

SECOND REGULAR SESSION

SENATE BILL NO. 516

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATORS CHAPPELLE-NADAL AND NASHEED.

Pre-filed December 1, 2013, and ordered printed.

TERRY L. SPIELER, Secretary.

4349S.03I

AN ACT

To repeal sections 160.400, 162.081, 162.083, 162.1300, 163.021, 163.036, 167.131, 168.410, and 171.031, RSMo, and to enact in lieu thereof thirty-one new sections relating to elementary and secondary education.

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

Section A. Sections 160.400, 162.081, 162.083, 162.1300, 163.021, 163.036, 167.131, 168.410, and 171.031, RSMo, are repealed and thirty-one new sections enacted in lieu thereof, to be known as sections 160.400, 161.238, 162.081, 162.083, 162.1300, 162.1310, 163.021, 163.036, 167.131, 167.642, 167.685, 167.687, 167.825, 167.826, 167.827, 167.828, 167.829, 167.830, 167.833, 167.836, 167.850, 167.853, 167.856, 167.870, 167.873, 167.876, 168.410, 168.420, 168.435, 170.320, and 171.031, to read as follows:

- 160.400. 1. A charter school is an independent public school.
2. Except as further provided in subsection 4 of this section, charter schools may be operated only:
- (1) In a metropolitan school district;
 - (2) In an urban school district containing most or all of a city with a population greater than three hundred fifty thousand inhabitants;
 - (3) In a school district that has been declared unaccredited;
 - (4) In a school district that has been classified as provisionally accredited by the state board of education and has received scores on its annual performance report consistent with a classification of provisionally accredited or unaccredited for three consecutive school years beginning with the 2012-13 accreditation year under the following conditions:
 - (a) The eligibility for charter schools of any school district whose

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

14 provisional accreditation is based in whole or in part on financial stress as
15 defined in sections 161.520 to 161.529, or on financial hardship as defined by rule
16 of the state board of education, shall be decided by a vote of the state board of
17 education during the third consecutive school year after the designation of
18 provisional accreditation; and

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

23 (5) In a school district that has been accredited without provisions,
24 sponsored only by the local school board; provided that no board with a current
25 year enrollment of one thousand five hundred fifty students or greater shall
26 permit more than thirty-five percent of its student enrollment to enroll in charter
27 schools sponsored by the local board under the authority of this subdivision,
28 except that this restriction shall not apply to any school district that
29 subsequently becomes eligible under subdivision (3) or (4) of this subsection or to
30 any district accredited without provisions that sponsors charter schools prior to
31 having a current year student enrollment of one thousand five hundred fifty
32 students or greater.

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

35 (1) The school board of the district in any district which is sponsoring a
36 charter school as of August 27, 2012, as permitted under subdivision (1) or (2) of
37 subsection 2 of this section, the special administrative board of a metropolitan
38 school district during any time in which powers granted to the district's board of
39 education are vested in a special administrative board, or if the state board of
40 education appoints a special administrative board to retain the authority granted
41 to the board of education of an urban school district containing most or all of a
42 city with a population greater than three hundred fifty thousand inhabitants, the
43 special administrative board of such school district;

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

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

48 (4) Any private four-year college or university with an enrollment of at
49 least one thousand students, with its primary campus in Missouri, and with an

50 approved teacher preparation program;

51 (5) Any two-year private vocational or technical school designated as a
52 501(c)(3) nonprofit organization under the Internal Revenue Code of 1986, as
53 amended, which is a member of the North Central Association and accredited by
54 the Higher Learning Commission, with its primary campus in Missouri; or

55 (6) The Missouri charter public school commission created in section
56 160.425.

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

60 (1) As a district transitions from unaccredited to provisionally accredited,
61 the district shall continue to fall under the requirements for an unaccredited
62 district until it achieves three consecutive full school years of provisional
63 accreditation;

64 (2) As a district transitions from provisionally accredited to full
65 accreditation, the district shall continue to fall under the requirements for a
66 provisionally accredited district until it achieves three consecutive full school
67 years of full accreditation;

68 (3) In any school district classified as unaccredited or provisionally
69 accredited where a charter school is operating and is sponsored by an entity other
70 than the local school board, when the school district becomes classified as
71 accredited without provisions, a charter school may continue to be sponsored by
72 the entity sponsoring it prior to the classification of accredited without provisions
73 and shall not be limited to the local school board as a sponsor. A charter school
74 operating in a school district identified in subdivision (1) or (2) of subsection 2 of
75 this section may be sponsored by any of the entities identified in subsection 3 of
76 this section, irrespective of the accreditation classification of the district in which
77 it is located. A charter school in a district described in this subsection whose
78 charter provides for the addition of grade levels in subsequent years may continue
79 to add levels until the planned expansion is complete to the extent of grade levels
80 in comparable schools of the district in which the charter school is operated.

81 5. The mayor of a city not within a county may request a sponsor under
82 subdivision (2), (3), (4), (5), or (6) of subsection 3 of this section to consider
83 sponsoring a "workplace charter school", which is defined for purposes of sections
84 160.400 to 160.425 as a charter school with the ability to target prospective
85 students whose parent or parents are employed in a business district, as defined

86 in the charter, which is located in the city.

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

90 7. The charter school shall be organized as a Missouri nonprofit
91 corporation incorporated pursuant to chapter 355. The charter provided for
92 herein shall constitute a contract between the sponsor and the charter school.

93 8. As a nonprofit corporation incorporated pursuant to chapter 355, the
94 charter school shall select the method for election of officers pursuant to section
95 355.326 based on the class of corporation selected. Meetings of the governing
96 board of the charter school shall be subject to the provisions of sections 610.010
97 to 610.030.

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

102 10. A charter school may affiliate with a four-year college or university,
103 including a private college or university, or a community college as otherwise
104 specified in subsection 3 of this section when its charter is granted by a sponsor
105 other than such college, university or community college. Affiliation status
106 recognizes a relationship between the charter school and the college or university
107 for purposes of teacher training and staff development, curriculum and
108 assessment development, use of physical facilities owned by or rented on behalf
109 of the college or university, and other similar purposes. A university, college or
110 community college may not charge or accept a fee for affiliation status.

111 11. The expenses associated with sponsorship of charter schools shall be
112 defrayed by the department of elementary and secondary education retaining one
113 and five-tenths percent of the amount of state and local funding allocated to the
114 charter school under section 160.415, not to exceed one hundred twenty-five
115 thousand dollars, adjusted for inflation. The department of elementary and
116 secondary education shall remit the retained funds for each charter school to the
117 school's sponsor, provided the sponsor remains in good standing by fulfilling its
118 sponsorship obligations under sections 160.400 to 160.425 and 167.349 with
119 regard to each charter school it sponsors, including appropriate demonstration of
120 the following:

121 (1) Expends no less than ninety percent of its charter school sponsorship

122 funds in support of its charter school sponsorship program, or as a direct
123 investment in the sponsored schools;

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

128 (3) Negotiates contracts with charter schools that clearly articulate the
129 rights and responsibilities of each party regarding school autonomy, expected
130 outcomes, measures for evaluating success or failure, performance consequences,
131 and other material terms;

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

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

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

140 13. No university, college or community college shall grant a charter to
141 a nonprofit corporation if an employee of the university, college or community
142 college is a member of the corporation's board of directors.

143 14. No sponsor shall grant a charter under sections 160.400 to 160.425
144 and 167.349 without ensuring that a criminal background check and family care
145 safety registry check are conducted for all members of the governing board of the
146 charter schools or the incorporators of the charter school if initial directors are
147 not named in the articles of incorporation, nor shall a sponsor renew a charter
148 without ensuring a criminal background check and family care **safety** registry
149 check are conducted for each member of the governing board of the charter school.

150 15. No member of the governing board of a charter school shall hold any
151 office or employment from the board or the charter school while serving as a
152 member, nor shall the member have any substantial interest, as defined in
153 section 105.450, in any entity employed by or contracting with the board. No
154 board member shall be an employee of a company that provides substantial
155 services to the charter school. All members of the governing board of the charter
156 school shall be considered decision-making public servants as defined in section
157 105.450 for the purposes of the financial disclosure requirements contained in

158 sections 105.483, 105.485, 105.487, and 105.489.

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

160 (1) The review of a charter school proposal including an application that
161 provides sufficient information for rigorous evaluation of the proposed charter and
162 provides clear documentation that the education program and academic program
163 are aligned with the state standards and grade-level expectations, and provides
164 clear documentation of effective governance and management structures, and a
165 sustainable operational plan;

166 (2) The granting of a charter;

167 (3) The performance framework that the sponsor will use to evaluate the
168 performance of charter schools;

169 (4) The sponsor's intervention, renewal, and revocation policies, including
170 the conditions under which the charter sponsor may intervene in the operation
171 of the charter school, along with actions and consequences that may ensue, and
172 the conditions for renewal of the charter at the end of the term, consistent with
173 subsections 8 and 9 of section 160.405;

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

176 (6) Procedures to be implemented if a charter school should close,
177 consistent with the provisions of subdivision (15) of subsection 1 of section
178 160.405. The department shall provide guidance to sponsors in developing such
179 policies and procedures.

