

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 434
99TH GENERAL ASSEMBLY

1765H.03C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 160.415, 160.530, 161.670, 162.492, 162.1115, 164.011, 167.121, 168.021, and 178.550, RSMo, and to enact in lieu thereof twelve new sections relating to elementary and secondary education, with an emergency clause for a certain section and a delayed effective date for certain sections.

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

Section A. Sections 160.415, 160.530, 161.670, 162.492, 162.1115, 164.011, 167.121, 168.021, and 178.550, RSMo, are repealed and twelve new sections enacted in lieu thereof, to be known as sections 160.415, 160.530, 161.669, 161.670, 162.492, 162.1115, 164.011, 167.121, 168.021, 170.018, 170.028, and 178.550, to read as follows:

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

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

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

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

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

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

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

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

31 3. A workplace charter school shall receive payment for each eligible pupil as provided
32 under subsection 2 of this section, except that if the student is not a resident of the district and
33 is participating in a voluntary interdistrict transfer program, the payment for such pupils shall be
34 the same as provided under section 162.1060.

35 4. A charter school that has declared itself as a local educational agency shall receive
36 from the department of elementary and secondary education an annual amount equal to the
37 product of the charter school's weighted average daily attendance and the state adequacy target,
38 multiplied by the dollar value modifier for the district, plus local tax revenues per weighted
39 average daily attendance from the incidental and teachers funds in excess of the performance
40 levy as defined in section 163.011 **except those funds designated by taxpayers in an urban**
41 **district as early childhood education funds**, plus all other state aid attributable to such pupils.
42 If a charter school declares itself as a local educational agency, the department of elementary and
43 secondary education shall, upon notice of the declaration, reduce the payment made to the school
44 district by the amount specified in this subsection and pay directly to the charter school the
45 annual amount reduced from the school district's payment.

46 5. If a school district fails to make timely payments of any amount for which it is the
47 disbursal agent, the state department of elementary and secondary education shall authorize
48 payment to the charter school of the amount due pursuant to subsection 2 of this section and shall
49 deduct the same amount from the next state school aid apportionment to the owing school

50 district. If a charter school is paid more or less than the amounts due pursuant to this section,
51 the amount of overpayment or underpayment shall be adjusted equally in the next twelve
52 payments by the school district or the department of elementary and secondary education, as
53 appropriate. Any dispute between the school district and a charter school as to the amount owing
54 to the charter school shall be resolved by the department of elementary and secondary education,
55 and the department's decision shall be the final administrative action for the purposes of review
56 pursuant to chapter 536. During the period of dispute, the department of elementary and
57 secondary education shall make every administrative and statutory effort to allow the continued
58 education of children in their current public charter school setting.

59 6. The charter school and a local school board may agree by contract for services to be
60 provided by the school district to the charter school. The charter school may contract with any
61 other entity for services. Such services may include but are not limited to food service, custodial
62 service, maintenance, management assistance, curriculum assistance, media services and libraries
63 and shall be subject to negotiation between the charter school and the local school board or other
64 entity. Documented actual costs of such services shall be paid for by the charter school.

65 7. In the case of a proposed charter school that intends to contract with an education
66 service provider for substantial educational services or management services, the request for
67 proposals shall additionally require the charter school applicant to:

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

71 (2) Provide a term sheet setting forth the proposed duration of the service contract; roles
72 and responsibilities of the governing board, the school staff, and the service provider; scope of
73 services and resources to be provided by the service provider; performance evaluation measures
74 and time lines; compensation structure, including clear identification of all fees to be paid to the
75 service provider; methods of contract oversight and enforcement; investment disclosure; and
76 conditions for renewal and termination of the contract;

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

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

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

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

86 8. A charter school may enter into contracts with community partnerships and state
87 agencies acting in collaboration with such partnerships that provide services to children and their
88 families linked to the school.

89 9. A charter school shall be eligible for transportation state aid pursuant to section
90 163.161 and shall be free to contract with the local district, or any other entity, for the provision
91 of transportation to the students of the charter school.

92 10. (1) The proportionate share of state and federal resources generated by students with
93 disabilities or staff serving them shall be paid in full to charter schools enrolling those students
94 by their school district where such enrollment is through a contract for services described in this
95 section. The proportionate share of money generated under other federal or state categorical aid
96 programs shall be directed to charter schools serving such students eligible for that aid.

97 (2) A charter school shall provide the special services provided pursuant to section
98 162.705 and may provide the special services pursuant to a contract with a school district or any
99 provider of such services.

100 11. A charter school may not charge tuition or impose fees that a school district is
101 prohibited from charging or imposing, except that a charter school may receive tuition payments
102 from districts in the same or an adjoining county for nonresident students who transfer to an
103 approved charter school, as defined in section 167.131, from an unaccredited district.

104 12. A charter school is authorized to incur debt in anticipation of receipt of funds. A
105 charter school may also borrow to finance facilities and other capital items. A school district
106 may incur bonded indebtedness or take other measures to provide for physical facilities and other
107 capital items for charter schools that it sponsors or contracts with. Except as otherwise
108 specifically provided in sections 160.400 to 160.425, upon the dissolution of a charter school,
109 any liabilities of the corporation will be satisfied through the procedures of chapter 355. A
110 charter school shall satisfy all its financial obligations within twelve months of notice from the
111 sponsor of the charter school's closure under subsection 8 of section 160.405. After satisfaction
112 of all its financial obligations, a charter school shall return any remaining state and federal funds
113 to the department of elementary and secondary education for disposition as stated in subdivision
114 (17) of subsection 1 of section 160.405. The department of elementary and secondary education
115 may withhold funding at a level the department determines to be adequate during a school's last
116 year of operation until the department determines that school records, liabilities, and reporting
117 requirements, including a full audit, are satisfied.

118 13. Charter schools shall not have the power to acquire property by eminent domain.

119 14. The governing body of a charter school is authorized to accept grants, gifts or
120 donations of any kind and to expend or use such grants, gifts or donations. A grant, gift or
121 donation may not be accepted by the governing body if it is subject to any condition contrary to

122 law applicable to the charter school or other public schools, or contrary to the terms of the
123 charter.

