

# SENATE BILL NO. 1508

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR MCCREERY.

5502S.03I

KRISTINA MARTIN, Secretary

## AN ACT

To amend chapter 162, RSMo, by adding thereto five new sections relating to early childhood education.

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

Section A. Chapter 162, RSMo, is amended by adding thereto five new sections, to be known as sections 162.2000, 162.2005, 162.2015, 162.2025, and 162.2035, to read as follows:

**162.2000. 1. As used in sections 162.2000 to 162.2035, unless the context clearly indicates otherwise, the following terms mean:**

(1) "Department", the department of elementary and secondary education;

(2) "Early education district", a special district, as such term is defined in section 115.013, that is formed for purposes of providing free prekindergarten programs to eligible children pursuant to the provisions of sections 162.2000 to 162.2035;

(3) "Eligible child", any child who reaches the age of four before the first day of August of the school year beginning in that calendar year, but who is not yet eligible for kindergarten pursuant to the provisions of section 160.053, and who is not enumerated for payments pursuant to section 163.018.

2. An early education district may be established in a county with more than one million inhabitants pursuant to

19 the provisions of sections 162.2000 to 162.2035 for purposes  
20 of providing free prekindergarten programs for eligible  
21 children who reside within the county.

22 3. The curriculum of an early education district shall  
23 be so designed as to be developmentally appropriate and  
24 aligned with the early childhood education standards  
25 established pursuant to the provisions of section 161.213  
26 and any other standards for early childhood education and  
27 early childhood special education established by the  
28 department.

29 4. The board of education of an early education  
30 district may establish schools to provide prekindergarten  
31 programs for eligible children within any school district  
32 comprising the early education district. The board may  
33 additionally establish programs for any such children within  
34 any school district included in the early education district.

35 5. Upon the establishment of an early education  
36 district, the school districts located in the same county as  
37 the early education district and the state board of  
38 education shall continue to provide services formerly  
39 provided to eligible children residing in the county until  
40 the resources of the early education district are sufficient  
41 to permit its assuming such responsibilities.

42 6. An early education district shall comply with any  
43 accountability metrics for early childhood education  
44 established by the department, and shall provide reasonable  
45 assistance to the department in the development of such  
46 accountability metrics for early childhood programming.

47 7. The department shall inspect all programs for  
48 eligible children established by an early education district  
49 pursuant to the provisions of sections 162.2000 to  
50 162.2035. Upon the department's approval, and upon the levy

51 of an initial property tax for the early education district  
52 as provided in section 162.2035, the following provisions  
53 shall apply:

54 (1) The district shall receive state aid for eligible  
55 children enrolled in such district in an amount equal to the  
56 product of the district's weighted average daily attendance  
57 multiplied by the state adequacy target multiplied by the  
58 dollar value modifier, as such terms are defined in section  
59 163.011, provided that any children who are otherwise  
60 enumerated in the pupil count of a school district for  
61 payment pursuant to the provisions of section 163.018 shall  
62 not be included in such calculation;

63 (2) The district shall receive state aid pursuant to  
64 the provisions of section 162.700 to provide special  
65 education services for eligible children in the same manner  
66 as such funds are appropriated to other school districts;

67 (3) The district shall receive state aid pursuant to  
68 the provisions of section 163.172 to fund teacher salaries  
69 in the same manner as other school districts receive such  
70 state aid; and

71 (4) All teachers and other personnel of such district  
72 shall be eligible for career pay supplements and retirement  
73 allowances in the same manner as other public school  
74 employees are eligible for career pay supplements and  
75 retirement allowances pursuant to the provisions of sections  
76 168.500 to 168.515 and chapter 169.

77 8. The department of elementary and secondary  
78 education shall promulgate rules to implement the provisions  
79 of sections 162.2000 to 162.2035. Any rule or portion of a  
80 rule, as that term is defined in section 536.010, that is  
81 created under the authority delegated in this section shall  
82 become effective only if it complies with and is subject to

83 all of the provisions of chapter 536 and, if applicable,  
84 section 536.028. This section and chapter 536 are  
85 nonseverable and if any of the powers vested with the  
86 general assembly pursuant to chapter 536 to review, to delay  
87 the effective date, or to disapprove and annul a rule are  
88 subsequently held unconstitutional, then the grant of  
89 rulemaking authority and any rule proposed or adopted after  
90 August 28, 2024, shall be invalid and void.

162.2005. 1. An early education district may be  
2 established in any county with more than one million  
3 inhabitants only as permitted pursuant to the provisions of  
4 this section.

5 2. (1) When the voters of the county desire to form  
6 an early education district, a petition signed by voters of  
7 the county equal in number to at least five percent of the  
8 number of votes cast for school board members in the most  
9 recent school board election in each school district of the  
10 county shall be submitted to the state board of education.  
11 The petition shall request that a proposal be submitted to  
12 the voters of the county for the organization of an early  
13 education district embracing the entire area of the county  
14 for the purpose of providing free prekindergarten programs  
15 for eligible children who reside in the county.