180 17. (1) A sponsor shall provide timely submission to the state board of
181 education of all data necessary to demonstrate that the sponsor is in material
182 compliance with all requirements of sections 160.400 to 160.425 and section
183 167.349. The state board of education shall ensure each sponsor is in compliance
184 with all requirements under sections 160.400 to 160.425 and 167.349 for each
185 charter school sponsored by any sponsor. The state board shall notify each
186 sponsor of the standards for sponsorship of charter schools, delineating both what
187 is mandated by statute and what best practices dictate. The state board shall
188 evaluate sponsors to determine compliance with these standards every three
189 years. The evaluation shall include a sponsor's policies and procedures in the
190 areas of charter application approval; required charter agreement terms and
191 content; sponsor performance evaluation and compliance monitoring; and charter
192 renewal, intervention, and revocation decisions. Nothing shall preclude the
193 department from undertaking an evaluation at any time for cause.

194 (2) If the department determines that a sponsor is in material
195 noncompliance with its sponsorship duties, the sponsor shall be notified and
196 given reasonable time for remediation. If remediation does not address the
197 compliance issues identified by the department, the commissioner of education
198 shall conduct a public hearing and thereafter provide notice to the charter
199 sponsor of corrective action that will be recommended to the state board of
200 education. Corrective action by the department may include withholding the
201 sponsor's funding and suspending the sponsor's authority to sponsor a school that
202 it currently sponsors or to sponsor any additional school until the sponsor is
203 reauthorized by the state board of education under section 160.403.

204 (3) The charter sponsor may, within thirty days of receipt of the notice of
205 the commissioner's recommendation, provide a written statement and other
206 documentation to show cause as to why that action should not be taken. Final
207 determination of corrective action shall be determined by the state board of
208 education based upon a review of the documentation submitted to the department
209 and the charter sponsor.

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

213 **18. Sponsors of charter schools shall be responsible for all**
214 **expenditures associated with the closure of a charter school they**
215 **sponsor.**

161.238. 1. As authorized under its duty to classify the schools
2 **of the state under section 161.092, the state board of education shall**
3 **adopt a system of classification that accredits individual school**
4 **buildings within a district separately from the district as a whole.**

5 **2. Under this system, the state board of education shall not**
6 **classify a district as unaccredited unless it has previously classified at**
7 **least sixty-five percent of the district's school buildings as**
8 **unaccredited.**

9 **3. The state board of education shall also adopt a system of**
10 **classification that accredits charter schools. The state board of**
11 **education shall not use the accreditation classification of charter**
12 **schools when determining the accreditation classification of the district**
13 **in which charter schools are located.**

14 **4. Any rule or portion of a rule, as that term is defined in section**

15 **536.010 that is created under the authority delegated in this section**
16 **shall become effective only if it complies with and is subject to all of**
17 **the provisions of chapter 536, and, if applicable, section 536.028. This**
18 **section and chapter 536 are nonseverable and if any of the powers**
19 **vested with the general assembly pursuant to chapter 536, to review, to**
20 **delay the effective date, or to disapprove and annul a rule are**
21 **subsequently held unconstitutional, then the grant of rulemaking**
22 **authority and any rule proposed or adopted after August 28, 2014, shall**
23 **be invalid and void.**

162.081. 1. Whenever any school district in this state fails or refuses in
2 any school year to provide for the minimum school term required by section
3 163.021 or is classified unaccredited, the state board of education shall, upon a
4 district's initial classification or reclassification as unaccredited:

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

7 (2) Determine the date the district shall lapse and determine an
8 alternative governing structure for the district.

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

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

24 (1) Allow continued governance by the existing school district board of
25 education under terms and conditions established by the state board of education;
26 or

27 (2) Lapse the corporate organization of the unaccredited district and:

28 (a) Appoint a special administrative board for the operation of all or part
29 of the district. The number of members of the special administrative board shall
30 not be less than five, the majority of whom shall be residents of the district. The
31 members of the special administrative board shall reflect the population
32 characteristics of the district and shall collectively possess strong experience in
33 school governance, management and finance, and leadership. Within fourteen
34 days after the appointment by the state board of education, the special
35 administrative board shall organize by the election of a president, vice president,
36 secretary and a treasurer, with their duties and organization as enumerated in
37 section 162.301. The special administrative board shall appoint a superintendent
38 of schools to serve as the chief executive officer of the school district and to have
39 all powers and duties of any other general superintendent of schools in a
40 seven-director school district. Any special administrative board appointed under
41 this section **prior to January 1, 2014**, shall be responsible for the operation of
42 the district until such time that the district is classified by the state board of
43 education as provisionally accredited for at least two successive academic years,
44 after which time the state board of education may provide for a transition
45 pursuant to section 162.083. **Any special administrative board appointed**
46 **under this section on or after January 1, 2014, shall be responsible for**
47 **the operation of the district for no more than seven years, at which**
48 **time governance of the district shall revert to the local school board on**
49 **the following July 1. Upon reversion of governance to the local school**
50 **board, the state board of education shall not appoint another special**
51 **administrative board for the district during the next seven years; or**

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

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

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

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

62 d. Annual reports to the general assembly and the governor on the
63 progress towards accreditation of any district that has been declared unaccredited

64 and is placed under an alternative form of governance, including a review of the
65 effectiveness of the alternative governance; or

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

68 (d) Establish one or more school districts within the territory of the lapsed
69 district, with a governance structure specified by the state board of education,
70 with the option of permitting a district to remain intact for the purposes of
71 assessing, collecting, and distributing property taxes, to be distributed equitably
72 on a weighted average daily attendance basis, but to be divided for operational
73 purposes, which shall take effect sixty days after the adjournment of the regular
74 session of the general assembly next following the state board's decision unless
75 a statute or concurrent resolution is enacted to nullify the state board's decision
76 prior to such effective date.

77 4. If a district remains under continued governance by the school board
78 under subdivision (1) of subsection 3 of this section and either has been
79 unaccredited for three consecutive school years and failed to attain accredited
80 status after the third school year or has been unaccredited for two consecutive
81 school years and the state board of education determines its academic progress
82 is not consistent with attaining accredited status after the third school year, then
83 the state board of education shall proceed under subdivision (2) of subsection 3
84 of this section in the following school year.

85 5. A special administrative board appointed under this section shall retain
86 the authority granted to a board of education for the operation of the lapsed
87 school district under the laws of the state in effect at the time of the lapse and
88 may enter into contracts with accredited school districts or other education
89 service providers in order to deliver high-quality educational programs to the
90 residents of the district. If a student graduates while attending a school building
91 in the district that is operated under a contract with an accredited school district
92 as specified under this subsection, the student shall receive his or her diploma
93 from the accredited school district. The authority of the special administrative
94 board shall expire at the end of the third full school year following its
95 appointment, unless extended by the state board of education. If the lapsed
96 district is reassigned, the special administrative board shall provide an
97 accounting of all funds, assets and liabilities of the lapsed district and transfer
98 such funds, assets, and liabilities of the lapsed district as determined by the state
99 board of education. Neither the special administrative board nor its members or

100 employees shall be deemed to be the state or a state agency for any purpose,
101 including section 105.711, et seq. The state of Missouri, its agencies and
102 employees shall be absolutely immune from liability for any and all acts or
103 omissions relating to or in any way involving the lapsed district, the special
104 administrative board, its members or employees. Such immunities, and immunity
105 doctrines as exist or may hereafter exist benefitting boards of education, their
106 members and their employees shall be available to the special administrative
107 board, its members and employees.

108 6. Neither the special administrative board nor any district or other entity
109 assigned territory, assets or funds from a lapsed district shall be considered a
110 successor entity for the purpose of employment contracts, unemployment
111 compensation payment pursuant to section 288.110, or any other purpose.

112 7. If additional teachers are needed by a district as a result of increased
113 enrollment due to the annexation of territory of a lapsed or dissolved district,
114 such district shall grant an employment interview to any permanent teacher of
115 the lapsed or dissolved district upon the request of such permanent teacher.

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

162.083. 1. The state board of education may appoint additional members
2 to any special administrative board appointed under section 162.081.

3 2. The state board of education may set a final term of office for any
4 member of a special administrative board, after which a successor member shall
5 be elected by the voters of the district.

6 (1) All final terms of office for members of the special administrative
7 board established under this section shall expire on June thirtieth.

8 (2) The election of a successor member shall occur on the general
9 municipal election day immediately prior to the expiration of the final term of
10 office.