160.530. 1. Beginning with fiscal year 1994 and for all fiscal years thereafter, in order
2 to be eligible for state aid distributed pursuant to section 163.031, a school district shall allocate
3 one percent of moneys received pursuant to section 163.031, exclusive of categorical add-ons,
4 to the professional development committee of the district as established in subdivision (1) of
5 subsection 4 of section 168.400, **provided that in any fiscal year ending with fiscal year 2023**
6 **in which the amount appropriated and expended to the public schools under section**
7 **163.161 for the transportation of pupils is less than twenty-five percent of the allowable**
8 **costs of providing pupil transportation under said section, a school district may, by**
9 **majority vote of its board, allocate an amount less than one percent of the moneys received**
10 **pursuant to section 163.031, exclusive of categorical add-ons, to the professional**
11 **development committee of the district but in no instance shall the district allocate less than**
12 **one-half of one percent of the moneys received pursuant to section 163.031, exclusive of**
13 **categorical add-ons, to the professional development committee of the district.** Of the
14 moneys allocated to the professional development committee in any fiscal year as specified by
15 this subsection, seventy-five percent of such funds shall be spent in the same fiscal year for
16 purposes determined by the professional development committee after consultation with the
17 administrators of the school district and approved by the local board of education as meeting the
18 objectives of a school improvement plan of the district that has been developed by the local
19 board. Moneys expended for staff training pursuant to any provisions of ~~this~~ **the outstanding**
20 **schools** act shall not be considered in determining the requirements for school districts imposed
21 by this subsection.

22 2. Beginning with fiscal year 1994 and for all fiscal years thereafter, eighteen million
23 dollars shall be distributed by the commissioner of education to address statewide areas of
24 critical need for learning and development, provided that such disbursements are approved by
25 the joint committee on education as provided in subsection 5 of this section, and as determined
26 by rule and regulation of the state board of education with the advice of the advisory council
27 provided by subsection 1 of section 168.015. The moneys described in this subsection may be
28 distributed by the commissioner of education to colleges, universities, private associations,
29 professional education associations, statewide associations organized for the benefit of members
30 of boards of education, public elementary and secondary schools, and other associations and
31 organizations that provide professional development opportunities for teachers, administrators,
32 family literacy personnel and boards of education for the purpose of addressing statewide areas
33 of critical need, provided that subdivisions (1), (2) and (3) of this subsection shall constitute

34 priority uses for such moneys. "Statewide areas of critical need for learning and development"
35 shall include:

36 (1) Funding the operation of state management teams in districts with academically
37 deficient schools and providing resources specified by the management team as needed in such
38 districts;

39 (2) Funding for grants to districts, upon application to the department of elementary and
40 secondary education, for resources identified as necessary by the district, for those districts which
41 are failing to achieve assessment standards;

42 (3) Funding for family literacy programs;

43 (4) Ensuring that all children, especially children at risk, children with special needs, and
44 gifted students are successful in school;

45 (5) Increasing parental involvement in the education of their children;

46 (6) Providing information which will assist public school administrators and teachers
47 in understanding the process of site-based decision making;

48 (7) Implementing recommended curriculum frameworks as outlined in section 160.514;

49 (8) Training in new assessment techniques for students;

50 (9) Cooperating with law enforcement authorities to expand successful antidrug
51 programs for students;

52 (10) Strengthening existing curricula of local school districts to stress drug and alcohol
53 prevention;

54 (11) Implementing and promoting programs to combat gang activity in urban areas of
55 the state;

56 (12) Establishing family schools, whereby such schools adopt proven models of one-stop
57 state services for children and families;

58 (13) Expanding adult literacy services; and

59 (14) Training of members of boards of education in the areas deemed important for the
60 training of effective board members as determined by the state board of education.

61 3. Beginning with fiscal year 1994 and for all fiscal years thereafter, two million dollars
62 of the moneys appropriated to the department of elementary and secondary education otherwise
63 distributed to the public schools of the state pursuant to the provisions of section 163.031,
64 exclusive of categorical add-ons, shall be distributed in grant awards by the state board of
65 education, by rule and regulation, for the "Success Leads to Success" grant program, which is
66 hereby created. The purpose of the success leads to success grant program shall be to recognize,
67 disseminate and exchange information about the best professional teaching practices and
68 programs in the state that address student needs, and to encourage the staffs of schools with these

69 practices and programs to develop school-to-school networks to share these practices and
70 programs.

71 4. The department shall include a listing of all expenditures under this section in the
72 annual budget documentation presented to the governor and general assembly.

73 5. Prior to distributing any funds under subsection 2 of this section, the commissioner
74 of education shall appear before the joint committee on education and present a proposed
75 delineation of the programs to be funded under the provisions of subsection 2 of this section.
76 The joint committee shall review all proposed spending under subsection 2 of this section and
77 shall affirm, by a majority vote of all members serving on the committee, the spending proposal
78 of the commissioner prior to any disbursement of funds under subsection 2 of this section.

79 6. If any provision of subdivision (11) of subsection 4 of section 160.254 or any
80 provision of subsection 2 or 5 of this section regarding approval of disbursements by the joint
81 committee on education is held to be invalid for any reason, then such decision shall invalidate
82 subsection 2 of this section in its entirety.

161.669. As used in sections 161.670 and 167.121, the following terms shall mean:

2 **(1) "Course provider", an entity authorized by the department of elementary and**
3 **secondary education to offer individual courses in person, online, or a combination of the**
4 **two including but not limited to, online education providers, public or private elementary**
5 **and secondary education institutions, education service agencies, private for-profit or not-**
6 **for-profit providers, postsecondary education institutions, and vocational or technical**
7 **course providers;**

8 **(2) "Department", the department of elementary and secondary education;**

9 **(3) "Eligible funded student", any eligible participating student who is currently**
10 **enrolled in a public school, including a public charter school;**

11 **(4) "Eligible participating student", any K-12 student who resides in the state;**

12 **(5) "Local education agency", a public authority legally constituted by the state as**
13 **an administrative agency to provide control and direction for K-12 public educational**
14 **institutions, including public charter schools;**

15 **(6) "State course access catalog", the website developed for the department of**
16 **elementary and secondary education that provides a listing of all courses authorized and**
17 **available to students in the state, detailed information about the courses to inform student**
18 **enrollment decisions, and the ability for students to submit their course enrollments;**

19 **(7) "Virtual", including, but not limited to, instruction in an on-line setting using**
20 **technology, intranet, or internet methods of communication.**

161.670. 1. Notwithstanding any other law, prior to July 1, 2007, the state board of
2 education shall establish [~~a virtual public school~~] **the "Missouri Course Access and Virtual**

3 **School Program"** to serve school-age students residing in the state. The ~~[virtual public school]~~
4 **Missouri course access and virtual school program** shall offer instruction in a virtual setting
5 using technology, intranet, and/or internet methods of communication. Any student under the
6 age of twenty-one in grades kindergarten through twelve who resides in this state shall be eligible
7 to enroll in the ~~[virtual public school regardless of the student's physical location]~~ **Missouri**
8 **course access and virtual school program under subsection 3 of this section.**

