

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 528
100TH GENERAL ASSEMBLY

4101H.07C

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 160.263, 160.415, 161.670, 162.720, 162.974, 163.011, 163.024, 168.021, 168.133, 168.205, 170.029, 170.047, 170.048, 173.035, 173.1200, and 174.453, RSMo, and to enact in lieu thereof twenty-six new sections relating to public institutions of education.

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

Section A. Sections 160.263, 160.415, 161.670, 162.720, 162.974, 163.011, 163.024, 168.021, 168.133, 168.205, 170.029, 170.047, 170.048, 173.035, 173.1200, and 174.453, RSMo, are repealed and twenty-six new sections enacted in lieu thereof, to be known as sections 160.263, 160.415, 161.625, 161.670, 162.686, 162.720, 162.974, 163.011, 163.024, 163.164, 167.628, 167.790, 168.021, 168.133, 168.205, 170.025, 170.029, 170.047, 170.048, 173.035, 173.831, 173.1011, 173.1200, 173.1352, 174.281, and 174.453, to read as follows:

160.263. 1. **As used in this section, the following terms mean:**

(1) **"Mechanical restraint", the use of any device or equipment to restrict a student's freedom of movement. "Mechanical restraint" shall not include devices implemented by trained personnel or used by a student with a prescription for such devices from an appropriate medical or related services professional and that are used for specific and approved purposes for which such devices were designed, such as the following:**

(a) **Adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports;**

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

10 (b) Vehicle safety restraints when used as intended during the transport of a
11 student in a moving vehicle;

12 (c) Restraints for medical immobilization; or

13 (d) Orthopedically prescribed devices that permit a student to participate in
14 activities without risk;

15 (2) "Physical restraint", a personal restriction such as person-to-person physical
16 contact that immobilizes, reduces, or restricts the ability of a student to move the student's
17 torso, arms, legs, or head freely. "Physical restraint" shall not include:

18 (a) A physical escort, which is a temporary touching or holding of the hand, wrist,
19 arm, shoulder, or back for the purpose of inducing a student to walk to a safe location;

20 (b) Comforting or calming a student;

21 (c) Holding a student's hand to transport the student for safety purposes;

22 (d) Intervening in a fight; or

23 (e) Using an assistive or protective device prescribed by an appropriately trained
24 professional or professional team;

25 (3) "Restraint" includes, but is not limited to, mechanical restraint or physical
26 restraint;

27 (4) "Seclusion", the involuntary confinement of a student alone in a room or area
28 that the student is physically prevented from leaving and that complies with the building
29 code in effect in the school district. "Seclusion" shall not include the following:

30 (a) A timeout, which is a behavior management technique that is part of an
31 approved program, involves the monitored separation of the student in a nonlocked setting,
32 and is implemented for the purpose of calming;

33 (b) In-school suspension;

34 (c) Detention; or

35 (d) Other appropriate disciplinary measures.

36 2. The school discipline policy under section 160.261 shall ~~prohibit~~ reserve confining
37 a student in ~~[an unattended, locked space except]~~ **seclusion** for ~~[an emergency situation while~~
38 ~~awaiting the arrival of law enforcement personnel]~~ **situations or conditions in which there is**
39 **imminent danger of physical harm to self or others.**

40 [2-] 3. (1) By July 1, 2011, the local board of education of each school district shall
41 adopt a written policy that comprehensively addresses the use of restrictive behavioral
42 interventions as a form of discipline or behavior management technique. The policy shall be
43 consistent with professionally accepted practices and standards of student discipline, behavior
44 management, health and safety, including the safe schools act. The policy shall include but not
45 be limited to:

46 ~~[(1)]~~ **(a)** Definitions of restraint, seclusion, and time-out and any other terminology
47 necessary to describe the continuum of restrictive behavioral interventions available for use or
48 prohibited in the district, **consistent with the provisions of this section;**

49 ~~[(2)]~~ **(b)** Description of circumstances under which a restrictive behavioral intervention
50 is allowed and prohibited, **consistent with the provisions of this section**, and any unique
51 application requirements for specific groups of students such as differences based on age,
52 disability, or environment in which the educational services are provided;

53 ~~[(3)]~~ **(c)** Specific implementation requirements associated with a restrictive behavioral
54 intervention such as time limits, facility specifications, training requirements or supervision
55 requirements; and

56 ~~[(4)]~~ **(d)** Documentation, notice and permission requirements associated with use of a
57 restrictive behavioral intervention.

58 **(2) Before July 1, 2021, each written policy adopted under this subsection shall be**
59 **updated to state that the school district, charter school, or publicly contracted private**
60 **provider will reserve restraint or seclusion for situations or conditions in which there is**
61 **imminent danger of physical harm to self or others.**

62 ~~[3-]~~ **4. Before July 1, 2021, each school district, charter school, and publicly**
63 **contracted private provider shall ensure that the policy adopted under subsection 3 of this**
64 **section requires the following:**

65 **(1) Any student placed in seclusion or restraint shall be removed from such**
66 **seclusion or restraint as soon as the school district, charter school, or publicly contracted**
67 **private provider determines that the student is no longer an imminent danger of physical**
68 **harm to self or others;**

69 **(2) All school district, charter school, and publicly contracted private provider**
70 **personnel shall annually review the policy and procedures involving the use of seclusion**
71 **and restraint. Personnel who use seclusion or restraint shall annually complete mandatory**
72 **training in the specific seclusion and restraint techniques the school district, charter school,**
73 **or publicly contracted private provider uses under this section;**