11 (3) The election shall be conducted in a manner consistent with the
12 election laws applicable to the school district.

13 3. Nothing in this section shall be construed as barring an otherwise
14 qualified member of the special administrative board from standing for an elected
15 term on the board.

16 4. On a date set by the state board of education, any district operating

17 under the governance of a special administrative board shall return to local
18 governance, and continue operation as a school district as otherwise authorized
19 by law.

20 **5. The provisions of this section shall apply only to a special**
21 **administrative board appointed under section 162.081 prior to January**
22 **1, 2014.**

162.1300. 1. If a change in school district boundary lines occurs under
2 section 162.223, 162.431, 162.441, or 162.451, or by action of the state board of
3 education under section 162.081, including attachment of a school district's
4 territory to another district or dissolution, such that a school district receives
5 additional students as a result of such change, the statewide assessment scores
6 and all other performance data for those students whom the district received
7 shall not be used for three years when calculating the performance of the
8 receiving district for three school years for purposes of the Missouri school
9 improvement program.

10 **2. The statewide assessment scores and all other performance**
11 **data for any transient student or student who has not attended a**
12 **district-operated school for the previous three school years shall not be**
13 **used when calculating the district's performance for purposes of the**
14 **Missouri school improvement program.**

162.1310. 1. When the state board of education classifies any
2 district or school building as unaccredited, the district shall notify the
3 parent or guardian of any student enrolled in the unaccredited district
4 or unaccredited school of the loss of accreditation within seven
5 business days. The district's notice to the parent or guardian shall
6 include an explanation of the option to transfer the student to another
7 accredited school in the district or to another accredited district and
8 any services the student may be entitled to receive. The district's
9 notice shall be written in a clear, concise, and easy to understand
10 manner.

11 **2. Any unaccredited school, provisionally accredited school, or**
12 **school with a three year average annual performance report score**
13 **consistent with a classification of unaccredited or provisionally**
14 **accredited shall perform at least one home visit for each student**
15 **enrolled in the school.**

16 **3. For purposes of this section, the following terms shall mean:**
17 **(1) "Provisionally accredited school", a school building that is**

18 **classified as provisionally accredited by the state board of education**
19 **pursuant to the authority of the state board of education to classify**
20 **schools as established in section 161.092 and section 161.238;**

21 **(2) "Unaccredited school", a school building that is classified as**
22 **unaccredited by the state board of education pursuant to the authority**
23 **of the state board of education to classify schools as established in**
24 **section 161.092 and section 161.238.**

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

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

16 (2) Maintains adequate and accurate records of attendance, personnel and
17 finances, as required by the state board of education, which shall include the
18 preparation of a financial statement which shall be submitted to the state board
19 of education the same as required by the provisions of section 165.111 for
20 districts;

21 (3) Levies an operating levy for school purposes of not less than one dollar
22 and twenty-five cents after all adjustments and reductions on each one hundred
23 dollars assessed valuation of the district;

24 (4) Computes average daily attendance as defined in subdivision (2) of
25 section 163.011 as modified by section 171.031. Whenever there has existed
26 within the district an infectious disease, contagion, epidemic, plague or similar
27 condition whereby the school attendance is substantially reduced for an extended
28 period in any school year, the apportionment of school funds and all other
29 distribution of school moneys shall be made on the basis of the school year next

30 preceding the year in which such condition existed;

31 **(5) At any time that it is classified as unaccredited by the state**
32 **board of education, uses funds derived from the operating levy for**
33 **school purposes to pay tuition remission for students who attend a**
34 **nonsectarian private school under section 167.828 of this act.**

35 2. For the 2006-07 school year and thereafter, no school district shall
36 receive more state aid, as calculated under subsections 1 and 2 of section 163.031,
37 for its education program, exclusive of categorical add-ons, than it received per
38 weighted average daily attendance for the school year 2005-06 from the
39 foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair
40 share, and free textbook payment amounts, unless it has an operating levy for
41 school purposes, as determined pursuant to section 163.011, of not less than two
42 dollars and seventy-five cents after all adjustments and reductions. Any district
43 which is required, pursuant to article X, section 22 of the Missouri Constitution,
44 to reduce its operating levy below the minimum tax rate otherwise required under
45 this subsection shall not be construed to be in violation of this subsection for
46 making such tax rate reduction. Pursuant to section 10(c) of article X of the state
47 constitution, a school district may levy the operating levy for school purposes
48 required by this subsection less all adjustments required pursuant to article X,
49 section 22 of the Missouri Constitution if such rate does not exceed the highest
50 tax rate in effect subsequent to the 1980 tax year. Nothing in this section shall
51 be construed to mean that a school district is guaranteed to receive an amount
52 not less than the amount the school district received per eligible pupil for the
53 school year 1990-91. The provisions of this subsection shall not apply to any
54 school district located in a county of the second classification which has a nuclear
55 power plant located in such district or to any school district located in a county
56 of the third classification which has an electric power generation unit with a
57 rated generating capacity of more than one hundred fifty megawatts which is
58 owned or operated or both by a rural electric cooperative except that such school
59 districts may levy for current school purposes and capital projects an operating
60 levy not to exceed two dollars and seventy-five cents less all adjustments required
61 pursuant to article X, section 22 of the Missouri Constitution.

62 3. No school district shall receive more state aid, as calculated in section
63 163.031, for its education program, exclusive of categorical add-ons, than it
64 received per eligible pupil for the school year 1993-1994, if the state board of
65 education determines that the district was not in compliance in the preceding

66 school year with the requirements of section 163.172, until such time as the board
67 determines that the district is again in compliance with the requirements of
68 section 163.172.

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

73 5. No school district shall receive more state aid, as calculated in
74 subsections 1 and 2 of section 163.031, for its education program, exclusive of
75 categorical add-ons, than it received per weighted average daily attendance for
76 the school year 2005-06 from the foundation formula, line 14, gifted, remedial
77 reading, exceptional pupil aid, fair share, and free textbook payment amounts, if
78 the district did not comply in the preceding school year with the requirements of
79 subsection 6 of section 163.031.

80 6. Any school district that levies an operating levy for school purposes
81 that is less than the performance levy, as such term is defined in section 163.011,
82 shall provide written notice to the department of elementary and secondary
83 education asserting that the district is providing an adequate education to the
84 students of such district. If a school district asserts that it is not providing an
85 adequate education to its students, such inadequacy shall be deemed to be a
86 result of insufficient local effort. The provisions of this subsection shall not apply
87 to any special district established under sections 162.815 to 162.940.

163.036. 1. In computing the amount of state aid a school district is
2 entitled to receive for the minimum school term only under section 163.031, a
3 school district may use an estimate of the weighted average daily attendance for
4 the current year, or the weighted average daily attendance for the immediately
5 preceding year or the weighted average daily attendance for the second preceding
6 school year, whichever is greater. Beginning with the 2006-07 school year, the
7 summer school attendance included in the average daily attendance as defined
8 in subdivision (2) of section 163.011 shall include only the attendance hours of
9 pupils that attend summer school in the current year. Beginning with the
10 2004-05 school year, when a district's official calendar for the current year
11 contributes to a more than ten percent reduction in the average daily attendance
12 for kindergarten compared to the immediately preceding year, the payment
13 attributable to kindergarten shall include only the current year kindergarten
14 average daily attendance. Any error made in the apportionment of state aid

15 because of a difference between the actual weighted average daily attendance and
16 the estimated weighted average daily attendance shall be corrected as provided
17 in section 163.091, except that if the amount paid to a district estimating
18 weighted average daily attendance exceeds the amount to which the district was
19 actually entitled by more than five percent, interest at the rate of six percent
20 shall be charged on the excess and shall be added to the amount to be deducted
21 from the district's apportionment the next succeeding year.

22 2. Notwithstanding the provisions of subsection 1 of this section or any
23 other provision of law, the state board of education shall make an adjustment for
24 the immediately preceding year for any increase in the actual weighted average
25 daily attendance above the number on which the state aid in section 163.031 was
26 calculated. Said adjustment shall be made in the manner providing for correction
27 of errors under subsection 1 of this section.

28 3. Any error made in the apportionment of state aid because of a
29 difference between the actual equalized assessed valuation for the current year
30 and the estimated equalized assessed valuation for the current year shall be
31 corrected as provided in section 163.091, except that if the amount paid to a
32 district estimating current equalized assessed valuation exceeds the amount to
33 which the district was actually entitled, interest at the rate of six percent shall
34 be charged on the excess and shall be added to the amount to be deducted from
35 the district's apportionment the next succeeding year.