16 (2) Within thirty days of receipt of the petition  
17 described in subdivision (1) of this subsection, the state  
18 board of education shall direct the board of education of  
19 each school district in the proposed early education  
20 district to cause the proposal to be submitted to the voters  
21 in each such district at the next municipal election in  
22 accordance with the provisions of chapter 115.

23 3. The question shall be submitted to qualified voters  
24 in substantially the following form:

25        Shall there be organized an early education  
26        district in \_\_\_\_\_ (county name), state of  
27        Missouri, for the purpose of providing  
28        prekindergarten programs for children in the  
29        year before kindergarten eligibility, embracing  
30        the entire area of the county, having the power  
31        to impose a property tax not to exceed the  
32        annual rate of fifty-two cents on each hundred  
33        dollars assessed valuation, and any additional  
34        tax that is approved hereafter by vote thereon,  
35        and to be known as "The Early Education District  
36        of \_\_\_\_\_", as requested by a petition filed  
37        with state board of education on the \_\_\_\_\_ day  
38        of \_\_\_\_\_, 20\_\_\_\_\_?

39        4. If a majority of the votes cast on the question by  
40        the qualified voters in the county are in favor of the  
41        measure, then the provisions of subsection 1 of this section  
42        shall become effective. If a majority of the votes cast on  
43        the question by the qualified voters voting thereon are  
44        opposed to the measure, then the provisions of subsection 1  
45        of this section shall not become effective unless and until  
46        the measure is resubmitted pursuant to the provisions of  
47        this section to the qualified voters and such question is  
48        approved by a majority of the qualified voters voting on the  
49        same measure.

50        5. When a new early education district is organized,  
51        it shall be a body corporate and political subdivision of  
52        the state and shall be known as "The Early Education  
53        District of \_\_\_\_\_" (a name selected by the governing board)  
54        and, in that name, may sue and be sued, levy and collect  
55        taxes within the limitations of the Constitution of Missouri  
56        and section 162.2035, issue bonds, and possess the same

57 corporate powers as seven-director school districts, other  
58 than urban districts.

162.2015. 1. The board of education of an early  
2 education district shall consist of seven members to be  
3 elected by the qualified voters of such district as provided  
4 in section 162.2025. The board shall perform the same  
5 duties and be subject to the same liabilities as the board  
6 of a seven-director school district, other than an urban  
7 district, acting under the general school laws of the state  
8 of Missouri.

9 2. The board of education of an early education  
10 district shall have the power to:

11 (1) Establish and operate prekindergarten programs for  
12 eligible children residing in the district subject to rules  
13 and regulations promulgated by the department pursuant to  
14 the provisions of sections 162.2000 to 162.2035;

15 (2) Develop and adopt the annual budget;

16 (3) Authorize all tax levies by two-thirds approval of  
17 the board of education prior to submission of the tax levy  
18 proposal to the voters of the district as provided by law;

19 (4) Annually develop a five-year plan for the  
20 operation and management of the district. In developing the  
21 plan, the board of education shall solicit a broad range of  
22 public input. The plan shall contain, but shall not be  
23 limited to, the following:

24 (a) The delivery of services;

25 (b) The structure, governance, administration, and  
26 financial management of the district;

27 (c) Cooperation with component school districts; and

28 (d) Responsiveness to the needs and concerns of the  
29 citizens of the early education district;

30           (5) Employ teachers and other personnel necessary to  
31 provide prekindergarten programs to eligible children  
32 resident within the district's boundaries;

33           (6) Work with the department and other entities  
34 engaged in accreditation of early childhood programming to  
35 create statewide accountability metrics for early childhood  
36 education, and to take all necessary actions to comply with  
37 any such accountability metrics established by the  
38 department;

39           (7) Ensure that there is no coercion or interference  
40 with any parent of a pupil of the early education district  
41 on account of the parent having exercised any rights under  
42 any law affecting the education of the pupil; and

43           (8) Do such other things as are necessary and  
44 incidental to any of the powers set forth in sections  
45 162.2000 to 162.2035 or in the laws applicable to seven-  
46 director school districts, except urban districts.

162.2025. 1. Candidates for membership on the board  
2 of education of an early education district shall be voters  
3 of the early education district who have resided within the  
4 state for one year preceding the election and who are at  
5 least twenty-four years of age. All candidates shall file  
6 their declarations of candidacy with the secretary of the  
7 state board of education for the initial election of board  
8 members and shall file their declarations of candidacy with  
9 the board of education of the early education district for  
10 all subsequent elections of board members.

11           2. Except as otherwise provided in this section, the  
12 board members of an early education district shall be  
13 elected at large in municipal elections conducted in  
14 accordance with the provisions of chapter 115. The term of  
15 office of each member of the board of education shall be

16 three years, except that of the initial elected board  
17 members, the seven candidates receiving the highest number  
18 of votes cast shall be elected as follows:

19 (1) The three candidates receiving the highest number  
20 of votes cast shall be elected for terms of three years each;

21 (2) The two candidates receiving the next highest  
22 number of votes cast shall be elected for terms of two years  
23 each; and

24 (3) The two candidates receiving the next highest  
25 number of votes cast shall be elected for terms of one year  
26 each.