74 **(3) (a) Each time seclusion or restraint is used for a student, the incident shall be**
75 **monitored by a member of the school district, charter school, or publicly contracted private**
76 **provider personnel, and a report shall be completed by the school district, charter school,**
77 **or publicly contracted private provider that contains, at a minimum, the following:**

78 **a. The date, time of day, location, duration, and description of the incident and**
79 **interventions;**

80 **b. Any event leading to the incident and the reason for using seclusion or restraint;**

81 **c. A description of the methods of seclusion or restraint used;**

- 82 **d. The nature and extent of any injury to the student;**
83 **e. The names, roles, and certifications of each employee involved in the use of**
84 **seclusion or restraint;**
85 **f. The name, role, and signature of the person who prepared the report;**
86 **g. The name of an employee whom the parent or guardian can contact regarding**
87 **the incident and use of seclusion and restraint;**
88 **h. The name of an employee to contact if the parent or guardian wishes to file a**
89 **complaint; and**
90 **i. A statement directing parents and legal guardians to a sociological, emotional,**
91 **or behavioral support organization and a hotline number to report child abuse and neglect.**
92 **(b) The school district, charter school, or publicly contracted private provider shall**
93 **maintain the report as an education record of the student, provide a copy to the parent or**
94 **legal guardian within five school days, and a copy of each incident report shall be given to**
95 **the department of elementary and secondary education within thirty days of the incident;**
96 **(4) The school district, charter school, or publicly contracted private provider shall**
97 **attempt to notify the parents or legal guardians as soon as possible but no later than one**
98 **hour after the end of the school day on which the use of seclusion or restraint occurred.**
99 **Notification shall be oral or electronic and shall include a statement indicating that the**
100 **school district, charter school, or publicly contracted private provider will provide the**
101 **parents or legal guardians a copy of the report described in subdivision (3) of this**
102 **subsection within five school days;**
103 **(5) An officer, administrator, or employee of a public school district or charter**
104 **school shall not retaliate against any person for having:**
105 **(a) Reported a violation of any policy established under this section, or failure of**
106 **a district or charter school to follow any provisions of this section in relation to incidents**
107 **of seclusion and restraint; or**
108 **(b) Provided information regarding a violation of this section by a public school**
109 **district or charter school or a member of the staff of the public school district or charter**
110 **school.**
111 **5. The department of elementary and secondary education shall compile and**
112 **maintain all incidents reported under this section in the department's core data system and**
113 **make such data available on the Missouri comprehensive data system. No personally**
114 **identifiable data shall be accessible on the database.**
115 **6. The department of elementary and secondary education shall, in cooperation with**
116 **appropriate associations, organizations, agencies, and individuals with specialized expertise in**
117 **behavior management, develop a model policy that satisfies the requirements of subsection 2 of**

118 this section **as it existed on August 28, 2009**, by July 1, 2010, **and shall update such model**
119 **policy to include the requirements of subdivision (2) of subsection 3 and subsection 4 of this**
120 **section by July 1, 2021.**

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

12 **2. This subsection shall apply to all school years ending on or before June 30, 2021.**
13 Except as provided in subsections 3 and 4 of this section, the aid payments for charter schools
14 shall be as described in this subsection.

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

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

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

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

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

33 **3. This subsection shall apply to all school years ending on or before June 30, 2021.**

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

38 **4. This subsection shall apply to all school years ending on or before June 30, 2021.**

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

49 **5. This subsection shall apply to all school years ending on or before June 30, 2021.**

50 If a school district fails to make timely payments of any amount for which it is the disbursal
51 agent, the state department of elementary and secondary education shall authorize payment to
52 the charter school of the amount due pursuant to subsection 2 of this section and shall deduct the
53 same amount from the next state school aid apportionment to the owing school district. If a
54 charter school is paid more or less than the amounts due pursuant to this section, the amount of
55 overpayment or underpayment shall be adjusted equally in the next twelve payments by the
56 school district or the department of elementary and secondary education, as appropriate. Any
57 dispute between the school district and a charter school as to the amount owing to the charter
58 school shall be resolved by the department of elementary and secondary education, and the
59 department's decision shall be the final administrative action for the purposes of review pursuant
60 to chapter 536. During the period of dispute, the department of elementary and secondary
61 education shall make every administrative and statutory effort to allow the continued education
62 of children in their current public charter school setting.

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

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

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

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

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

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

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

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

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

93 9. A charter school shall be eligible for transportation state aid pursuant to section
94 163.161 and shall be free to contract with the local district, or any other entity, for the provision
95 of transportation to the students of the charter school.

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

101 (2) A charter school shall provide the special services provided pursuant to section
102 162.705 and may provide the special services pursuant to a contract with a school district or any
103 provider of such services.

104 11. A charter school ~~may~~ **shall** not charge tuition or impose fees that a school district
105 is prohibited from charging or imposing, except that a charter school may receive tuition
106 payments from districts in the same or an adjoining county for nonresident students who transfer
107 to an approved charter school, as defined in section 167.895, from an unaccredited district.

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

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

123 14. The governing ~~body~~ **board** of a charter school is authorized to accept grants, gifts
124 or donations of any kind and to expend or use such grants, gifts or donations. A grant, gift or
125 donation ~~may~~ **shall** not be accepted by the governing ~~body~~ **board** if it is subject to any
126 condition contrary to law applicable to the charter school or other public schools, or contrary to
127 the terms of the charter.