36 4. For the purposes of distribution of state school aid pursuant to section
37 163.031, a school district with ten percent or more of its assessed valuation that
38 is owned by one person or corporation as commercial or personal property who is
39 delinquent in a property tax payment may elect, after receiving notice from the
40 county clerk on or before March fifteenth that more than ten percent of its
41 current taxes due the preceding December thirty-first by a single property owner
42 are delinquent, to use in the local effort calculation of the state aid formula the
43 district's equalized assessed valuation for the preceding year or the actual
44 assessed valuation of the year for which the taxes are delinquent less the
45 assessed valuation of property for which the current year's property tax is
46 delinquent. To qualify for use of the actual assessed valuation of the year for
47 which the taxes are delinquent less the assessed valuation of property for which
48 the current year's property tax is delinquent, a district must notify the
49 department of elementary and secondary education on or before April first, except
50 in the year enacted, of the current year amount of delinquent taxes, the assessed

51 valuation of such property for which delinquent taxes are owed and the total
52 assessed valuation of the district for the year in which the taxes were due but not
53 paid. Any district giving such notice to the department of elementary and
54 secondary education shall present verification of the accuracy of such notice
55 obtained from the clerk of the county levying delinquent taxes. When any of the
56 delinquent taxes identified by such notice are paid during a four-year period
57 following the due date, the county clerk shall give notice to the district and the
58 department of elementary and secondary education, and state aid paid to the
59 district shall be reduced by an amount equal to the delinquent taxes received plus
60 interest. The reduction in state aid shall occur over a period not to exceed five
61 years and the interest rate on excess state aid not refunded shall be six percent
62 annually.

63 5. If a district receives state aid based on equalized assessed valuation as
64 determined by subsection 4 of this section and if prior to such notice the district
65 was paid state aid pursuant to section 163.031, the amount of state aid paid
66 during the year of such notice and the first year following shall equal the sum of
67 state aid paid pursuant to section 163.031 plus the difference between the state
68 aid amount being paid after such notice minus the amount of state aid the district
69 would have received pursuant to section 163.031 before such notice. To be
70 eligible to receive state aid based on this provision the district must levy during
71 the first year following such notice at least the maximum levy permitted school
72 districts by article X, section 11(b) of the Missouri Constitution and have a
73 voluntary rollback of its tax rate which is no greater than one cent per one
74 hundred dollars assessed valuation.

75 **6. Notwithstanding the provisions of subsection 1 of this section,**
76 **any district in which the local school board sponsors a charter school**
77 **as provided in section 160.400 shall only be permitted to use an**
78 **estimate of the district's weighted average daily attendance for the**
79 **current year and shall not be permitted to use a weighted average daily**
80 **attendance count from any preceding year for purposes of determining**
81 **the amount of state aid to which the district is entitled.**

167.131. 1. The board of education of each district in this state that does
2 not maintain [an accredited] a high school [pursuant to the authority of the
3 state board of education to classify schools as established in section 161.092]
4 offering work through the twelfth grade shall pay [the] tuition [of] as
5 calculated by the receiving district under subsection 2 of this section

6 and provide transportation consistent with the provisions of section 167.241 for
7 each pupil resident therein **who has completed the work of the highest**
8 **grade offered in the schools of the district and** who attends [an accredited]
9 **a public high** school in another district of the same or an adjoining county.

10 2. The rate of tuition to be charged by the district attended and paid by
11 the sending district is the per pupil cost of maintaining the district's grade level
12 grouping which includes the school attended. The cost of maintaining a grade
13 level grouping shall be determined by the board of education of the district but
14 in no case shall it exceed all amounts spent for teachers' wages, incidental
15 purposes, debt service, maintenance and replacements. The term "debt service",
16 as used in this section, means expenditures for the retirement of bonded
17 indebtedness and expenditures for interest on bonded indebtedness. Per pupil
18 cost of the grade level grouping shall be determined by dividing the cost of
19 maintaining the grade level grouping by the average daily pupil attendance. If
20 there is disagreement as to the amount of tuition to be paid, the facts shall be
21 submitted to the state board of education, and its decision in the matter shall be
22 final. Subject to the limitations of this section, each pupil shall be free to attend
23 the public school of his or her choice.

167.642. No district shall promote a student from the fifth grade
2 **to the sixth grade or from the eighth grade to the ninth grade who has**
3 **not scored at the proficient level or above on the statewide assessments**
4 **in the areas of English language arts, mathematics, and science.**

167.685. 1. Any unaccredited district or any district in which
2 **sixty-five percent or more of its schools have been classified as**
3 **unaccredited by the state board of education shall offer free tutoring**
4 **and supplemental education services to students who are performing**
5 **below grade level or identified by the district as struggling, using funds**
6 **from the unaccredited school district improvement fund.**

7 **2. There is hereby created in the state treasury the**
8 **"Unaccredited School District Improvement Fund".**

9 **3. The state treasurer shall be custodian of the fund. In**
10 **accordance with sections 30.170 and 30.180, the state treasurer may**
11 **approve disbursements. The fund shall be a dedicated fund and, upon**
12 **appropriation, money in the fund shall be used solely for the**
13 **administration of this section.**

14 **4. Notwithstanding the provisions of section 33.080 to the**

15 contrary, any moneys remaining in the fund at the end of the biennium
16 shall not revert to the credit of the general revenue fund.

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

20 6. For purposes of this section, the term "unaccredited district"
21 shall mean a school district classified as unaccredited by the state
22 board of education pursuant to the authority of the state board of
23 education to classify schools as established in section 161.092.

167.687. 1. Any unaccredited district or any district in which
2 sixty-five percent or more of its schools have been classified as
3 unaccredited by the state board of education may perform any or all of
4 the following actions:

5 (1) Implement a new curriculum, including appropriate
6 professional development, based on scientifically-based research that
7 offers substantial promise of improving educational achievement of
8 low-achieving students;

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

11 (3) Enter into a contract with an education management
12 company or education services provider to operate a school or schools
13 within the district that has a demonstrated record of effectiveness;

14 (4) For any unaccredited school, enter into a collaborative
15 relationship and agreement with an accredited district in which
16 teachers from the unaccredited school may exchange positions with
17 teachers from an accredited school in an accredited district for a
18 period of two school weeks;

19 (5) Notwithstanding the provisions of sections 168.102 to 168.130
20 or section 168.221 to the contrary:

21 (a) Terminate the employment of any school personnel who may
22 have contributed to the school's or district's lack of accreditation,
23 following the procedures of subsection 7 of section 168.420; or

24 (b) Terminate the employment of the majority of school
25 personnel, including the school principal.

26 2. For purposes of this section, the following terms shall mean:

27 (1) "Accredited district", a school district that is accredited by
28 the state board of education pursuant to the authority of the state

29 board of education to classify schools as established in section 161.092;
30 (2) "Accredited school", a school building that is accredited by
31 the state board of education pursuant to the authority of the state
32 board of education to classify schools as established in section 161.092
33 and section 161.238;

34 (3) "Unaccredited district", a school district classified as
35 unaccredited by the state board of education pursuant to the authority
36 of the state board of education to classify schools as established in
37 section 161.092;

38 (4) "Unaccredited school", a school building that is classified as
39 unaccredited by the state board of education pursuant to the authority
40 of the state board of education to classify schools as established in
41 section 161.092 and section 161.238.

167.825. 1. Any student who is enrolled in and attends a public
2 school that is classified as unaccredited by the state board of education
3 under the system of classification enacted under section 161.238 may
4 transfer to another public school in the student's district of residence
5 that offers the student's grade level of enrollment and that is
6 accredited without provisions by the state board of education.

7 2. If the student chooses to attend a magnet school, an
8 academically selective school, or a school with a competitive entrance
9 process within his or her district of residence that has admissions
10 requirements criteria, the student shall meet such admissions
11 requirements criteria in order to attend.

12 3. Each district shall adopt a policy to grant priority to the
13 lowest achieving students from low-income families if its capacity is
14 insufficient to enroll all pupils who seek to attend.

167.826. 1. If a student residing in an unaccredited district and
2 living within the attendance boundaries of an unaccredited school is
3 unable to transfer to another accredited school within his or her
4 district of residence under section 167.825, the student may transfer to
5 an accredited school within an accredited district located in the same
6 or an adjoining county or may enroll in a nonsectarian private school
7 as provided in section 167.828. The student's district of residence shall
8 pay the student's tuition as established in subsection 3 of this section,
9 or, if applicable, subsection 4 of this section for a transfer to a public
10 school, or as provided in section 167.828 for enrollment in a

11 nonsectarian private school. A student who wishes to transfer to an
12 accredited district or a nonsectarian private school shall provide proof
13 that he or she resided in an unaccredited district and within the
14 attendance boundaries of an unaccredited school for a minimum of
15 twelve months prior to applying for a transfer.