9 2. For purposes of calculation and distribution of state school aid, students enrolled in
10 ~~[a virtual public school]~~ **the Missouri course access and virtual school program** shall be
11 included~~[- at the choice of the student's parent or guardian,]~~ in the student enrollment of the
12 school district in which the student physically ~~[resides]~~ **is enrolled under subsection 3 of this**
13 **section.** The ~~[virtual public school]~~ **Missouri course access and virtual school program** shall
14 report to the district of residence the following information about each student served by the
15 ~~[virtual public school]~~ **Missouri course access and virtual school program:** name, address,
16 eligibility for free or reduced-price lunch, limited English proficiency status, special education
17 needs, and the number of courses in which the student is enrolled. The ~~[virtual public school]~~
18 **Missouri course access and virtual school program** shall promptly notify the resident district
19 when a student discontinues enrollment. A "full-time equivalent student" is a student who
20 successfully has completed the instructional equivalent of six credits per regular term. Each
21 ~~[virtual]~~ **Missouri course access program** course shall count as one class and shall generate that
22 portion of a full-time equivalent that a comparable course offered by the school district would
23 generate. In no case shall more than the full-time equivalency of a regular term of attendance
24 for a single student be used to claim state aid. Full-time equivalent student credit completed
25 shall be reported to the department of elementary and secondary education in the manner
26 prescribed by the department. Nothing in this section shall prohibit students from enrolling in
27 additional courses under a separate agreement that includes terms for paying tuition or course
28 fees.

29 3. ~~[When a school district has one or more resident students enrolled in a virtual public~~
30 ~~school program authorized by this section, whose parent or guardian has chosen to include such~~
31 ~~student in the district's enrollment, the department of elementary and secondary education shall~~
32 ~~disburse an amount corresponding to fifteen percent of the state aid under sections 163.031 and~~
33 ~~163.043 attributable to such student to the resident district. Subject to an annual appropriation~~
34 ~~by the general assembly, the department shall disburse an amount corresponding to eighty-five~~
35 ~~percent of the state adequacy target attributable to such student to the virtual public school.~~

36 ~~—————4.]~~ (1) A school district or charter school shall allow any eligible student who
37 resides in such district to enroll in Missouri course access program courses or virtual
38 school of his or her choice as a part of the student's annual course load each school year

39 or a full-time virtual school option, with any costs associated with such course or courses
40 to be paid by the school district or charter school if:

41 (a) The student is enrolled full-time in and has attended, for at least one semester
42 immediately prior to enrolling in the Missouri course access program, a public school,
43 including any public charter school; and

44 (b) Prior to enrolling in any Missouri course access course or virtual program, a
45 student has received approval from his or her school principal through the procedure
46 described under subdivision (2) of this subsection.

47 (2) School districts and charter schools, through the school principal and in
48 cooperation with the school's counselor or a person designated by the district or charter
49 school, shall approve or disapprove a student's request to enroll in a Missouri course access
50 program course or full-time virtual school. The school counselor or a person designated
51 by the district or charter school shall advise any student who requests to enroll in a
52 Missouri course access program course or a full-time virtual school and submit a
53 recommendation to the school principal for final approval. The advice of the school
54 counselor or the person designated by the district or charter school shall be based on his
55 or her assessment of whether participation in the program and enrollment in a particular
56 course are in the student's best interest and shall be done in consultation with the student's
57 parent or legal guardian. Each school district and charter school shall develop a procedure
58 under which a student may appeal the decision made under the provisions of this
59 subdivision. In cases of denial of a request, the school district or charter school shall
60 inform students and parents of the reason for denial and inform them of their right to
61 appeal any enrollment denials in state course access program courses or full-time virtual
62 school to the department of elementary and secondary education, which shall provide a
63 final enrollment decision within seven calendar days. The state board of education shall
64 establish guidelines governing the appeals process.

65 (3) Children who have newly moved into the school district and children of active
66 military parents serving out of state shall be exempt from the requirement of attending a
67 public school for at least one semester prior to enrolling in the Missouri course access and
68 virtual school program.

69 (4) For students enrolled in any Missouri course access program course in which
70 costs associated with such course are to be paid by the school district or charter school as
71 described under subdivision (1) of this subsection, the school district or charter school shall
72 pay the content provider directly on a pro rata monthly basis based on a student's
73 completion of assignments and assessments. If a student discontinues enrollment, the
74 district or charter school may stop making monthly payments to the content provider. No

75 school district or charter school shall pay, for any one course for a student, more than the
76 market necessary costs but in no case shall pay more than fourteen percent of the state
77 adequacy target, as defined under section 163.011, as calculated at the end of the most
78 recent school year for any single, year-long course and no more than seven percent of the
79 state adequacy target as described above for any single semester equivalent course.
80 Payment for a full-time virtual school student shall not exceed the state adequacy target,
81 unless the student receives additional federal or state aid. Nothing in this subdivision shall
82 prohibit a school district or charter school from negotiating lower costs directly with
83 course or full-time virtual school providers, particularly in cases where several students
84 enroll in a single course or full-time virtual school.

85 (5) In the case of a student who is a candidate for A+ tuition reimbursement and
86 taking a virtual course under this section, the school shall attribute no less than ninety-five
87 percent attendance to any such student who has completed such virtual course.

88 (6) The Missouri course access program shall ensure that individual learning plans
89 designed by certified teachers and professional staff are developed for all students enrolled
90 in more than two full-time course access program courses or a full-time virtual school.

91 (7) Providers shall monitor student success and engagement of students enrolled
92 in their program and report the information to the school district or charter school.
93 Providers may make recommendations to the school district or charter school regarding
94 the student's continued enrollment in the program. The school district or charter school
95 shall consider recommendations from providers and monitor the progress and success of
96 enrolled students that are enrolled in any course or full-time virtual school offered under
97 this section and may terminate or alter the course offering if it is found the course or full-
98 time virtual school is not meeting the educational needs of the students enrolled in the
99 course.

100 (8) The school district's decision to terminate a student's enrollment in a course or
101 full-time virtual school program shall be subject to the same appeals process outlined in
102 subdivision (2) of this subsection.

103 (9) Pursuant to rules to be adopted by the department of elementary and secondary
104 education, when a student transfers into a school district or charter school, credits
105 previously gained through successful passage of approved courses under the Missouri
106 course access program shall be accepted by the school district or charter school.

107 (10) Nothing in this section shall prohibit home school students, private school
108 students, or students wishing to take additional courses beyond their regular course load
109 from enrolling in Missouri course access program courses under an agreement that
110 includes terms for paying tuition or course fees.