27 3. That part of the year between the date of the  
28 election of board members and the municipal election day of  
29 the following year is considered a full year in the terms of  
30 the members elected. All board members shall serve until  
31 their successors are elected and qualified. Any vacancy  
32 occurring in the unexpired term of office of any board  
33 member shall be filled for the remainder of the unexpired  
34 term by the qualified voters of the district at the next  
35 municipal election. The state board of education shall  
36 issue certificates of election to the board members elected.

37 4. No member of the board of education of an early  
38 education district shall:

39 (1) Vote on, solicit, transact, offer, or accept any  
40 contract between the early education district and any  
41 corporation, partnership, association, or other organization  
42 in which that member of the board of education has a  
43 financial interest, unless otherwise provided in this  
44 section, excluding interests owned prior to such member's  
45 election;

46 (2) Be a paid employee of the board of education of  
47 the early education district while serving; or



48           (3) Vote on, solicit, transact, offer, or accept any  
49 contract or procurement in which that board member shall  
50 have a direct or indirect beneficial interest, unless:

51           (a) The material facts as to such member's  
52 relationship or interest and as to the contract or  
53 transaction are disclosed in writing and are known to the  
54 board, and such board, in good faith, authorizes the  
55 contract or transaction by the affirmative vote of the  
56 majority of the disinterested members; and

57           (b) Such member's relationship or interest in such  
58 contract or transaction shall not be voted upon by such  
59 interested member.

60           5. The board of education shall, upon formation and  
61 each decade within ninety days following the publication of  
62 the final decennial census figures thereafter, adopt a  
63 resolution calling for the formation of a redistricting  
64 committee. Upon adoption of such resolution, the secretary  
65 of the board of education shall forward a certified copy  
66 thereof to the state board of education. The redistricting  
67 committee shall consist of three residents within the  
68 district, appointed by the board of education of the early  
69 education district, plus three additional persons resident  
70 within the early education district, appointed by the state  
71 board of education. Thereafter, the redistricting committee  
72 shall meet, organize itself with a chair and secretary, and  
73 proceed with the adoption of a redistricting plan. Any plan  
74 proposed to be adopted must receive approval of a majority  
75 of the whole redistricting committee. Upon adoption, the  
76 redistricting committee shall forward a copy of the plan  
77 certified by the secretary of the redistricting committee to  
78 the state board of education for its approval or  
79 disapproval. The state board of education shall approve any

80 redistricting plan which divides the early education  
81 district into seven subdistricts of equal population, taking  
82 into account insofar as possible existing school district  
83 boundary lines. Upon approval by the state board of  
84 education, the redistricting plan shall become effective and  
85 all board members elected thereafter shall be elected from  
86 subdistricts in which they are resident. If the plan is not  
87 approved, then it shall be returned to the redistricting  
88 committee for revision and resubmission. If a redistricting  
89 plan has not been adopted within one year after the  
90 publication of the decennial census figures, the state board  
91 of education shall provide the redistricting plan. No  
92 member of the redistricting committee shall serve on the  
93 board of education for a period of six years following such  
94 service on the redistricting committee.

162.2035. 1. The initial tax imposed on property  
2 subject to the taxing power of an early education district  
3 under Article X, Section 11(a) of the Constitution of  
4 Missouri shall not exceed the annual rate of fifty-two cents  
5 on each hundred dollars assessed valuation, which tax rate  
6 shall be used for the district's programs for the education  
7 of eligible children as provided in sections 162.2000 to  
8 162.2035.

9 2. Increases in the tax rate may be made with voter  
10 approval in the same manner as provided in chapter 164 for  
11 other school districts.

12 3. All real and tangible personal property owned by  
13 railroads, street railways, bridge companies, telegraph  
14 companies, electric light and power companies, electric  
15 transmission line companies, pipeline companies, express  
16 companies, airline companies, and other companies and public  
17 utilities whose property is assessed by the state tax

18 commission shall be taxed at the same rate of taxation  
19 levied on other property in the early education district.  
20 Such property shall be taxed in the same manner and to the  
21 same extent as property that is subject to assessment and  
22 taxation for general county purposes, and all of the  
23 provisions of chapters 151, 153, 154, and 155 shall apply to  
24 taxation by early education districts to the same extent as  
25 if early education districts were specifically included in  
26 the provisions contained in chapters 151, 153, 154, and 155,  
27 except that the taxes levied by early education districts  
28 shall not be included for the purpose of determining the  
29 average school levy for the other school districts in the  
30 county in which they are situated. The taxes levied against  
31 the property by early education districts shall be collected  
32 in the same manner as general county taxes.

✓