128 **15. (1) As used in this section, the following terms mean:**

129 **(a) "Department", the department of elementary and secondary education;**

130 **(b) "Local aid", all local and county revenue received by the school district and**
131 **charter schools within the school district.**

132 **a. The term "local aid" includes, but is not limited to, the following:**

133 **(i) Property taxes and delinquent taxes;**

134 **(ii) Merchants' and manufacturers' tax revenues;**

135 **(iii) Financial institutions' tax revenues;**

136 **(iv) City sales tax revenue, including city sales tax collected in any city not within**
137 **a county;**

138 **(v) Payments in lieu of taxes;**

139 **(vi) Revenues from state-assessed railroad and utilities tax; and**

140 (vii) Any future aid.

141 b. The term "local aid" shall not be construed to include charitable contributions,
142 gifts, and grants made to school districts and charter schools; interest earnings of school
143 districts and charter schools; student fees paid to school districts and charter schools; debt
144 service authorized by a public vote for the purpose of making payments on a bond issuance
145 of a school district; Proposition C revenues received for school purposes from the school
146 district trust fund under section 163.087; or any other funding solely intended for a
147 particular school district or charter school and their respective employees, schools,
148 foundations, or organizations.

149 (2) Each charter school and each school district responsible for distributing local
150 aid to charter schools under this subsection shall include as part of their annual
151 independent audit an audit of pupil residency, enrollment, and attendance in order to
152 verify pupil residency in the school district or local education agency.

153 (3) A school district having one or more resident pupils attending a charter school
154 shall pay to the charter school an annual amount equal to the product of the charter
155 school's weighted average daily attendance and the state adequacy target, multiplied by
156 the dollar value modifier for the district, less the charter school's share of local effort as
157 defined in section 163.011 plus all other state aid attributable to such pupils plus local aid
158 received by the school district divided by the total weighted average daily attendance of the
159 school district and all charter schools within the school district.

160 (4) A charter school that has declared itself as a local educational agency shall
161 receive all state aid calculated under this subsection from the department and all local aid
162 calculated under this subsection from the school district. A charter school shall receive an
163 annual amount equal to the product of the charter school's weighted average daily
164 attendance and the state adequacy target, multiplied by the dollar value modifier for the
165 district, less the charter school's share of local effort as defined in section 163.011 plus all
166 other state aid attributable to such pupils plus local aid received by the school district
167 divided by the total weighted average daily attendance of the school district and all charter
168 schools within the school district.

169 (5) Each month the school district shall calculate the amount of local aid received
170 by the school district that is owed to the charter school by the school district under this
171 subsection. The school district shall pay to the charter school the amount of local aid owed
172 to the charter school, as calculated by the school district using the previous month's
173 weighted average daily attendance of the charter school. If any payment of local aid is due,
174 the school district shall make monthly payments on the twenty-first day of each month or
175 upon the closest business day beginning in July of each year.

176 (a) If the school district fails to make timely payment the department shall impose
177 any penalty the department deems appropriate.

178 (b) The school district shall, as part of its annual audit as required by section
179 165.111, include a report converting the local aid received from an accrual basis to a cash
180 basis. Such report shall be made publicly available on its district website in a searchable
181 format or as a downloadable and searchable document.

182 (6) The department shall conduct an annual review of any payments made in the
183 previous fiscal year under subdivision (5) of this subsection to determine if there has been
184 any underpayment or overpayment. The annual review, to be conducted in January of
185 each year, shall include a calculation of the amount of local aid owed to charter schools
186 using the first preceding year's annual audit required by section 165.111. The school
187 district shall pay to the charter school the amount of local aid owed to the charter school
188 as calculated by the department. In the event of an underpayment, the school district shall
189 remit the underpayment amount to the charter school. In the event of an overpayment, the
190 charter school shall remit the overpayment amount to the school district.

191 (a) If the school district fails to remit any underpayment amount to the school
192 district within thirty days of notification of the underpayment amount, the department
193 shall impose any penalty the department deems appropriate.

194 (b) If the charter school fails to remit any overpayment amount to the school
195 district within thirty days of notification of the overpayment amount, the department shall
196 impose any penalty the department deems appropriate.

197 (7) If a prior year correction of the amount of local aid is necessary, the school
198 district shall recalculate the amount owed to a charter school and either remit any
199 underpayment amount to the charter school or provide a bill to the charter school for any
200 overpayment amount. Any underpayment or overpayment amount shall be remitted under
201 the schedules in paragraphs (a) and (b) of subdivision (6) of this subsection.

202 (8) This subsection shall become effective on July 1, 2021.

203 16. The department may promulgate rules for the annual review of payments and
204 any penalties to be assessed under subsection 15 of this section. Any rule or portion of a
205 rule, as that term is defined in section 536.010, that is created under the authority
206 delegated in this section shall become effective only if it complies with and is subject to all
207 of the provisions of chapter 536 and, if applicable, section 536.028. This section and
208 chapter 536 are nonseverable, and if any of the powers vested with the general assembly
209 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul
210 a rule are subsequently held unconstitutional, then the grant of rulemaking authority and
211 any rule proposed or adopted after August 28, 2020, shall be invalid and void.

161.625. 1. This section shall be known and may be cited as the "Students' Right to Know Act".

2. Beginning on January 1, 2021, to help high school students make more informed decisions about their futures and ensure that they are adequately aware of the cost of four-year college and alternative career paths, the following information shall be collected and compiled by the department of higher education and workforce development on an annual basis:

(1) The most in-demand jobs in the state, including starting salary and education level required for such jobs;

(2) The average cost for all public institutions of higher education and vocational schools in the state;

(3) The average monthly student loan payment for all individuals who attend any public institution of higher education or vocational school in the state;

(4) The average three-year student loan default rate for all public institutions of higher education and vocational schools in the state;

(5) The average graduation rate for all public institutions of higher education and vocational schools in the state;

(6) The completion rates for apprenticeship programs, high school credential programs, career and technical education programs, and military first-term enlistments;

(7) The average starting salary for individuals graduating from a public institution of higher education; and

(8) The average starting salary for individuals graduating from a vocational school in the state.