111 **(11) Nothing in this subsection shall require any school district, charter school, or**
112 **the state to provide computers, equipment, or internet access to any student unless**
113 **required by an eligible student with a disability to comply with federal law.**

114 **(12) The department authorization process shall provide for continuous monitoring**
115 **of approved providers and courses. The department shall revoke or suspend or take other**
116 **corrective action regarding the authorization of any course or provider no longer meeting**
117 **the requirements of the program. Unless immediate action is necessary, prior to revocation**
118 **or suspension, the department shall notify the provider and give the provider a reasonable**
119 **time period to take corrective action to avoid revocation or suspension. The process shall**
120 **provide for periodic renewal of authorization no less frequently than once every three**
121 **years.**

122 **(13) Courses approved as of January 1, 2018, by the department to participate in**
123 **the Missouri virtual instruction program shall be automatically approved to participate**
124 **in the state course access and virtual school program, but shall be subject to periodic**
125 **renewal.**

126 **4. School districts and charter schools shall inform parents of their child's right to**
127 **participate in the program. Availability of the program shall be made clear in the parent**
128 **handbook, registration documents, and featured on the home page of the school district or**
129 **charter school's website.**

130 **5. The department shall:**

131 **(1) Establish an authorization process for course or full-time virtual school**
132 **providers that includes multiple opportunities for submission each year;**

133 **(2) Pursuant to the timeline established by the department, authorize course or full-**
134 **time virtual school providers that submit all necessary information pursuant to the**
135 **requirements of the process;**

136 **(3) Review, pursuant to the authorization process, proposals from providers to**
137 **provide individual courses or a comprehensive, full-time equivalent course of study for**
138 **students through the Missouri course access and virtual school program. The department**
139 **shall ensure that these comprehensive courses of study align with state academic standards**
140 **and that there is consistency and compatibility in the curriculum used by all providers**
141 **from one grade level to the next grade level;**

142 **(4) Within thirty days of any denial, provide a written explanation to any course**
143 **providers or full-time virtual school providers that are denied authorization.**

144 **6. If a course or full-time virtual school provider is denied authorization, the course**
145 **provider may reapply at any point in the future.**

146 7. The department shall publish the process established under this section,
147 including any deadlines and any guidelines applicable to the submission and authorization
148 process for course or full-time virtual school providers on its website.

149 8. If the department determines that there are insufficient funds available for
150 evaluating and authorizing course or full-time virtual school providers, the department
151 may charge applicant course or full-time virtual school providers a fee up to, but no
152 greater than, the amount of the costs in order to ensure that evaluation occurs. The
153 department shall establish and publish a fee schedule for purposes of this subsection.

154 9. School districts and charter schools shall monitor student progress and success,
155 and course or full-time virtual school quality, and annually provide feedback to the
156 department regarding course quality.

157 10. Program providers shall annually report, in such a manner as directed by the
158 department:

159 (1) Student enrollment data;

160 (2) Student outcomes, growth measures if available, proficiency rates, and
161 completion rates for each subject area and grade level; and

162 (3) Student and parental comments and feedback on overall satisfaction and
163 quality, including feedback on the availability of support from teachers.

164 11. The department shall submit an annual report to the joint committee on
165 education that includes:

166 (1) The annual number of unique students participating in courses authorized
167 under this section and the total number of courses students are enrolled in;

168 (2) The number of authorized providers;

169 (3) The number of authorized courses and the number of students enrolled in each
170 course;

171 (4) The number of courses available by subject and grade level;

172 (5) The number of students enrolled in courses by subject and grade level;

173 (6) Student outcome data, including completion rates, student learning gains, and
174 student performance on state or nationally accepted assessments, by subject and grade
175 level by provider. This outcome data shall be published in a manner that protects student
176 privacy; and

177 (7) School district feedback on student progress and success.

178 12. The department shall note any data that is not yet available at the time of
179 publication, and when it will become available, and include that data in future reports.
180 The report and underlying data shall be published online in an open format that can be
181 retrieved, downloaded, indexed, and searched by commonly used web search applications.

182 **13.** Except as specified in this section and as may be specified by rule of the state board
183 of education, the ~~[virtual public school]~~ **Missouri course access and virtual school program**
184 shall comply with all state laws and regulations applicable to school districts, including but not
185 limited to the Missouri school improvement program (MSIP), ~~[adequate yearly progress (AYP),]~~
186 annual performance report (APR), teacher certification, and curriculum standards.

187 ~~[5-]~~ **14.** The state board of education through the rulemaking process and the department
188 of elementary and secondary education in its policies and procedures shall ensure that multiple
189 content providers are allowed, **ensure digital content conforms to accessibility requirements,**
190 **provide an easily accessible link for providers to submit courses or full-time virtual schools**
191 **on the Missouri course access and virtual school program website, and allow any person,**
192 **organization, or entity to submit courses or full-time virtual schools for approval. No**
193 **content provider shall be allowed that is unwilling to accept payments in the amount and**
194 **manner as described under subdivision (4) of subsection 3 of this section or does not meet**
195 **performance or quality standards adopted by the state board of education.**

196 ~~[6-]~~ **15.** Any rule or portion of a rule, as that term is defined in section 536.010, that is
197 created under the authority delegated in this section shall become effective only if it complies
198 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
199 This section and chapter 536 are nonseverable and if any of the powers vested with the general
200 assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and
201 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and
202 any rule proposed or adopted after August 28, 2006, shall be invalid and void.

162.492. 1. In all urban districts containing the greater part of the population of a city
2 which has more than three hundred thousand inhabitants, the election authority of the city in
3 which the greater portion of the school district lies, and of the county if the district includes
4 territory not within the city limits, shall serve ex officio as a redistricting commission. The
5 commission shall on or before November 1, 2018, divide the school district into five subdistricts,
6 all subdistricts being of compact and contiguous territory and as nearly equal in the number of
7 inhabitants as practicable and thereafter the board shall redistrict the district into subdivisions
8 as soon as practicable after each United States decennial census. In establishing the subdistricts
9 each member shall have one vote and a majority vote of the total membership of the commission
10 is required to make effective any action of the commission.