16 2. No provisionally accredited district or provisionally
17 accredited school shall be eligible to receive transfer students. No
18 unaccredited district or unaccredited school shall be eligible to receive
19 transfer students. No district or school with a current year score of
20 seventy-five or lower on its annual performance report under the fifth
21 cycle of the Missouri school improvement program shall be eligible to
22 receive any transfer students, irrespective of its state board of
23 education accreditation classification, except that any student who was
24 granted a transfer prior to August 28, 2014, to such a district or school
25 may remain enrolled in that district or school.

26 3. Except as provided in subsection 4 of this section, the rate of
27 tuition to be charged by the district attended and paid by the sending
28 district is the per pupil cost of maintaining the district's grade level
29 grouping which includes the school attended. The cost of maintaining
30 a grade level grouping shall be determined by the board of education
31 of the district but in no case shall it exceed all amounts spent for
32 teachers' wages, incidental purposes, maintenance, and
33 replacements. The tuition rate shall not include any expenditures for
34 the retirement of bonded indebtedness and expenditures for interest on
35 bonded indebtedness, either existing or in the future. Per pupil cost of
36 the grade level grouping shall be determined by dividing the cost of
37 maintaining the grade level grouping by the average daily pupil
38 attendance. If there is disagreement as to the amount of tuition to be
39 paid, the facts shall be submitted to the state board of education, and
40 its decision in the matter shall be final.

41 4. Any district that participates in a voluntary interdistrict
42 transfer program shall not establish a tuition rate under this section
43 that exceeds the tuition amount it charges for students it receives
44 through such voluntary interdistrict transfer program.

45 5. Each district shall have the right to establish and adopt, by
46 objective means, a policy for desirable class size and student-teacher
47 ratios. If a district adopts such a policy, it shall not be required to

48 accept any transfer students under this section that would violate its
49 class size or student-teacher ratio. If a student seeking to transfer is
50 denied admission to a district based on a lack of space under the
51 district's policy, the student or the student's parent or guardian may
52 appeal the ruling to the state board of education if he or she believes
53 the district's policy is unduly restrictive to student transfers. The state
54 board of education shall review the appropriateness of the district's
55 policy and shall give special consideration to any district with a
56 greater than average population of students that qualify for free and
57 reduced lunch. If the state board of education finds that the district's
58 policy is unduly restrictive to student transfers, it may limit the
59 district's policy. The state board of education's decision shall be final.

60 6. The student's district of residence may provide transportation
61 for him or her to attend another accredited district but shall not be
62 required to do so.

167.827. 1. By January first annually, each accredited district,
2 any portion of which is located in the same county or in an adjoining
3 county to an unaccredited district or an unaccredited school shall
4 report to the student transfer coordination authority for the county in
5 which the unaccredited district or unaccredited school is located the
6 number of available enrollment slots by grade level.

7 2. Any student transfer coordination authority whose geographic
8 area includes an unaccredited district or unaccredited school shall
9 make information and assistance available to parents or guardians who
10 intend to transfer their child from an unaccredited district or school
11 to an accredited district under section 167.826.

12 3. The parent or guardian of a student who intends to enroll his
13 or her child in an accredited district under the provisions of section
14 167.826 shall send initial notification to the student transfer
15 coordination authority for the county in which he or she resides
16 between January first and August first for enrollment in the
17 subsequent school year.

18 4. The student transfer coordination authority whose geographic
19 area includes an unaccredited district or unaccredited school shall
20 assign those students who seek to transfer. The student transfer
21 coordination authority shall give first priority to students who live in
22 the same household with any family member within the first or second

23 degree of consanguinity who already attends an accredited school and
24 who apply to attend the same accredited school. The student transfer
25 coordination authority shall then grant transfer requests in the order
26 in which they were received. If insufficient enrollment slots are
27 available for a student to be able to transfer, that student shall receive
28 first priority the following school year. If sufficient enrollment slots
29 are available, the student transfer coordination authority shall provide
30 each student a choice of three accredited schools to which he or she
31 may transfer.

32 5. A student transfer coordination authority may deny a transfer
33 to a student with a demonstrated and documented history of school
34 discipline policy violations.

167.828. 1. The school board of any district that operates an
2 unaccredited school shall pay tuition for any student who resides
3 within the unaccredited school's attendance boundaries to attend a
4 nonsectarian private school located in his or her district of residence
5 and is unable to transfer to an accredited school in his or her district
6 of residence pursuant to sections 167.825 and 167.826.

7 2. The amount of tuition to be paid shall not exceed the lesser of:
8 (1) The nonsectarian private school's tuition rate; or
9 (2) The nonresident tuition rate under section 167.826 set by the
10 school board of the district in which the nonsectarian private school is
11 located.

12 3. Tuition for a student who attends a nonsectarian private
13 school shall be paid only using funds received by the district from the
14 operating levy for school purposes.

15 4. The student's district of residence may provide transportation
16 for him or her to attend a nonsectarian private school located within
17 the district but shall not be required to do so.

167.829. For purposes of sections 167.825, 167.826, 167.827, and
2 167.828 of this act, the following terms shall mean:

3 (1) "Accredited district", a school district that is accredited by
4 the state board of education pursuant to the authority of the state
5 board of education to classify schools as established in section 161.092;

6 (2) "Accredited school", a school building that is accredited by
7 the state board of education pursuant to the authority of the state
8 board of education to classify schools as established in section 161.092

9 and section 161.238;

10 (3) "Provisionally accredited district", a school district that is
11 classified as provisionally accredited by the state board of education
12 pursuant to the authority of the state board of education to classify
13 schools as established in section 161.092;

14 (4) "Provisionally accredited school", a school building that is
15 classified as provisionally accredited by the state board of education
16 pursuant to the authority of the state board of education to classify
17 schools as established in section 161.092 and section 161.238;

18 (5) "Student transfer coordination authority", when used alone
19 shall refer to the St. Louis area student transfer coordination authority
20 established under sections 167.830 to 167.836, the Jackson County
21 student transfer coordination authority established under sections
22 167.850 to 167.856, and the statewide student transfer coordination
23 authority established under sections 167.870 to 167.876;

24 (6) "Unaccredited district", a school district classified as
25 unaccredited by the state board of education pursuant to the authority
26 of the state board of education to classify schools as established in
27 section 161.092;

28 (7) "Unaccredited school", a school building that is classified as
29 unaccredited by the state board of education pursuant to the authority
30 of the state board of education to classify schools as established in
31 section 161.092 and section 161.238.

167.830. 1. There is hereby established the "St. Louis Area
2 Student Transfer Coordination Authority" to coordinate student
3 transfers from unaccredited districts and unaccredited schools to
4 accredited districts and accredited schools for any district any portion
5 of which is located in any county with a charter form of government
6 and with more than nine hundred fifty thousand inhabitants and any
7 county adjoining to it. The authority is hereby constituted a public
8 instrumentality and body politic and corporate, and the exercise by the
9 authority of the powers conferred by this section, section 167.833 and
10 section 167.836 shall be deemed and held to be the performance of an
11 essential public function.

12 2. The authority shall consist of seven members to be appointed
13 by the governor, by and with the advice and consent of the senate, each
14 of whom shall be a resident of the state and a resident of any county

15 with a charter form of government and with more than nine hundred
16 fifty thousand inhabitants or any county adjoining to it. Not more than
17 four out of the seven members of the authority shall be of the same
18 political party. The members of the authority first appointed by the
19 governor shall be appointed as follows:

20 (1) Two for a term of one year;

21 (2) Two for a term of two years; and

22 (3) One each for terms of three, four, and five years, respectively,
23 from the date of appointment, or until their successors shall have been
24 appointed and shall have qualified.

25 3. The initial term of each such member is to be designated by
26 the governor at the time of making the appointment. Upon the
27 expiration of the initial terms of office, successor members shall be
28 appointed for terms of five years and shall serve until their successors
29 shall have been appointed and shall have qualified. Any member shall
30 be eligible for reappointment. The governor shall fill any vacancy for
31 the remainder of any unexpired term. Any member of the authority
32 may be removed by the governor for misfeasance, malfeasance, willful
33 neglect of duty, or other cause after notice and a public hearing unless
34 the notice or hearing shall be expressly waived in writing.

35 4. Four members of the authority shall constitute a quorum for
36 the purpose of conducting business. The exercise of the powers of the
37 authority and any action taken by the authority may occur upon the
38 affirmative vote of the lesser of four members or a majority of the
39 members present, as long as a quorum is present. Each meeting of the
40 authority for any purpose whatsoever shall be open to the public,
41 except as otherwise provided by law. Notice of meetings shall be given
42 as provided in the bylaws of the authority. The proceedings and
43 actions of the authority shall comply with all statutory requirements
44 respecting the conduct of public business by a public agency. Members
45 of the authority shall receive no compensation for services, but shall be
46 entitled to reimbursement for necessary expenses, including traveling
47 and lodging expenses, incurred in the discharge of their duties. Any
48 payment for expenses shall be paid from funds of the authority.