3. The information collected by the department shall be added on the department's website, and the link and all relevant instruction material shall be distributed to the department of elementary and secondary education for dissemination to public high schools in the state for public distribution to students by school counselors no later than October fifteenth of each year.

4. The department may execute a memorandum of understanding with any department, agency, or division for information required to be collected by this section.

161.670. 1. Notwithstanding any other law, prior to July 1, 2007, the state board of education shall establish the "Missouri Course Access and Virtual School Program" to serve school-age students residing in the state. The Missouri course access and virtual school program shall offer instruction in a virtual setting using technology, intranet, ~~and/or~~ or internet methods of communication. Any student under the age of twenty-one in grades kindergarten through twelve who resides in this state shall be eligible to enroll in the Missouri course access and virtual school program pursuant to subsection 3 of this section.

2. For purposes of calculation and distribution of state school aid, students enrolled in the Missouri course access and virtual school program **who are not full-time equivalent students** shall be included in the student enrollment of the school district in which the student physically is enrolled under subsection 3 of this section. The Missouri course access and virtual

12 school program shall report to the district of residence the following information about each
13 student served by the Missouri course access and virtual school program: name, address,
14 eligibility for free or reduced-price lunch, limited English proficiency status, special education
15 needs, and the number of courses in which the student is enrolled. The Missouri course access
16 and virtual school program shall promptly notify the resident district when a student discontinues
17 enrollment. A "full-time equivalent student" is a student who successfully has completed the
18 instructional equivalent of six credits per regular term. Each Missouri course access and virtual
19 school program course shall count as one class and shall generate that portion of a full-time
20 equivalent that a comparable course offered by the school district would generate. **Full-time**
21 **equivalent students shall not be included in the student enrollment of the school district in**
22 **which such student resides.** In no case shall more than the full-time equivalency of a regular
23 term of attendance for a single student be used to claim state aid. Full-time equivalent student
24 credit completed shall be reported to the department of elementary and secondary education in
25 the manner prescribed by the department. **The department shall pay any Missouri course**
26 **access and virtual school program provider an amount equal to the average daily**
27 **attendance for the student's district of residence for each full-time equivalent student.**
28 Nothing in this section shall prohibit students from enrolling in additional courses under a
29 separate agreement that includes terms for paying tuition or course fees. **A virtual school**
30 **program provider serving full-time equivalent students shall be considered an attendance**
31 **center as defined in section 167.895.**

32 3. (1) A school district or charter school shall allow any eligible student who resides in
33 such district to enroll in Missouri course access and virtual school program courses of ~~his or~~
34 ~~her~~ **the student's** choice as a part of the student's annual course load each school year or a
35 full-time virtual school option, with any costs associated with such course or courses to be paid
36 by the school district or charter school if:

37 (a) The student is enrolled full-time in and has attended, for at least one semester
38 immediately prior to enrolling in the Missouri course access and virtual school program, a public
39 school, including any charter school; except that, no student seeking to enroll in Missouri course
40 access and virtual school program courses under this subdivision shall be required to have
41 attended a public school during the previous semester if the student has a documented medical
42 or psychological diagnosis or condition that prevented the student from attending a school in the
43 community during the previous semester; and

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

47 (2) ~~[Each school district or charter school]~~ **The department** shall adopt a policy that
48 delineates the process by which a student may enroll in courses provided by the Missouri course
49 access and virtual school program that is substantially similar to the typical process by which a
50 district student would enroll in courses offered by the school district and a charter school student
51 would enroll in courses offered by the charter school. The policy may include consultation with
52 the school's counselor and may include parental notification or authorization. School counselors
53 shall not be required to approve or disapprove a student's enrollment in the Missouri course
54 access and virtual school program. If the school district or charter school ~~[disapproves]~~ **believes**
55 a student's request to enroll in a course or courses provided by the Missouri course access and
56 virtual school program, including full-time enrollment in courses provided by the Missouri
57 course access and virtual school program, **is not in the best educational interest of the student,**
58 the reason shall be provided in writing ~~[and it shall be for good cause. Good cause justification~~
59 ~~to disapprove a student's request for enrollment in a course shall be a determination that doing~~
60 ~~so is not in the best educational interest of the student. In cases of denial by the school district~~
61 ~~or charter school, local education agencies shall inform the student and the student's family of~~
62 ~~their right to appeal any enrollment denial in the Missouri course access and virtual school~~
63 ~~program to the local school district board or charter school governing body where the family~~
64 ~~shall be given an opportunity to present their reasons for their child or children to enroll in the~~
65 ~~Missouri course access and virtual school program in an official school board meeting. In~~
66 ~~addition, the school district or charter school administration shall provide its good cause~~
67 ~~justification for denial at a school board meeting or governing body meeting. Both the family~~
68 ~~and school administration shall also provide their reasons in writing to the members of the school~~
69 ~~board or governing body and the documents shall be entered into the official board minutes. The~~
70 ~~members of the board or governing body shall issue their decision in writing within thirty~~
71 ~~calendar days, and then an appeal may be made to the department of elementary and secondary~~
72 ~~education, which shall provide a final enrollment decision within seven calendar days]~~ **to the**
73 **student's parent or guardian who shall have final decision-making authority.**