11 2. School elections for the election of directors shall be held on municipal election days
12 in 2014 and 2016. At the election in 2014, directors shall be elected to hold office until 2019 and
13 until their successors are elected and qualified. At the election in 2016, directors shall be elected
14 until 2019 and until their successors are elected and qualified. Beginning in 2019, school
15 elections for the election of directors shall be held on the local election date as specified in the

16 charter of a home rule city with more than four hundred thousand inhabitants and located in more
17 than one county. Beginning at the election for school directors in 2019, the number of directors
18 on the board shall be reduced from nine to seven. Two directors shall be at-large directors and
19 five directors shall represent the subdistricts, with one director from each of the subdistricts.
20 ~~[Directors shall serve a four-year term]~~ **At the 2019 election, one of the at-large directors and**
21 **the directors from subdistricts one, three, and five shall be elected for a two-year term, and**
22 **the other at-large director and the directors from subdistricts two and four shall be elected**
23 **for a four-year term. Thereafter, all seven directors shall serve a four-year term.** Directors
24 shall serve until the next election and until their successors, then elected, are duly qualified as
25 provided in this section. In addition to other qualifications prescribed by law, each member
26 elected from a subdistrict shall be a resident of the subdistrict from which he or she is elected.
27 The subdistricts shall be numbered from one to five. ~~[Each voter may vote for two candidates~~
28 ~~for at-large director and the two receiving the largest number of votes cast shall be elected.]~~

29 3. The five candidates, one from each of the subdistricts, who receive a plurality of the
30 votes cast by the voters of that subdistrict and the at-large candidates receiving a plurality of the
31 at-large votes shall be elected. The name of no candidate for nomination shall be printed on the
32 ballot unless the candidate has at least sixty days prior to the election filed a declaration of
33 candidacy with the secretary of the board of directors containing the signatures of at least two
34 hundred fifty registered voters who are residents of the subdistrict within which the candidate
35 for nomination to a subdistrict office resides, and in case of at-large candidates the signatures of
36 at least five hundred registered voters. The election authority shall determine the validity of all
37 signatures on declarations of candidacy.

38 4. In any election either for at-large candidates or candidates elected by the voters of
39 subdistricts, if there are more than two candidates, a majority of the votes are not required to
40 elect but the candidate having a plurality of the votes ~~[if there is only one office to be filled and~~
41 ~~the candidates having the highest number of votes, if more than one office is to be filled,]~~ shall
42 be elected.

43 5. The names of all candidates shall appear upon the ballot without party designation and
44 in the order of the priority of the times of filing their petitions of nomination. No candidate may
45 file both at large and from a subdistrict and the names of all candidates shall appear only once
46 on the ballot, nor may any candidate file more than one declaration of candidacy. All
47 declarations shall designate the candidate's residence and whether the candidate is filing at large
48 or from a subdistrict and the numerical designation of the subdistrict or at-large area.

49 6. The provisions of all sections relating to seven-director school districts shall also
50 apply to and govern urban districts in cities of more than three hundred thousand inhabitants, to

51 the extent applicable and not in conflict with the provisions of those sections specifically relating
52 to such urban districts.

53 7. Vacancies which occur on the school board between the dates of election shall be
54 filled by special election if such vacancy happens more than six months prior to the time of
55 holding an election as provided in subsection 2 of this section. The state board of education shall
56 order a special election to fill such a vacancy. A letter from the commissioner of education,
57 delivered by certified mail to the election authority or authorities that would normally conduct
58 an election for school board members shall be the authority for the election authority or
59 authorities to proceed with election procedures. If a vacancy occurs less than six months prior
60 to the time of holding an election as provided in subsection 2 of this section, no special election
61 shall occur and the vacancy shall be filled at the next election day on which local elections are
62 held as specified in the charter of any home rule city with more than four hundred thousand
63 inhabitants and located in more than one county.

 162.1115. 1. Notwithstanding any provision of law to the contrary, no district shall be
2 penalized for any reason under the Missouri school improvement program if students who
3 graduate from the district complete career and technical education programs approved by the
4 department of elementary and secondary education but are not placed in occupations directly
5 related to their training within six months of graduating.

6 2. The department of elementary and secondary education shall revise its scoring guide
7 under the Missouri school improvement program to provide additional points to districts that
8 create and enter into a partnership with area career centers, comprehensive high schools,
9 industry, and business to develop and implement a pathway for students to:

10 (1) Enroll in a program of career and technical education while in high school;

11 (2) Participate and complete an internship or apprenticeship during their final year of
12 high school; and

13 (3) Obtain the industry certification or credentials applicable to their program or career
14 and technical education and internship or apprenticeship.

15 3. Each school district shall be authorized to create and enter into a partnership with area
16 career centers, comprehensive high schools, industry, and business to develop and implement
17 a pathway for students to:

18 (1) Enroll in a program of career and technical education while in high school;

19 (2) Participate and complete an internship or apprenticeship during their final year of
20 high school; and

21 (3) Obtain the industry certification or credentials applicable to their program or career
22 and technical education and internship or apprenticeship.

23 **4. In complying with the provisions of subsection 3 of this section, each school**
24 **district may rely on technical coursework and skills assessments developed for industry-**
25 **recognized certificates and credentials.**

26 **5.** The department of elementary and secondary education shall permit student scores,
27 that are from a nationally recognized examination that demonstrates achievement of workplace
28 employability skills, to count towards credit for college and career readiness standards on the
29 Missouri school improvement program or any subsequent school accreditation or improvement
30 program.

164.011. 1. The school board of each district annually shall prepare an estimate of the
2 amount of money to be raised by taxation for the ensuing school year, the rate required to
3 produce the amount, and the rate necessary to sustain the school or schools of the district for the
4 ensuing school year, to meet principal and interest payments on the bonded debt of the district
5 and to provide the funds to meet other legitimate district purposes. In preparing the estimate, the
6 board shall have sole authority in determining what part of the total authorized rate shall be used
7 to provide revenue for each of the funds as authorized by section 165.011. Prior to setting tax
8 rates for the teachers' and incidental funds, the school board of each school district annually shall
9 set the tax rate for the capital projects fund as necessary to meet the expenditures of the capital
10 projects fund after all transfers allowed pursuant to subsection 4 of section 165.011.
11 Furthermore the tax rate set in the capital projects fund shall not require the reduction of the
12 equalized combined tax rates for the teachers' and incidental funds to be less than the greater of
13 the minimum operating levy for the current year for school purposes established under subsection
14 2 of section 163.021.

15 2. The school board of each district shall forward the estimate to the county clerk on or
16 before September first. In school districts divided by county lines, the estimate shall be
17 forwarded to the proper officer of each county in which any part of the district lies.

18 **3. When revising the school district's tax rate each year, the aggregate increase in**
19 **valuation of property assessed by the state tax commission for the current year over that**
20 **of the previous year shall be considered new construction and improvements and the**
21 **school district shall revise its rates exclusive of new construction and improvements.**

22 **4. The state auditor, state tax commission, and the department of elementary and**
23 **secondary education shall update all necessary forms and documents in order to implement**
24 **the provisions of this section.**

167.121. [~~1-~~] If the residence of a pupil is so located that attendance in the district of
2 residence constitutes an unusual or unreasonable transportation hardship because of natural
3 barriers, travel time, or distance, the commissioner of education or his designee may assign the
4 pupil to another district. Subject to the provisions of this section, all existing assignments shall

5 be reviewed prior to July 1, 1984, and from time to time thereafter, and may be continued or
 6 rescinded. The board of education of the district in which the pupil lives shall pay the tuition of
 7 the pupil assigned. The tuition shall not exceed the pro rata cost of instruction.

