

# SENATE BILL NO. 1005

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR EIGEL.

4031S.01H

KRISTINA MARTIN, Secretary

## AN ACT

To repeal section 161.020, RSMo, and to enact in lieu thereof one new section relating to abolishing the department of elementary and secondary education.

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

Section A. Section 161.020, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 161.020, to read as follows:

161.020. 1. [There is hereby created a department of elementary and secondary education headed by a state board of education as provided in Article IX, Constitution of Missouri, and chapter 161 and others. The state board shall appoint a commissioner of education as the chief administrative officer of the department.

2. The department of education, chapter 161 and others, is abolished and its powers, duties, personnel and property are transferred as provided in this act.

3. The division of public schools of the department of education, chapter 161 and others, is abolished and its powers, duties, personnel and property, with exceptions specified elsewhere in this act, are transferred by type I transfer to the department of elementary and secondary education.

4. The Missouri School for the Deaf, chapter 178 and others, and the Missouri School for the Blind, chapter 178 and others, are transferred to the department of elementary

**EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

19 and secondary education by a type I transfer. The  
20 commissioner of education shall appoint superintendents for  
21 these schools and members of the advisory boards, provided  
22 in chapter 178 and others.] The department of elementary and  
23 secondary education is abolished, and its powers, duties,  
24 personnel, and property shall be transferred as part of a  
25 reorganization plan of the governor under sections 26.500 to  
26 26.540 as provided in this section.

27 2. Notwithstanding any provision of law to the  
28 contrary, the powers, duties, personnel, and property of the  
29 divisions and offices of the department of elementary and  
30 secondary education listed in subdivisions (1) through (10)  
31 of this subsection shall be transferred as part of a  
32 reorganization plan of the governor to the state agencies  
33 and offices to be selected by the governor:

- 34 (1) Division of financial and administrative services;
- 35 (2) Division of learning services;
- 36 (3) Missouri schools for the severely disabled;
- 37 (4) Office of adult learning and rehabilitation;
- 38 (5) Office of childhood;
- 39 (6) Office of college and career readiness;
- 40 (7) Office of data system management;
- 41 (8) Office of educator quality;
- 42 (9) Office of quality schools; and
- 43 (10) Office of special education.

44 3. The state board of education shall continue to  
45 select and appoint a commissioner of education as its chief  
46 administrative officer, pursuant to section 2(b) of article  
47 IX of the Missouri constitution. The commissioner of  
48 education shall assist the state board of education, the  
49 governor or the governor's designee, and the appropriate

50 state agencies or offices with the implementation of the  
51 transfers authorized by this section.

52 4. Notwithstanding any provision of subsection 2 of  
53 this section to the contrary, and subject to the approval of  
54 both the governor and the state board of education, the  
55 office of the commissioner of education shall retain or  
56 employ any administrative, communications, financial  
57 services, governmental affairs, or legal staff members that  
58 may be necessary to assist the state board of education, the  
59 governor or the governor's designee, and the appropriate  
60 state agencies or offices with the implementation of the  
61 provisions of this section.

✓