49 5. One member of the authority, designated by the governor for
50 the purpose, shall call and convene the initial organizational meeting
51 of the authority and shall serve as its chairman pro tem. At the initial

52 meeting and annually thereafter, the authority shall elect one of its
53 members as chairman and one as vice chairman. In addition, at the
54 initial meeting and annually thereafter, the authority shall appoint a
55 secretary and a treasurer each of whom shall be a member of the
56 authority. The authority may appoint an executive director who shall
57 not be a member of the authority and who shall serve at its pleasure. If
58 an executive director is appointed, he or she shall receive such
59 compensation as shall be fixed from time to time by action of the
60 authority. The authority may designate the secretary to act in lieu of
61 the executive director. The secretary shall keep a record of the
62 proceedings of the authority and shall be the custodian of all books,
63 documents, and papers filed with the authority, the minute books or
64 journal thereof, and its official seal. The secretary may cause copies to
65 be made of all minutes and other records and documents of the
66 authority and may give certificates under the official seal of the
67 authority to the effect that the copies are true and correct copies, and
68 all persons dealing with the authority may rely on such
69 certificates. The authority, by resolution duly adopted, shall fix the
70 powers and duties of its executive director as it may, from time to time,
71 deem proper and necessary.

2 167.833. The St. Louis area student transfer coordination authority
3 shall have the following powers, together with all powers incidental
4 thereto or necessary for the performance thereof to:

- 5 (1) Have perpetual succession as a body politic and corporate;
- 6 (2) Adopt bylaws for the regulation of its affairs and the conduct
7 of its business;
- 8 (3) Sue and be sued and to prosecute and defend, at law or in
9 equity, in any court having jurisdiction of the subject matter and of the
10 parties;
- 11 (4) Establish and use a corporate seal and to alter the same at
12 pleasure;
- 13 (5) Maintain an office at such place or places in the state of
14 Missouri as it may designate;
- 15 (6) Employ an executive director and other staff as needed, with
16 compensation fixed by the authority;
- 17 (7) Coordinate student transfers between unaccredited districts,
18 unaccredited schools, accredited districts, and accredited schools, in

19 any county with a charter form of government and with more than nine
20 hundred fifty thousand inhabitants and any county adjoining to it, as
21 provided by law;

22 (8) Coordinate and collaborate with local districts and local
23 governments for the transfer of students between unaccredited
24 districts, unaccredited schools, accredited districts, and accredited
25 schools, in any county with a charter form of government and with
26 more than nine hundred fifty thousand inhabitants and any county
27 adjoining to it, as provided by law.

167.836. 1. There is hereby created in the state treasury the "St.
2 Louis Area Student Transfer Coordination Authority Fund". Any
3 moneys in the fund shall be used to fund the operations of the student
4 transfer coordination authority. The state treasurer shall be custodian
5 of the fund. In accordance with sections 30.170 and 30.180, the state
6 treasurer may approve disbursements. The fund shall be a dedicated
7 fund and, upon appropriation, money in the fund shall be used solely
8 for the administration of sections 167.830 to 167.836.

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

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

167.850. 1. There is hereby established the "Jackson County Area
2 Student Transfer Coordination Authority" to coordinate student
3 transfers from unaccredited districts and unaccredited schools to
4 accredited districts and accredited schools for any district any portion
5 of which is located in any county with a charter form of government
6 and with more than six hundred thousand but fewer than seven
7 hundred thousand inhabitants and any county adjoining to it. The
8 authority is hereby constituted a public instrumentality and body
9 politic and corporate, and the exercise by the authority of the powers
10 conferred by this section, section 167.853 and section 167.856 shall be
11 deemed and held to be the performance of an essential public function.

12 2. The authority shall consist of seven members to be appointed
13 by the governor, by and with the advice and consent of the senate, each
14 of whom shall be a resident of the state and a resident of any county

15 with a charter form of government and with more than six hundred
16 thousand but fewer than seven hundred thousand inhabitants or any
17 county adjoining to it. Not more than four out of the seven members of
18 the authority shall be of the same political party. The members of the
19 authority first appointed by the governor shall be appointed as follows:

20 (1) Two for a term of one year;

21 (2) Two for a term of two years; and

22 (3) One each for terms of three, four, and five years, respectively,
23 from the date of appointment, or until their successors shall have been
24 appointed and shall have qualified.

25 3. The initial term of each such member is to be designated by
26 the governor at the time of making the appointment. Upon the
27 expiration of the initial terms of office, successor members shall be
28 appointed for terms of five years and shall serve until their successors
29 shall have been appointed and shall have qualified. Any member shall
30 be eligible for reappointment. The governor shall fill any vacancy for
31 the remainder of any unexpired term. Any member of the authority
32 may be removed by the governor for misfeasance, malfeasance, willful
33 neglect of duty, or other cause after notice and a public hearing unless
34 the notice or hearing shall be expressly waived in writing.

35 4. Four members of the authority shall constitute a quorum for
36 the purpose of conducting business. The exercise of the powers of the
37 authority and any action taken by the authority may occur upon the
38 affirmative vote of the lesser of four members or a majority of the
39 members present, as long as a quorum is present. Each meeting of the
40 authority for any purpose whatsoever shall be open to the public,
41 except as otherwise provided by law. Notice of meetings shall be given
42 as provided in the bylaws of the authority. The proceedings and
43 actions of the authority shall comply with all statutory requirements
44 respecting the conduct of public business by a public agency. Members
45 of the authority shall receive no compensation for services, but shall be
46 entitled to reimbursement for necessary expenses, including traveling
47 and lodging expenses, incurred in the discharge of their duties. Any
48 payment for expenses shall be paid from funds of the authority.

49 5. One member of the authority, designated by the governor for
50 the purpose, shall call and convene the initial organizational meeting
51 of the authority and shall serve as its chairman pro tem. At the initial

52 meeting and annually thereafter, the authority shall elect one of its
53 members as chairman and one as vice chairman. In addition, at the
54 initial meeting and annually thereafter, the authority shall appoint a
55 secretary and a treasurer each of whom shall be a member of the
56 authority. The authority may appoint an executive director who shall
57 not be a member of the authority and who shall serve at its pleasure.
58 If an executive director is appointed, he or she shall receive such
59 compensation as shall be fixed from time to time by action of the
60 authority. The authority may designate the secretary to act in lieu of
61 the executive director. The secretary shall keep a record of the
62 proceedings of the authority and shall be the custodian of all books,
63 documents, and papers filed with the authority, the minute books or
64 journal thereof, and its official seal. The secretary may cause copies to
65 be made of all minutes and other records and documents of the
66 authority and may give certificates under the official seal of the
67 authority to the effect that the copies are true and correct copies, and
68 all persons dealing with the authority may rely on such
69 certificates. The authority, by resolution duly adopted, shall fix the
70 powers and duties of its executive director as it may, from time to time,
71 deem proper and necessary.

167.853. The Jackson County area student transfer coordination
2 authority shall have the following powers, together with all powers
3 incidental thereto or necessary for the performance thereof to:

- 4 (1) Have perpetual succession as a body politic and corporate;
- 5 (2) Adopt bylaws for the regulation of its affairs and the conduct
6 of its business;
- 7 (3) Sue and be sued and to prosecute and defend, at law or in
8 equity, in any court having jurisdiction of the subject matter and of the
9 parties;
- 10 (4) Establish and use a corporate seal and to alter the same at
11 pleasure;
- 12 (5) Maintain an office at such place or places in the state of
13 Missouri as it may designate;
- 14 (6) Employ an executive director and other staff as needed, with
15 compensation fixed by the authority;
- 16 (7) Coordinate student transfers between unaccredited districts,
17 unaccredited schools, accredited districts, and accredited schools, in

18 any county with a charter form of government and with more than six
19 hundred thousand but fewer than seven hundred thousand inhabitants
20 and any county adjoining to it, as provided by law;

21 (8) Coordinate and collaborate with local districts and local
22 governments for the transfer of students between unaccredited
23 districts, unaccredited schools, accredited districts, and accredited
24 schools, in any county with a charter form of government and with
25 more than six hundred thousand but fewer than seven hundred
26 thousand inhabitants and any county adjoining to it, as provided by
27 law.

167.856. 1. There is hereby created in the state treasury the
2 "Jackson County Area Student Transfer Coordination Authority
3 Fund". Any moneys in the fund shall be used to fund the operations of
4 the student transfer coordination authority. The state treasurer shall
5 be custodian of the fund. In accordance with sections 30.170 and 30.180,
6 the state treasurer may approve disbursements. The fund shall be a
7 dedicated fund and, upon appropriation, money in the fund shall be
8 used solely for the administration of sections 167.850 to 167.856.