74 (3) For students enrolled in any Missouri course access and virtual school program
75 course in which costs associated with such course are to be paid ~~[by the school district or charter~~
76 ~~school]~~ as described under subdivision (1) of this subsection, the school district ~~[or]~~, charter
77 school, **or the department** shall pay the content provider directly on a pro rata ~~[monthly]~~
78 **once per semester** based on a student's completion of assignments and assessments. If a student
79 discontinues enrollment, the district ~~[or]~~, charter school, **or the department** may stop making
80 ~~[monthly]~~ payments to the content provider. No school district or charter school shall pay, for
81 any one course for a student, more than the market necessary costs but in no case shall pay more
82 than fourteen percent of the state adequacy target, as defined under section 163.011, as calculated

83 at the end of the most recent school year for any single, year-long course and no more than seven
84 percent of the state adequacy target as described above for any single semester equivalent course.
85 Payment for a full-time virtual school student shall not exceed the state adequacy target, unless
86 the student receives additional federal or state aid. Nothing in this subdivision shall prohibit a
87 school district ~~[or]~~, charter school, **or the department** from negotiating lower costs directly
88 with course or full-time virtual school providers, particularly in cases where several students
89 enroll in a single course or full-time virtual school.

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

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

96 (6) The department shall monitor student success and engagement of students enrolled
97 in their program and report the information to the school district or charter school **and parent**
98 **or guardian of the student**. Providers and the department may make recommendations to the
99 school district or charter school **and shall make recommendations to a parent or guardian**
100 regarding the student's continued enrollment in the program. The ~~[school district or charter~~
101 ~~school shall]~~ **parent or guardian may** consider the recommendations and evaluate the progress
102 and success of enrolled students that are enrolled in any course ~~[or full-time virtual school]~~
103 offered under this section and may ~~[terminate or alter the course offering]~~ **withdraw the student**
104 if it is found the course ~~[or full-time virtual school]~~ is not meeting the educational needs of the
105 ~~[students]~~ **student** enrolled in the course.

106 (7) ~~[School districts and charter schools]~~ **Virtual school providers** shall monitor student
107 progress and success, and ~~[course or full-time virtual school quality, and annually provide~~
108 ~~feedback to the department of elementary and secondary education regarding course quality]~~ **may**
109 **remove a student if the provider believes it to be in the best educational interest of the**
110 **student**.

111 (8) Pursuant to rules to be promulgated by the department of elementary and secondary
112 education, when a student transfers into a school district or charter school, credits previously
113 gained through successful passage of approved courses under the Missouri course access and
114 virtual school program shall be accepted by the school district or charter school.

115 (9) Pursuant to rules to be promulgated by the department of elementary and secondary
116 education, if a student transfers into a school district or charter school while enrolled in a
117 Missouri course access and virtual school program course ~~[or full-time virtual school]~~, the
118 student shall continue to be enrolled in such course or school.

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

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

126 (12) The authorization process shall provide for continuous monitoring of approved
127 providers and courses. The department shall revoke or suspend or take other corrective action
128 regarding the authorization of any course or provider no longer meeting the requirements of the
129 program. Unless immediate action is necessary, prior to revocation or suspension, the
130 department shall notify the provider and give the provider a reasonable time period to take
131 corrective action to avoid revocation or suspension. The process shall provide for periodic
132 renewal of authorization no less frequently than once every three years.

133 (13) Courses approved as of August 28, 2018, by the department to participate in the
134 Missouri virtual instruction program shall be automatically approved to participate in the
135 Missouri course access and virtual school program, but shall be subject to periodic renewal.

136 (14) Any online course or virtual program offered by a school district or charter school,
137 including those offered prior to August 28, 2018, ~~[which]~~ **that** meets the requirements of section
138 162.1250 shall be automatically approved to participate in the Missouri course access and virtual
139 school program. Such course or program shall be subject to periodic renewal. A school district
140 or charter school offering such a course or virtual school program shall be deemed an approved
141 provider.

142 **4. (1) For purposes of this subsection, the term "instructional activities" shall mean**
143 **the following classroom-based or non-classroom-based activities that a student shall be**
144 **expected to complete, participate in, or attend during any given school day:**

- 145 **(a) Online logins to curriculum or programs;**
- 146 **(b) Offline activities;**
- 147 **(c) Completed assignments within a particular program, curriculum, or class;**
- 148 **(d) Testing;**
- 149 **(e) Face-to-face communications or meetings with school staff;**
- 150 **(f) Telephone or video conferences with school staff;**
- 151 **(g) School-sanctioned field trips; or**
- 152 **(h) Orientation.**

153 **(2) A full-time virtual school shall submit a notification to the parent or guardian**
154 **or any student who is not consistently engaged in instructional activities.**

155 **(3) Each full-time virtual school shall develop, adopt, and post on the school's**
156 **website a policy setting forth the consequences for a student who fails to attend school and**
157 **complete the required instructional activities. Such policy shall state, at a minimum, that**
158 **if a student fails to complete the instructional activities after receiving a notification**
159 **pursuant to subdivision (2) of this subsection, and after reasonable intervention strategies**
160 **have been implemented, that the student shall be subject to certain consequences, which**
161 **may include disenrollment from the school.**

162 **(4) If a full-time virtual school disenrolls a student pursuant to subdivision (3) of**
163 **this subsection, the school shall immediately provide written notification to such student's**
164 **district of resident. The student's district of residence shall then provide to the parents or**
165 **guardian of the student a written list of available educational options. Any student**
166 **disenrolled from a full-time virtual school shall be prohibited from re-enrolling in the same**
167 **virtual school for the remainder of the school year.**