8 ~~[2. (1) For the school year beginning July 1, 2008, and each succeeding school year, a
 9 parent or guardian residing in a lapsed public school district or a district that has scored either
 10 unaccredited or provisionally accredited, or a combination thereof, on two consecutive annual
 11 performance reports may enroll the parent's or guardian's child in the Missouri virtual school
 12 created in section 161.670 provided the pupil first enrolls in the school district of residence. The
 13 school district of residence shall include the pupil's enrollment in the virtual school created in
 14 section 161.670 in determining the district's average daily attendance. Full-time enrollment in
 15 the virtual school shall constitute one average daily attendance equivalent in the school district
 16 of residence. Average daily attendance for part-time enrollment in the virtual school shall be
 17 calculated as a percentage of the total number of virtual courses enrolled in divided by the
 18 number of courses required for full-time attendance in the school district of residence.~~

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

23 ~~———— (3) Nothing in this section shall require any school district or the state to provide
 24 computers, equipment, internet or other access, supplies, materials or funding, except as provided
 25 in this section, as may be deemed necessary for a pupil to participate in the virtual school created
 26 in section 161.670.~~

27 ~~———— (4) Any rule or portion of a rule, as that term is defined in section 536.010, that is created
 28 under the authority delegated in this section shall become effective only if it complies with and
 29 is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section
 30 and chapter 536 are nonseverable and if any of the powers vested with the general assembly
 31 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule
 32 are subsequently held unconstitutional, then the grant of rulemaking authority and any rule
 33 proposed or adopted after August 28, 2007, shall be invalid and void.]~~

168.021. 1. Certificates of license to teach in the public schools of the state shall be
 2 granted as follows:

3 (1) By the state board, under rules and regulations prescribed by it:

4 (a) Upon the basis of college credit;

5 (b) Upon the basis of examination;

6 (2) By the state board, under rules and regulations prescribed by the state board with
 7 advice from the advisory council established by section 168.015 to any individual who presents

8 to the state board a valid doctoral degree from an accredited institution of higher education
9 accredited by a regional accrediting association such as North Central Association. Such
10 certificate shall be limited to the major area of postgraduate study of the holder, shall be issued
11 only after successful completion of the examination required for graduation pursuant to rules
12 adopted by the state board of education, and shall be restricted to those certificates established
13 pursuant to subdivision (1) of subsection 3 of this section;

14 (3) By the state board, which shall issue the professional certificate classification in both
15 the general and specialized areas most closely aligned with the current areas of certification
16 approved by the state board, commensurate with the years of teaching experience of the
17 applicant, and based upon the following criteria:

18 (a) Recommendation of a state-approved baccalaureate-level teacher preparation
19 program;

20 (b) Successful attainment of the Missouri qualifying score on the exit assessment for
21 teachers or administrators designated by the state board of education. Applicants who have not
22 successfully achieved a qualifying score on the designated examinations will be issued a two-
23 year nonrenewable provisional certificate; and

24 (c) Upon completion of a background check as prescribed in section 168.133 and
25 possession of a valid teaching certificate in the state from which the applicant's teacher
26 preparation program was completed;

27 (4) By the state board, under rules prescribed by it, on the basis of a relevant bachelor's
28 degree, or higher degree, and a passing score for the designated exit examination, for individuals
29 whose academic degree and professional experience are suitable to provide a basis for instruction
30 solely in the subject matter of banking or financial responsibility, at the discretion of the state
31 board. Such certificate shall be limited to the major area of study of the holder and shall be
32 restricted to those certificates established under subdivision (1) of subsection 3 of this section.
33 Holders of certificates granted under this subdivision shall be exempt from the teacher tenure act
34 under sections 168.102 to 168.130 and each school district shall have the decision-making
35 authority on whether to hire the holders of such certificates; [Ø]

36 (5) By the state board, under rules and regulations prescribed by it, on the basis of
37 certification by the American Board for Certification of Teacher Excellence (ABCTE) and
38 verification of ability to work with children as demonstrated by sixty contact hours in any one
39 of the following areas as validated by the school principal: sixty contact hours in the classroom,
40 of which at least forty-five must be teaching; sixty contact hours as a substitute teacher, with at
41 least thirty consecutive hours in the same classroom; sixty contact hours of teaching in a private
42 school; or sixty contact hours of teaching as a paraprofessional, for an initial four-year ABCTE
43 certificate of license to teach, except that such certificate shall not be granted for the areas of

44 early childhood education, or special education. For certification in the area of elementary
45 education, ninety contact hours in the classroom shall be required, of which at least thirty shall
46 be in an elementary classroom. Upon the completion of the requirements listed in paragraphs
47 (a), (b), (c), and (d) of this subdivision, an applicant shall be eligible to apply for a career
48 continuous professional certificate under subdivision (2) of subsection 3 of this section:

49 (a) Completion of thirty contact hours of professional development within four years,
50 which may include hours spent in class in an appropriate college curriculum;

51 (b) Validated completion of two years of the mentoring program of the American Board
52 for Certification of Teacher Excellence or a district mentoring program approved by the state
53 board of education;

54 (c) Attainment of a successful performance-based teacher evaluation; and

55 (d) Participate in a beginning teacher assistance program; **or**

56 **(6) By the state board, under rules and regulations prescribed by it, which shall**
57 **issue an initial visiting scholars certificate at the discretion of the board, based on the**
58 **following criteria:**

59 **(a) Verification from the hiring school district that the applicant will be employed**
60 **as part of a business-education partnership initiative designed to build career pathways**
61 **systems for students in a grade or grades not lower than the ninth grade for which the**
62 **applicant's academic degree or professional experience qualifies him or her;**

63 **(b) Appropriate and relevant bachelor's degree or higher, occupational license, or**
64 **industry-recognized credential;**

65 **(c) Completion of the application for a one-year visiting scholars certificate; and**

66 **(d) Completion of a background check as prescribed under section 168.133.**

67

68 **The initial visiting scholars certificate shall certify the holder of such certificate to teach**
69 **for one year. An applicant shall be eligible to renew an initial visiting scholars certificate**
70 **a maximum of two times, based upon the completion of the requirements listed under**
71 **paragraphs (a), (b), and (d) of this subdivision; completion of professional development**
72 **required by the school district and school; and attainment of a satisfactory performance-**
73 **based teacher evaluation.**

74 2. All valid teaching certificates issued pursuant to law or state board policies and
75 regulations prior to September 1, 1988, shall be exempt from the professional development
76 requirements of this section and shall continue in effect until they expire, are revoked or
77 suspended, as provided by law. When such certificates are required to be renewed, the state
78 board or its designee shall grant to each holder of such a certificate the certificate most nearly
79 equivalent to the one so held. Anyone who holds, as of August 28, 2003, a valid PC-I, PC-II,

80 or continuous professional certificate shall, upon expiration of his or her current certificate, be
81 issued the appropriate level of certificate based upon the classification system established
82 pursuant to subsection 3 of this section.