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

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

167.870. 1. There is hereby established the "Statewide Student
2 Transfer Coordination Authority" to coordinate student transfers from
3 unaccredited districts and unaccredited schools to accredited districts
4 and accredited schools in counties not covered by the authorities
5 established under sections 167.830 to 167.836 or 167.850 to 167.856. The
6 authority is hereby constituted a public instrumentality and body
7 politic and corporate, and the exercise by the authority of the powers
8 conferred by this section, section 167.873 and section 167.876 shall be
9 deemed and held to be the performance of an essential public function.

10 2. The authority shall consist of seven members to be appointed
11 by the governor, by and with the advice and consent of the senate, each
12 of whom shall be a resident of the state and a resident of any county
13 not covered by the authorities established under sections 167.830 to

14 167.836 or 167.850 to 167.856. Not more than four out of the seven
15 members of the authority shall be of the same political party. The
16 members of the authority first appointed by the governor shall be
17 appointed as follows:

18 (1) Two for a term of one year;

19 (2) Two for a term of two years; and

20 (3) One each for terms of three, four, and five years, respectively,
21 from the date of appointment, or until their successors shall have been
22 appointed and shall have qualified.

23 3. The initial term of each such member is to be designated by
24 the governor at the time of making the appointment. Upon the
25 expiration of the initial terms of office, successor members shall be
26 appointed for terms of five years and shall serve until their successors
27 shall have been appointed and shall have qualified. Any member shall
28 be eligible for reappointment. The governor shall fill any vacancy for
29 the remainder of any unexpired term. Any member of the authority
30 may be removed by the governor for misfeasance, malfeasance, willful
31 neglect of duty, or other cause after notice and a public hearing unless
32 the notice or hearing shall be expressly waived in writing.

33 4. Four members of the authority shall constitute a quorum for
34 the purpose of conducting business. The exercise of the powers of the
35 authority and any action taken by the authority may occur upon the
36 affirmative vote of the lesser of four members or a majority of the
37 members present, as long as a quorum is present. Each meeting of the
38 authority for any purpose whatsoever shall be open to the public,
39 except as otherwise provided by law. Notice of meetings shall be given
40 as provided in the bylaws of the authority. The proceedings and
41 actions of the authority shall comply with all statutory requirements
42 respecting the conduct of public business by a public agency. Members
43 of the authority shall receive no compensation for services, but shall be
44 entitled to reimbursement for necessary expenses, including traveling
45 and lodging expenses, incurred in the discharge of their duties. Any
46 payment for expenses shall be paid from funds of the authority.

47 5. One member of the authority, designated by the governor for
48 the purpose, shall call and convene the initial organizational meeting
49 of the authority and shall serve as its chairman pro tem. At the initial
50 meeting and annually thereafter, the authority shall elect one of its

51 members as chairman and one as vice chairman. In addition, at the
52 initial meeting and annually thereafter, the authority shall appoint a
53 secretary and a treasurer each of whom shall be a member of the
54 authority. The authority may appoint an executive director who shall
55 not be a member of the authority and who shall serve at its pleasure.
56 If an executive director is appointed, he or she shall receive such
57 compensation as shall be fixed from time to time by action of the
58 authority. The authority may designate the secretary to act in lieu of
59 the executive director. The secretary shall keep a record of the
60 proceedings of the authority and shall be the custodian of all books,
61 documents, and papers filed with the authority, the minute books or
62 journal thereof, and its official seal. The secretary may cause copies to
63 be made of all minutes and other records and documents of the
64 authority and may give certificates under the official seal of the
65 authority to the effect that the copies are true and correct copies, and
66 all persons dealing with the authority may rely on such
67 certificates. The authority, by resolution duly adopted, shall fix the
68 powers and duties of its executive director as it may, from time to time,
69 deem proper and necessary.

167.873. The statewide student transfer coordination authority
2 shall have the following powers, together with all powers incidental
3 thereto or necessary for the performance thereof to:

- 4 (1) Have perpetual succession as a body politic and corporate;
- 5 (2) Adopt bylaws for the regulation of its affairs and the conduct
6 of its business;
- 7 (3) Sue and be sued and to prosecute and defend, at law or in
8 equity, in any court having jurisdiction of the subject matter and of the
9 parties;
- 10 (4) Establish and use a corporate seal and to alter the same at
11 pleasure;
- 12 (5) Maintain an office at such place or places in the state of
13 Missouri as it may designate;
- 14 (6) Employ an executive director and other staff as needed, with
15 compensation fixed by the authority;
- 16 (7) Coordinate student transfers between unaccredited districts,
17 unaccredited schools, accredited districts, and accredited schools, in
18 any county not covered by the authorities established under sections

19 167.830 to 167.836 or sections 167.850 to 168.856, as provided by law;

20 (8) Coordinate and collaborate with local districts and local
21 governments for the transfer of students between unaccredited
22 districts, unaccredited schools, accredited districts, and accredited
23 schools, in any county not covered by the authorities established under
24 sections 167.830 to 167.836 or sections 167.850 to 168.856, as provided by
25 law.

167.876. 1. There is hereby created in the state treasury the
2 "Statewide Student Transfer Coordination Authority Fund". Any
3 moneys in the fund shall be used to fund the operations of the student
4 transfer coordination authority. The state treasurer shall be custodian
5 of the fund. In accordance with sections 30.170 and 30.180, the state
6 treasurer may approve disbursements. The fund shall be a dedicated
7 fund and, upon appropriation, money in the fund shall be used solely
8 for the administration of sections 167.870 to 167.876.

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

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

168.410. 1. School administrators and school district superintendents
2 shall be evaluated in the following manner:

3 (1) The board of education of each school district shall cause a
4 comprehensive performance-based evaluation for each administrator employed by
5 the district. Such evaluation shall be ongoing and of sufficient specificity and
6 frequency to provide for demonstrated standards of competency and academic
7 ability;

8 (2) All evaluations shall be maintained in the respective administrator's
9 personnel file at the office of the board of education of the school district. A copy
10 of each evaluation shall be provided to the person being evaluated and to the
11 appropriate administrator;

12 (3) The state department of elementary and secondary education shall
13 provide suggested procedures for the evaluations performed under this section.

14 2. By June 1, 2015, the department of elementary and secondary
15 education shall develop a model evaluation instrument for school

16 principals, school administrators, and school superintendents. Any
17 school district may choose to adopt and implement the model
18 evaluation instrument.

19 3. Any rule or portion of a rule, as that term is defined in section
20 536.010 that is created under the authority delegated in this section
21 shall become effective only if it complies with and is subject to all of
22 the provisions of chapter 536, and, if applicable, section 536.028. This
23 section and chapter 536 are nonseverable and if any of the powers
24 vested with the general assembly pursuant to chapter 536, to review, to
25 delay the effective date, or to disapprove and annul a rule are
26 subsequently held unconstitutional, then the grant of rulemaking
27 authority and any rule proposed or adopted after August 28, 2014, shall
28 be invalid and void.

168.420. 1. Each unaccredited school and provisionally
2 accredited school shall implement an evaluation system for all teachers
3 that complies with the requirements of this section.

4 2. Teacher evaluations shall be based on multiple indicators to
5 provide teachers with clear and actionable feedback to enhance their
6 practice. The evaluations should measure the following areas:

7 (1) Demonstrating a teacher's subject matter knowledge;

8 (2) A teacher's skill in planning and delivering instruction that
9 engages students;

10 (3) A teacher's ability to address issues of equity and diversity;

11 (4) A teacher's ability to monitor and assess student learning and
12 adjust instruction as necessary.

13 3. Indicators used in the evaluation system may include
14 classroom observations, proof of practice, teacher interviews, and self-
15 assessments.

16 4. All teacher evaluations shall offer clear actionable feedback
17 linked to professional development. The feedback shall include regular
18 advice that serves only to inform practice and does not contribute to
19 formal evaluation results. Such feedback may include self-reflection,
20 peer observation, and teacher approved surveys of students.

21 5. All teacher evaluations shall be fair and conducted by highly
22 trained and objective supervisors whose work is regularly reviewed to
23 ensure validity and reliability. For an evaluation to be the basis for
24 any action relating to a teacher's employment status, ratings by more

25 than one evaluator shall be provided in support of the action.

26 6. If a teacher fails to meet the performance standards of the
27 evaluation system, a teacher shall have the right to contest the findings
28 of an evaluation to the school administration. The school shall provide
29 any teacher who fails to meet the performance standards of the
30 evaluation system with notice of his or her deficiencies and an
31 improvement plan. The improvement plan shall be developed
32 collectively by the teacher and the school. The improvement plan shall
33 provide the teacher with high quality professional development and
34 support in order to meet expectations. The teacher should receive
35 regular feedback from the school regarding his or her progress. The
36 school shall provide any teacher who receives an improvement plan a
37 support program that is mutually agreed to by the school and a local
38 teacher association. The support program shall include the assignment
39 of a master teacher to assist the teacher in improving his or her
40 teaching.