168 **5. School districts or charter schools shall inform parents of their child's right to**
169 **participate in the program. Availability of the program shall be made clear in the parent**
170 **handbook, registration documents, and featured on the home page of the school district or charter**
171 **school's website. Any school district or charter school that fails to notify parents of their**
172 **child's right to participate in the program shall be subject to civil penalties in an amount**
173 **equal to one hundred dollars for each day the school district or charter school is not in**
174 **compliance with this subsection, including reasonable attorney's fees.**

175 ~~[5-]~~ **6. The department shall:**

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

178 (2) Pursuant to the time line established by the department, authorize course or full-time
179 virtual school providers that:

180 (a) Submit all necessary information pursuant to the requirements of the process; and

181 (b) Meet the criteria described in subdivision (3) of this subsection;

182 (3) Review, pursuant to the authorization process, proposals from providers to provide
183 a comprehensive, full-time equivalent course of study for students through the Missouri course
184 access and virtual school program. The department shall ensure that these comprehensive
185 courses of study align to state academic standards and that there is consistency and compatibility
186 in the curriculum used by all providers from one grade level to the next grade level;

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

189 ~~[6-]~~ **7. If a course or full-time virtual school provider is denied authorization, the course**
190 **provider may reapply at any point in the future.**

191 ~~[7-]~~ **8.** The department shall publish the process established under this section, including
192 any deadlines and any guidelines applicable to the submission and authorization process for
193 course or full-time virtual school providers on its website.

194 ~~[8-]~~ **9.** If the department determines that there are insufficient funds available for
195 evaluating and authorizing course or full-time virtual school providers, the department may
196 charge applicant course or full-time virtual school providers a fee up to, but no greater than, the
197 amount of the costs in order to ensure that evaluation occurs. The department shall establish and
198 publish a fee schedule for purposes of this subsection.

199 ~~[9-]~~ **10.** Except as specified in this section and as may be specified by rule of the state
200 board of education, the Missouri course access and virtual school program shall comply with all
201 state laws and regulations applicable to school districts, including but not limited to the Missouri
202 school improvement program (MSIP), annual performance report (APR), teacher certification,
203 and curriculum standards.

204 ~~[10-]~~ **11.** The department shall submit and publicly publish an annual report on the
205 Missouri course access and virtual school program and the participation of entities to the
206 governor, the chair and ranking member of the senate education committee, and the chair and
207 ranking member of the house of representatives elementary and secondary education committee.
208 The report shall at a minimum include the following information:

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

211 (2) The number of authorized providers;

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

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

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

216 (6) Student outcome data, including completion rates, student learning gains, student
217 performance on state or nationally accepted assessments, by subject and grade level per provider.

218 This outcome data shall be published in a manner that protects student privacy;

219 (7) The costs per course;

220 (8) Evaluation of in-school course availability compared to course access availability to
221 ensure gaps in course access are being addressed statewide.

222 ~~[11-]~~ **12.** The department shall be responsible for creating the Missouri course access and
223 virtual school program catalog providing a listing of all courses authorized and available to
224 students in the state, detailed information, including costs per course, about the courses to inform
225 student enrollment decisions, and the ability for students to submit their course enrollments.

226 [42.] 13. The state board of education through the rulemaking process and the
227 department of elementary and secondary education in its policies and procedures shall ensure that
228 multiple content providers and learning management systems are allowed, ensure digital content
229 conforms to accessibility requirements, provide an easily accessible link for providers to submit
230 courses or full-time virtual schools on the Missouri course access and virtual school program
231 website, and allow any person, organization, or entity to submit courses or full-time virtual
232 schools for approval. No content provider shall be allowed that is unwilling to accept payments
233 in the amount and manner as described under subdivision (3) of subsection 3 of this section or
234 does not meet performance or quality standards adopted by the state board of education.

235 [43.] 14. Any rule or portion of a rule, as that term is defined in section 536.010, that is
236 created under the authority delegated in this section shall become effective only if it complies
237 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
238 This section and chapter 536 are nonseverable, and if any of the powers vested with the general
239 assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and
240 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and
241 any rule proposed or adopted after August 28, 2006, shall be invalid and void.

**162.686. 1. No school district or charter school shall prohibit a parent or legal
2 guardian of a student from recording by audio any meeting held under the federal
3 Individuals with Disabilities Education Act (IDEA), 20 U.S.C. Section 1400, et seq., as
4 amended, or Section 504 of the federal Rehabilitation Act of 1973, 29 U.S.C. Section 794,
5 as amended.**

**6 2. Any recording made by a parent or legal guardian under this section shall be the
7 property of the parent or legal guardian creating the recording. No recording made under
8 this section shall be construed to be a public record made by or prepared for any public
9 governmental body under chapter 610.**

**10 3. No school district or charter school shall impose pre-meeting notification
11 requirements of recording by a parent or legal guardian of more than twenty-four hours.**

**12 4. No school district or charter school employee who reports directly to his or her
13 employer any violations under this section shall be subject to discharge, retaliation, or any
14 other adverse employment action for making such report.**

**162.720. 1. (1) This subdivision shall apply to all school years ending on or before
2 June 30, 2022.** Where a sufficient number of children are determined to be gifted and their
3 development requires programs or services beyond the level of those ordinarily provided in
4 regular public school programs, districts may establish special programs for such gifted children.

