The procedure set forth in
141 subsection 3 of this section shall be unavailable to school
142 districts in preparing their calendars for school year 2020-
143 21 and for subsequent years.

144 3. For calendars for school years before school year
145 2020-21, a district may set an opening date that is more
146 than fourteen calendar days prior to the first Monday in
147 September only if the local school board first gives public
148 notice of a public meeting to discuss the proposal of
149 opening school on a date more than fourteen days prior to
150 the first Monday in September, and the local school board
151 holds said meeting and, at the same public meeting, a
152 majority of the board votes to allow an earlier opening
153 date. If all of the previous conditions are met, the
154 district may set its opening date more than fourteen
155 calendar days prior to the first Monday in September. The
156 condition provided in this subsection must be satisfied by
157 the local school board each year that the board proposes an

158 opening date more than fourteen days before the first Monday
159 in September.

160 4. If any local district violates the provisions of
161 this section, the department of elementary and secondary
162 education shall withhold an amount equal to one quarter of
163 the state funding the district generated under section
164 163.031 for each date the district was in violation of this
165 section.

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

169 6. The state board of education may grant an exemption
170 from this section to a school district that demonstrates
171 highly unusual and extenuating circumstances justifying
172 exemption from the provisions of subsections 2 to 4 of this
173 section. Any exemption granted by the state board of
174 education shall be valid for one academic year only.

175 171.033. 1. "Inclement weather", for purposes of this
176 section, shall be defined as ice, snow, extreme cold,
177 excessive heat, flooding, or a tornado.

178 2. [(1)] A district shall be required to make up the
179 first six days of school lost or cancelled due to inclement
180 weather and half the number of days lost or cancelled in
181 excess of six days if the makeup of the days is necessary to
182 ensure that the district's students will attend a minimum of
183 one hundred forty-two days and a minimum of one thousand
184 forty-four hours for the school year except as otherwise
185 provided in this section. [Schools with a four-day school
186 week may schedule such make-up days on Fridays.

187 (2) Notwithstanding subdivision (1) of this
188 subsection, in school year 2019-20 and subsequent years, a
189 district shall be required to make up the first thirty-six
190 hours of school lost or cancelled due to inclement weather

191 and half the number of hours lost or cancelled in excess of
192 thirty-six if the makeup of the hours is necessary to ensure
193 that the district's students attend a minimum of one
194 thousand forty-four hours for the school year, except as
195 otherwise provided under subsections 3 and 4 of this
196 section.]

197 3. (1) In the 2009-10 school year and subsequent
198 years, a school district may be exempt from the requirement
199 to make up days of school lost or cancelled due to inclement
200 weather in the school district when the school district has
201 made up the six days required under subsection 2 of this
202 section and half the number of additional lost or cancelled
203 days up to eight days, resulting in no more than ten total
204 make-up days required by this section.

205 (2) In school year 2019-20 and subsequent years, a
206 school district may be exempt from the requirement to make
207 up school lost or cancelled due to inclement weather in the
208 school district when the school district has made up the
209 thirty-six hours required under subsection 2 of this section
210 and half the number of additional lost or cancelled hours up
211 to forty-eight, resulting in no more than sixty total make-
212 up hours required by this section.

213 4. The commissioner of education may provide, for any
214 school district that cannot meet the minimum school calendar
215 requirement of at least one hundred seventy-four days [for
216 schools with a five-day school week or one hundred forty-two
217 days for schools with a four-day school week] and one
218 thousand forty-four hours of actual pupil attendance [or, in
219 school year 2019-20 and subsequent years, one thousand forty-
220 four hours of actual pupil attendance], upon request, a
221 waiver to be excused from such requirement. This waiver
222 shall be requested from the commissioner of education and
223 may be granted if the school was closed due to circumstances

224 beyond school district control, including inclement weather
225 or fire.

226 5. (1) Except as otherwise provided in this
227 subsection, in school year 2020-21 and subsequent years, a
228 district shall not be required to make up any hours of
229 school lost or cancelled due to exceptional or emergency
230 circumstances during a school year if the district has an
231 alternative methods of instruction plan approved by the
232 department of elementary and secondary education for such
233 school year. Exceptional or emergency circumstances shall
234 include, but not be limited to, inclement weather, a utility
235 outage, or an outbreak of a contagious disease. The
236 department of elementary and secondary education shall not
237 approve any such plan unless the district demonstrates that
238 the plan will not negatively impact teaching and learning in
239 the district.

240 (2) If school is closed due to exceptional or
241 emergency circumstances and the district has an approved
242 alternative methods of instruction plan, the district shall
243 notify students and parents on each day of the closure
244 whether the alternative methods of instruction plan is to be
245 implemented for that day. If the plan is to be implemented
246 on any day of the closure, the district shall ensure that
247 each student receives assignments for that day in hard copy
248 form or receives instruction through virtual learning or
249 another method of instruction.

250 (3) A district with an approved alternative methods of
251 instruction plan shall not use alternative methods of
252 instruction as provided for in the plan for more than thirty-
253 six hours during a school year. A district that has used
254 such alternative methods of instruction for thirty-six hours
255 during a school year shall be required, notwithstanding
256 subsections 2 and 3 of this section, to make up any

257 subsequent hours of school lost or cancelled due to
258 exceptional or emergency circumstances during such school
259 year.

260 (4) The department of elementary and secondary
261 education shall give districts with approved alternative
262 methods of instruction plans credit for the hours in which
263 they use alternative methods of instruction by considering
264 such hours as hours in which school was actually in session.

265 (5) Any district wishing to use alternative methods of
266 instruction under this subsection shall submit an
267 application to the department of elementary and secondary
268 education. The application shall describe:

269 (a) The manner in which the district intends to
270 strengthen and reinforce instructional content while
271 supporting student learning outside the classroom
272 environment;

273 (b) The process the district intends to use to
274 communicate to students and parents the decision to
275 implement alternative methods of instruction on any day of a
276 closure;

277 (c) The manner in which the district intends to
278 communicate the purpose and expectations for a day in which
279 alternative methods of instruction will be implemented to
280 students and parents;

281 (d) The assignments and materials to be used within
282 the district for days in which alternative methods of
283 instruction will be implemented to effectively facilitate
284 teaching and support learning for the benefit of the
285 students;

286 (e) The manner in which student attendance will be
287 determined for a day in which alternative methods of
288 instruction will be implemented. The method chosen shall be
289 linked to completion of lessons and activities;

290 (f) The instructional methods, which shall include
291 instruction through electronic means and instruction through
292 other means for students who have no access to internet
293 services or a computer;

294 (g) Instructional plans for students with
295 individualized education programs; and

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

298 6. In the 2022-23 school year and subsequent years, a
299 school district's one-half-day education programs shall be
300 subject to the following provisions in proportions
301 appropriate for a one-half-day education program, as
302 applicable:

303 (1) Requirements in subsection 2 of this section to
304 make up days or hours of school lost or cancelled because of
305 inclement weather;

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

307 (3) Waiver provisions in subsection 4 of this section;

308 and

309 (4) Approved alternative methods of instruction
310 provisions in subsection 5 of this section."; and

311 Further amend the title and enacting clause accordingly.