41 7. If a teacher who receives an improvement plan fails to
42 improve after a reasonable period of time in which to do so, the district
43 may counsel the teacher to leave the profession, including any
44 permanent teacher under sections 168.102 to 168.130 or any teacher
45 whose appointment has become permanent under section
46 168.221. Notwithstanding any provision of sections 168.102 to 168.130
47 or section 168.221 to the contrary, a district that employs a teacher who
48 has failed to make improvement under his or her improvement plan
49 after being given a reasonable period of time in which to do so may
50 subject him or her to a dismissal process, including any permanent
51 teacher under sections 168.102 to 168.130 or any teacher whose
52 appointment has become permanent under section 168.221. When
53 terminating a teacher, a school board shall consider the teacher's
54 professional improvement plan and any progress the teacher has made
55 under it, any professional development the district has provided to the
56 teacher, the number of students receiving tutoring from the teacher,
57 the district's students' socio-economic standards, the teacher's
58 classroom innovation, and the teacher's use of technology. The district
59 shall serve the teacher with written charges specifying with
60 particularity the grounds for dismissal. Upon service of the written
61 charges, the district shall disclose all information upon which the

62 charges are based and shall meet with the teacher and the teacher's
63 representative, if any, to attempt to resolve the situation. If such a
64 resolution fails, the teacher may request a hearing before an impartial
65 hearing officer. Each district shall maintain a list of at least five
66 prospective impartial hearing officers who are accredited by a national
67 arbitration organizations. No one on the list shall be a resident of the
68 school district. Within seven days of receipt of the list, the school
69 board and the teacher, or their legal representatives, shall alternately
70 strike one name from the list until only one name remains. The school
71 board shall proceed first with the striking. Any hearing shall comply
72 with the procedural requirements of section 168.118. The teacher may
73 have a representative from a teacher organization assist him or her.

74 8. Any teacher evaluation system developed under this section
75 shall be adequately funded, with assistance from the teacher
76 improvement fund, and validated before it is used to make employment
77 decisions. There is hereby created in the state treasury the "Teacher
78 Improvement Fund". Any moneys in the fund shall be used to assist
79 unaccredited schools and provisionally accredited schools in
80 establishing and maintaining a teacher evaluation system. Moneys in
81 the fund shall be used to ensure that evaluation systems are adequately
82 funded. The state treasurer shall be custodian of the fund. In
83 accordance with sections 30.170 and 30.180, the state treasurer may
84 approve disbursements. The fund shall be a dedicated fund and, upon
85 appropriation, money in the fund shall be used solely for the
86 administration of this section. Notwithstanding the provisions of
87 section 33.080 to the contrary, any moneys remaining in the fund at the
88 end of the biennium shall not revert to the credit of the general
89 revenue fund. The state treasurer shall invest moneys in the fund in
90 the same manner as other funds are invested. Any interest and moneys
91 earned on such investments shall be credited to the fund.

92 9. For purposes of this section, the following terms shall mean:

93 (1) "Provisionally accredited school", a school building that is
94 classified as provisionally accredited by the state board of education
95 pursuant to the authority of the state board of education to classify
96 schools as established in section 161.092 and section 161.238;

97 (2) "Unaccredited school", a school building that is classified as
98 unaccredited by the state board of education pursuant to the authority

99 of the state board of education to classify schools as established in
100 section 161.092 and section 161.238.

168.435. 1. Any teacher who is employed in an unaccredited
2 school or provisionally accredited school shall be required to complete
3 at least eleven days of professional development annually. Any such
4 teacher shall complete the professional development days in an
5 accredited district in which no unaccredited school exists. Professional
6 development educators shall meet standards established by the
7 department of elementary and secondary education for proficiency in
8 the common core state standards.

9 2. The department of elementary and secondary education shall
10 develop standards by which professional development educators may
11 demonstrate proficiency in the common core state standards. Any rule
12 or portion of a rule, as that term is defined in section 536.010 that is
13 created under the authority delegated in this section shall become
14 effective only if it complies with and is subject to all of the provisions
15 of chapter 536, and, if applicable, section 536.028. This section and
16 chapter 536 are nonseverable and if any of the powers vested with the
17 general assembly pursuant to chapter 536, to review, to delay the
18 effective date, or to disapprove and annul a rule are subsequently held
19 unconstitutional, then the grant of rulemaking authority and any rule
20 proposed or adopted after August 28, 2014, shall be invalid and void.

21 3. Each unaccredited school or provisionally accredited school
22 shall require its teachers to engage in structured collaboration with
23 other teachers and nonteacher school personnel, including but not
24 limited to librarians, media specialists, information technology
25 personnel, and paraprofessionals. The focus of such structured
26 collaboration shall be to improve student outcomes, improve teacher
27 leadership, and increase positive engagement with students, parents,
28 and colleagues.

29 4. For purposes of this section, the following terms shall mean:

30 (1) "Accredited district", a school district that is accredited by
31 the state board of education pursuant to the authority of the state
32 board of education to classify schools as established in section 161.092;

33 (2) "Provisionally accredited school", a school building that is
34 classified as provisionally accredited by the state board of education
35 pursuant to the authority of the state board of education to classify

36 schools as established in section 161.092 and section 161.238;

37 (3) "Unaccredited school", a school building that is classified as
38 unaccredited by the state board of education pursuant to the authority
39 of the state board of education to classify schools as established in
40 section 161.092 and section 161.238.

170.320. 1. There is hereby created in the state treasury the
2 "Parent Portal Fund". Any moneys in the fund shall be used to assist
3 districts in establishing and maintaining a parent portal. School
4 districts may establish a parent portal that shall be accessible by
5 mobile technology for parents to have access to educational
6 information and access to student data.

7 2. The state treasurer shall be custodian of the fund. In
8 accordance with sections 30.170 and 30.180, the state treasurer may
9 approve disbursements. The fund shall be a dedicated fund and, upon
10 appropriation, money in the fund shall be used solely for the
11 administration of this section.

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

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

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

8 2. Each local school district may set its opening date each year, which
9 date shall be no earlier than ten calendar days prior to the first Monday in
10 September. No public school district shall select an earlier start date unless the
11 district follows the procedure set forth in subsection 3 of this section.

12 3. A district may set an opening date that is more than ten calendar days
13 prior to the first Monday in September only if the local school board first gives
14 public notice of a public meeting to discuss the proposal of opening school on a

15 date more than ten days prior to the first Monday in September, and the local
16 school board holds said meeting and, at the same public meeting, a majority of
17 the board votes to allow an earlier opening date. If all of the previous conditions
18 are met, the district may set its opening date more than ten calendar days prior
19 to the first Monday in September. The condition provided in this subsection must
20 be satisfied by the local school board each year that the board proposes an
21 opening date more than ten days before the first Monday in September.

22 4. If any local district violates the provisions of this section, the
23 department of elementary and secondary education shall withhold an amount
24 equal to one quarter of the state funding the district generated under section
25 163.031 for each date the district was in violation of this section.

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

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

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

36 (1) Vocational schools which may adopt an eight-hour day in a
37 metropolitan school district and a school district in a first class county adjacent
38 to a city not within a county[, and];

39 (2) Any school that adopts a four-day school week in accordance with
40 section 171.029; and

41 (3) **A school district that increases the length of the school day**
42 **for an unaccredited school or provisionally accredited school by**
43 **following the procedure established in subsection 8 of this section.**

44 8. **The school board of any school district in this state, upon**
45 **adoption of a resolution by a majority vote to authorize such action,**
46 **may increase the length of the school day by ten percent for any**
47 **provisionally accredited school or unaccredited school that has a**
48 **student population, seventy-five percent of which is eligible for free**
49 **and reduced lunch or seventy-five percent of which has been eligible**
50 **in any of the three previous school years. Such a school district may**

51 also, by the adoption of a resolution by a majority vote to authorize
52 such action, increase the annual hours of instruction above the
53 required number of hours in subsection 1 of this
54 section. Notwithstanding any provision of law to the contrary, for any
55 district that increases the length of its school day or hours of
56 instruction under this subsection, the department of elementary and
57 secondary education shall adjust the district's state aid so it receives
58 additional funding under section 163.031 for the increased instruction
59 time.

60 9. For purposes of this section, the following terms shall mean:

61 (1) "Provisionally accredited school", a school building that is
62 classified as provisionally accredited by the state board of education
63 pursuant to the authority of the state board of education to classify
64 schools as established in section 161.092 and section 161.238;

65 (2) "Unaccredited school", a school building that is classified as
66 unaccredited by the state board of education pursuant to the authority
67 of the state board of education to classify schools as established in
68 section 161.092 and section 161.238.

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