**5 (2) Beginning July 1, 2022, if three percent or more of students enrolled in a school
6 district or charter school are determined to be gifted and their development requires**

7 **programs or services beyond the level of those ordinarily provided in regular public school**
8 **programs, the district or charter school shall establish a state-approved gifted program for**
9 **gifted children.**

10 **2. Beginning July 1, 2022, the teacher or teachers providing gifted services to**
11 **students in districts or charter schools with an average daily attendance of more than three**
12 **hundred fifty students shall be certificated in gifted education. In districts or charter**
13 **schools with an average daily attendance of three hundred fifty students or less, the teacher**
14 **or teachers providing gifted services shall not be required to be certificated to teach gifted**
15 **education, however such teachers shall annually participate in at least six clock hours of**
16 **professional development focused on gifted services.**

17 **3. The state board of education shall determine standards for such gifted programs and**
18 **gifted services. Approval of [such] gifted programs shall be made by the state department of**
19 **elementary and secondary education based upon project applications submitted [by July fifteenth**
20 **of each year] at a time and in a form determined by the department of elementary and**
21 **secondary education.**

22 ~~[3-]~~ **4. No district or charter school shall make a determination as to whether a child**
23 **is gifted based on the child's participation in an advanced placement course or international**
24 **baccalaureate course. Districts or charter schools shall determine a child is gifted only if the**
25 **child meets the definition of gifted children as provided in section 162.675.**

26 ~~[4-]~~ **5. Any district or charter school with a gifted education program approved under**
27 **subsection [2] 3 of this section shall have a policy, approved by the board of education of the**
28 **district, or governing body of each charter school, that establishes a process that outlines the**
29 **procedures and conditions under which parents or guardians may request a review of the decision**
30 **that determined that their child did not qualify to receive services through the district's or**
31 **charter school's gifted education program.**

32 ~~[5-]~~ **6. School districts and school district employees or charter schools and charter**
33 **school employees shall be immune from liability for any and all acts or omissions relating to the**
34 **decision that a child did not qualify to receive services through the district's or charter school's**
35 **gifted education program.**

36 **7. The department of elementary and secondary education may promulgate rules**
37 **to implement the provisions of this section. Any rule or portion of a rule, as that term is**
38 **defined in section 536.010, that is created under the authority delegated in this section shall**
39 **become effective only if it complies with and is subject to all of the provisions of chapter**
40 **536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and**
41 **if any of the powers vested with the general assembly pursuant to chapter 536 to review,**
42 **to delay the effective date, or to disapprove and annul a rule are subsequently held**

43 **unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted**
44 **after August 28, 2020, shall be invalid and void.**

162.974. 1. The state department of elementary and secondary education shall reimburse
2 school districts, including special school districts, for the **special** educational costs of high-need
3 children with an individualized education program exceeding three times the current expenditure
4 per average daily attendance as calculated on the district annual secretary of the board report for
5 the year in which expenditures are claimed. **For any school district with an average daily**
6 **attendance of five hundred students or fewer, the calculation of three times the current**
7 **expenditure per average daily attendance shall not include any money reimbursed to a**
8 **school district under this section.**

9 2. A school district shall submit, through timely application, as determined by the state
10 department of elementary and secondary education, the cost of serving any **high-needs** student
11 **with an individualized education program**, as provided in subsection 1 of this section.

163.011. As used in this chapter unless the context requires otherwise:

2 (1) "Adjusted operating levy", the sum of tax rates for the current year for teachers' and
3 incidental funds for a school district as reported to the proper officer of each county pursuant to
4 section 164.011;

5 (2) "Average daily attendance", the quotient or the sum of the quotients obtained by
6 dividing the total number of hours attended in a term by resident pupils between the ages of five
7 and twenty-one by the actual number of hours school was in session in that term. To the average
8 daily attendance of the following school term shall be added the full-time equivalent average
9 daily attendance of summer school students. "Full-time equivalent average daily attendance of
10 summer school students" shall be computed by dividing the total number of hours, except for
11 physical education hours that do not count as credit toward graduation for students in grades
12 nine, ten, eleven, and twelve, attended by all summer school pupils by the number of hours
13 required in section 160.011 in the school term. For purposes of determining average daily
14 attendance under this subdivision, the term "resident pupil" shall include all children between
15 the ages of five and twenty-one who are residents of the school district and who are attending
16 kindergarten through grade twelve in such district. If a child is attending school in a district
17 other than the district of residence and the child's parent is teaching in the school district or is a
18 regular employee of the school district which the child is attending, then such child shall be
19 considered a resident pupil of the school district which the child is attending for such period of
20 time when the district of residence is not otherwise liable for tuition. Average daily attendance
21 for students below the age of five years for which a school district may receive state aid based
22 on such attendance shall be computed as regular school term attendance unless otherwise
23 provided by law;

24 (3) "Current operating expenditures":

25 (a) For the fiscal year 2007 calculation, "current operating expenditures" shall be
26 calculated using data from fiscal year 2004 and shall be calculated as all expenditures for
27 instruction and support services except capital outlay and debt service expenditures minus the
28 revenue from federal categorical sources; food service; student activities; categorical payments
29 for transportation costs pursuant to section 163.161; state reimbursements for early childhood
30 special education; the career ladder entitlement for the district, as provided for in sections
31 168.500 to 168.515; the vocational education entitlement for the district, as provided for in
32 section 167.332; and payments from other districts;

33 (b) In every fiscal year subsequent to fiscal year 2007, current operating expenditures
34 shall be the amount in paragraph (a) of this subdivision plus any increases in state funding
35 pursuant to sections 163.031 and 163.043 subsequent to fiscal year 2005, not to exceed five
36 percent, per recalculation, of the state revenue received by a district in the 2004-05 school year
37 from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share,
38 and free textbook payments for any district from the first preceding calculation of the state
39 adequacy target;