83 3. Certificates of license to teach in the public schools of the state shall be based upon
84 minimum requirements prescribed by the state board of education which shall include
85 completion of a background check as prescribed in section 168.133. The state board shall
86 provide for the following levels of professional certification: an initial professional certificate
87 and a career continuous professional certificate.

88 (1) The initial professional certificate shall be issued upon completion of requirements
89 established by the state board of education and shall be valid based upon verification of actual
90 teaching within a specified time period established by the state board of education. The state
91 board shall require holders of the four-year initial professional certificate to:

92 (a) Participate in a mentoring program approved and provided by the district for a
93 minimum of two years;

94 (b) Complete thirty contact hours of professional development, which may include hours
95 spent in class in an appropriate college curriculum, or for holders of a certificate under
96 subdivision (4) of subsection 1 of this section, an amount of professional development in
97 proportion to the certificate holder's hours in the classroom, if the certificate holder is employed
98 less than full time; and

99 (c) Participate in a beginning teacher assistance program.

100 (2) (a) The career continuous professional certificate shall be issued upon verification
101 of completion of four years of teaching under the initial professional certificate and upon
102 verification of the completion of the requirements articulated in paragraphs (a), (b), and (c) of
103 subdivision (1) of this subsection or paragraphs (a), (b), (c), and (d) of subdivision (5) of
104 subsection 1 of this section.

105 (b) The career continuous professional certificate shall be continuous based upon
106 verification of actual employment in an educational position as provided for in state board
107 guidelines and completion of fifteen contact hours of professional development per year which
108 may include hours spent in class in an appropriate college curriculum. Should the possessor of
109 a valid career continuous professional certificate fail, in any given year, to meet the fifteen-hour
110 professional development requirement, the possessor may, within two years, make up the
111 missing hours. In order to make up for missing hours, the possessor shall first complete the
112 fifteen-hour requirement for the current year and then may count hours in excess of the current
113 year requirement as make-up hours. Should the possessor fail to make up the missing hours
114 within two years, the certificate shall become inactive. In order to reactivate the certificate, the
115 possessor shall complete twenty-four contact hours of professional development which may

116 include hours spent in the classroom in an appropriate college curriculum within the six months
117 prior to or after reactivating his or her certificate. The requirements of this paragraph shall be
118 monitored and verified by the local school district which employs the holder of the career
119 continuous professional certificate.

120 (c) A holder of a career continuous professional certificate shall be exempt from the
121 professional development contact hour requirements of paragraph (b) of this subdivision if such
122 teacher has a local professional development plan in place within such teacher's school district
123 and meets two of the three following criteria:

- 124 a. Has ten years of teaching experience as defined by the state board of education;
 - 125 b. Possesses a master's degree; or
 - 126 c. Obtains a rigorous national certification as approved by the state board of education.
- 127 4. Policies and procedures shall be established by which a teacher who was not retained
128 due to a reduction in force may retain the current level of certification. There shall also be
129 established policies and procedures allowing a teacher who has not been employed in an
130 educational position for three years or more to reactivate his or her last level of certification by
131 completing twenty-four contact hours of professional development which may include hours
132 spent in the classroom in an appropriate college curriculum within the six months prior to or after
133 reactivating his or her certificate.

134 5. The state board shall, upon completion of a background check as prescribed in section
135 168.133, issue a professional certificate classification in the areas most closely aligned with an
136 applicant's current areas of certification, commensurate with the years of teaching experience of
137 the applicant, to any person who is hired to teach in a public school in this state and who
138 possesses a valid teaching certificate from another state or certification under subdivision (4) of
139 subsection 1 of this section, provided that the certificate holder shall annually complete the state
140 board's requirements for such level of certification, and shall establish policies by which
141 residents of states other than the state of Missouri may be assessed a fee for a certificate of
142 license to teach in the public schools of Missouri. Such fee shall be in an amount sufficient to
143 recover any or all costs associated with the issuing of a certificate of license to teach. The board
144 shall promulgate rules to authorize the issuance of a provisional certificate of license, which shall
145 allow the holder to assume classroom duties pending the completion of a criminal background
146 check under section 168.133, for any applicant who:

- 147 (1) Is the spouse of a member of the Armed Forces stationed in Missouri;
- 148 (2) Relocated from another state within one year of the date of application;
- 149 (3) Underwent a criminal background check in order to be issued a teaching certificate
150 of license from another state; and
- 151 (4) Otherwise qualifies under this section.

152 6. The state board may assess to holders of an initial professional certificate a fee, to be
153 deposited into the excellence in education revolving fund established pursuant to section
154 160.268, for the issuance of the career continuous professional certificate. However, such fee
155 shall not exceed the combined costs of issuance and any criminal background check required as
156 a condition of issuance. Applicants for the initial ABCTE certificate shall be responsible for any
157 fees associated with the program leading to the issuance of the certificate, but nothing in this
158 section shall prohibit a district from developing a policy that permits fee reimbursement.

159 7. Any member of the public school retirement system of Missouri who entered covered
160 employment with ten or more years of educational experience in another state or states and held
161 a certificate issued by another state and subsequently worked in a school district covered by the
162 public school retirement system of Missouri for ten or more years who later became certificated
163 in Missouri shall have that certificate dated back to his or her original date of employment in a
164 Missouri public school.

**170.018. 1. The department of elementary and secondary education shall, by July
2 1, 2018, develop a high school graduation policy that allows a student to fulfill one unit of
3 academic credit with a district-approved computer science course for any math, science,
4 or practical arts unit required for high school graduation.**

**5 2. The department of elementary and secondary education may promulgate rules
6 to implement the provisions of this section. Any rule or portion of a rule, as that term is
7 defined in section 536.010, that is created under the authority delegated in this section shall
8 become effective only if it complies with and is subject to all of the provisions of chapter
9 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and
10 if any of the powers vested with the general assembly pursuant to chapter 536 to review,
11 to delay the effective date, or to disapprove and annul a rule are subsequently held
12 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted
13 after August 28, 2017, shall be invalid and void.**

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

**2 (1) "Council", the career and technical education advisory council established
3 under section 178.550;**

**4 (2) "Industry certification", a full certification from a recognized industry, trade,
5 or professional association validating essential skills of a particular occupation, which may
6 include, but shall not be limited to:**

**7 (a) Any certification related to a high-demand occupation as described by the
8 Missouri economic research and information center (MERIC); and**

9 (b) Perkins Technical Skills Assessment;

10 **(3) "Occupational competency assessment", a national standardized assessment of**
 11 **skills and knowledge in a specific career or technical area, which may include, but shall not**
 12 **be limited to, assessments offered by the National Occupational Competency Testing**
 13 **Institute (NOCTI).**

14 **2. The council shall annually review, update, approve, and recommend a list of**
 15 **industry certifications, state-issued professional licenses, and occupational competency**
 16 **assessments.**

17 **3. A school district may use the list described under subsection 2 of this section as**
 18 **a resource in establishing programs of study that meet their regional workforce needs**
 19 **under section 170.029.**

178.550. 1. This section shall be known and may be cited as the "Career and Technical
 2 Education Student Protection Act". There is hereby established the "Career and Technical
 3 Education Advisory Council" within the department of elementary and secondary education.

4 2. The advisory council shall be composed of ~~fifteen~~ **sixteen** members who shall be
 5 Missouri residents. **The director of the department of economic development, or his or her**
 6 **designee, shall be a member.** The commissioner of education shall appoint the following
 7 members:

- 8 (1) A director or administrator of a career and technical education center;
- 9 (2) An individual from the business community with a background in commerce;
- 10 (3) A representative from State Technical College of Missouri;
- 11 (4) Three current or retired career and technical education teachers who also serve or
 12 served as an advisor to any of the nationally recognized career and technical education student
 13 organizations of:
 - 14 (a) DECA;
 - 15 (b) Future Business Leaders of America (FBLA);
 - 16 (c) FFA;
 - 17 (d) Family, Career and Community Leaders of America (FCCLA);
 - 18 (e) Health Occupations Students of America (HOSA);
 - 19 (f) SkillsUSA; or
 - 20 (g) Technology Student Association (TSA);
- 21 (5) A representative from a business organization, association of businesses, or a
 22 business coalition;
- 23 (6) A representative from a Missouri community college;
- 24 (7) A representative from Southeast Missouri State University or the University of
 25 Central Missouri;

26 (8) An individual participating in an apprenticeship recognized by the department of
27 labor and industrial relations or approved by the United States Department of Labor's Office of
28 Apprenticeship;

29 (9) A school administrator or school superintendent of a school that offers career and
30 technical education.

31 3. Members **appointed by the commissioner of education** shall serve a term of five
32 years except for the initial appointments, which shall be for the following lengths:

33 (1) One member shall be appointed for a term of one year;

34 (2) Two members shall be appointed for a term of two years;

35 (3) Two members shall be appointed for a term of three years;

36 (4) Three members shall be appointed for a term of four years;

37 (5) Three members shall be appointed for a term of five years.

38 4. Four members shall be from the general assembly. The president pro tempore of the
39 senate shall appoint two members of the senate of whom not more than one shall be of the same
40 party. The speaker of the house of representatives shall appoint two members of the house of
41 representatives of whom not more than one shall be of the same party. The legislative members
42 shall serve on the advisory council until such time as they resign, are no longer members of the
43 general assembly, or are replaced by new appointments.

44 5. The advisory council shall have three nonvoting ex officio members:

45 (1) A director of guidance and counseling services at the department of elementary and
46 secondary education, or a similar position if such position ceases to exist;

47 (2) The director of the division of workforce development; and

48 (3) A member of the coordinating board for higher education, as selected by the
49 coordinating board.

50 6. The assistant commissioner for the office of college and career readiness of the
51 department of elementary and secondary education shall provide staff assistance to the advisory
52 council.

53 7. The advisory council shall meet at least four times annually. The advisory council
54 may make all rules it deems necessary to enable it to conduct its meetings, elect its officers, and
55 set the terms and duties of its officers. The advisory council shall elect from among its members
56 a chairperson, vice chairperson, a secretary-reporter, and such other officers as it deems
57 necessary. Members of the advisory council shall serve without compensation but may be
58 reimbursed for actual expenses necessary to the performance of their official duties for the
59 advisory council.

60 8. Any business to come before the advisory council shall be available on the advisory
61 council's internet website at least seven business days prior to the start of each meeting. All

62 records of any decisions, votes, exhibits, or outcomes shall be available on the advisory council's
63 internet website within forty-eight hours following the conclusion of every meeting. Any
64 materials prepared for the members shall be delivered to the members at least five days before
65 the meeting, and to the extent such materials are public records as defined in section 610.010 and
66 are not permitted to be closed under section 610.021, shall be made available on the advisory
67 council's internet website at least five business days in advance of the meeting.

68 9. The advisory council shall make an annual written report to the state board of
69 education and the commissioner of education regarding the development, implementation, and
70 administration of the state budget for career and technical education.

71 10. The advisory council shall annually submit written recommendations to the state
72 board of education and the commissioner of education regarding the oversight and procedures
73 for the handling of funds for student career and technical education organizations.

74 11. The advisory council shall:

75 (1) Develop a comprehensive statewide short- and long-range strategic plan for career
76 and technical education;

77 (2) Identify service gaps and provide advice on methods to close such gaps as they relate
78 to youth and adult employees, workforce development, and employers on training needs;

79 (3) Confer with public and private entities for the purpose of promoting and improving
80 career and technical education;

81 (4) Identify legislative recommendations to improve career and technical education;

82 (5) Promote coordination of existing career and technical education programs;

83 (6) Adopt, alter, or repeal by its own bylaws, rules and regulations governing the manner
84 in which its business may be transacted.

85 12. For purposes of this section, the department of elementary and secondary education
86 shall provide such documentation and information as to allow the advisory council to be
87 effective.

88 13. For purposes of this section, "advisory council" shall mean the career and technical
89 education advisory council.

Section B. Because of the importance of funding early childhood education programs,
2 section 160.415 of this act is deemed necessary for the immediate preservation of the public
3 health, welfare, peace, and safety, and is hereby declared to be an emergency act within the
4 meaning of the constitution, and section 160.415 of this act shall be in full force and effect on
5 July 1, 2017, or upon its passage and approval, whichever occurs later.

Section C. Sections 161.669, 161.670, and 167.121 of this act shall become effective
2 July 1, 2018.

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