40 (4) "District's tax rate ceiling", the highest tax rate ceiling in effect subsequent to the
41 1980 tax year or any subsequent year. Such tax rate ceiling shall not contain any tax levy for
42 debt service;

43 (5) "Dollar-value modifier", an index of the relative purchasing power of a dollar,
44 calculated as one plus fifteen percent of the difference of the regional wage ratio minus one,
45 provided that the dollar value modifier shall not be applied at a rate less than 1.0. **As used in**
46 **this subdivision, the following terms mean:**

47 (a) "County wage per job", the total county wage and salary disbursements divided by
48 the total county wage and salary employment for each county and the City of St. Louis as
49 reported by the Bureau of Economic Analysis of the United States Department of Commerce for
50 the fourth year preceding the payment year;

51 (b) "Regional wage per job":

52 a. The total Missouri wage and salary disbursements of the metropolitan area as defined
53 by the Office of Management and Budget divided by the total Missouri metropolitan wage and
54 salary employment for the metropolitan area for the county signified in the school district number
55 or the City of St. Louis, as reported by the Bureau of Economic Analysis of the United States
56 Department of Commerce for the fourth year preceding the payment year and recalculated upon
57 every decennial census to incorporate counties that are newly added to the description of
58 metropolitan areas; or if no such metropolitan area is established, then:

59 b. The total Missouri wage and salary disbursements of the micropolitan area as defined
60 by the Office of Management and Budget divided by the total Missouri micropolitan wage and
61 salary employment for the micropolitan area for the county signified in the school district
62 number, as reported by the Bureau of Economic Analysis of the United States Department of
63 Commerce for the fourth year preceding the payment year, if a micropolitan area for such county
64 has been established and recalculated upon every decennial census to incorporate counties that
65 are newly added to the description of micropolitan areas; or

66 c. If a county is not part of a metropolitan or micropolitan area as established by the
67 Office of Management and Budget, then the county wage per job, as defined in paragraph (a) of
68 this subdivision, shall be used for the school district, as signified by the school district number;

69 (c) "Regional wage ratio", the ratio of the regional wage per job divided by the state
70 median wage per job;

71 (d) "State median wage per job", the fifty-eighth highest county wage per job;

72 (6) "Free and reduced price lunch pupil count", for school districts not eligible for and
73 those that do not choose the USDA Community Eligibility Option, the number of pupils eligible
74 for free and reduced price lunch on the last Wednesday in January for the preceding school year
75 who were enrolled as students of the district, as approved by the department in accordance with
76 applicable federal regulations. For eligible school districts that choose the USDA Community
77 Eligibility Option, the free and reduced price lunch pupil count shall be the percentage of free
78 and reduced price lunch students calculated as eligible on the last Wednesday in January of the
79 most recent school year that included household applications to determine free and reduced price
80 lunch count multiplied by the district's average daily attendance figure;

81 (7) "Free and reduced price lunch threshold" shall be calculated by dividing the total free
82 and reduced price lunch pupil count of every performance district that falls entirely above the
83 bottom five percent and entirely below the top five percent of average daily attendance, when
84 such districts are rank-ordered based on their current operating expenditures per average daily
85 attendance, by the total average daily attendance of all included performance districts;

86 (8) "Limited English proficiency pupil count", the number in the preceding school year
87 of pupils aged three through twenty-one enrolled or preparing to enroll in an elementary school
88 or secondary school who were not born in the United States or whose native language is a
89 language other than English or are Native American or Alaskan native, or a native resident of
90 the outlying areas, and come from an environment where a language other than English has had
91 a significant impact on such individuals' level of English language proficiency, or are migratory,
92 whose native language is a language other than English, and who come from an environment
93 where a language other than English is dominant; and have difficulties in speaking, reading,
94 writing, or understanding the English language sufficient to deny such individuals the ability to

95 meet the state's proficient level of achievement on state assessments described in Public Law
96 107-10, the ability to achieve successfully in classrooms where the language of instruction is
97 English, or the opportunity to participate fully in society;

98 (9) "Limited English proficiency threshold" shall be calculated by dividing the total
99 limited English proficiency pupil count of every performance district that falls entirely above the
100 bottom five percent and entirely below the top five percent of average daily attendance, when
101 such districts are rank-ordered based on their current operating expenditures per average daily
102 attendance, by the total average daily attendance of all included performance districts;

103 (10) "Local effort":

104 (a) For the fiscal year 2007 calculation, "local effort" shall be computed as the equalized
105 assessed valuation of the property of a school district in calendar year 2004 divided by one
106 hundred and multiplied by the performance levy less the percentage retained by the county
107 assessor and collector plus one hundred percent of the amount received in fiscal year 2005 for
108 school purposes from intangible taxes, fines, escheats, payments in lieu of taxes and receipts
109 from state-assessed railroad and utility tax, one hundred percent of the amount received for
110 school purposes pursuant to the merchants' and manufacturers' taxes under sections 150.010 to
111 150.370, one hundred percent of the amounts received for school purposes from federal
112 properties under sections 12.070 and 12.080 except when such amounts are used in the
113 calculation of federal impact aid pursuant to P.L. 81-874, fifty percent of Proposition C revenues
114 received for school purposes from the school district trust fund under section 163.087, and one
115 hundred percent of any local earnings or income taxes received by the district for school
116 purposes. Under this paragraph, for a special district established under sections 162.815 to
117 162.940 in a county with a charter form of government and with more than one million
118 inhabitants, a tax levy of zero shall be utilized in lieu of the performance levy for the special
119 school district;

120 (b) In every **fiscal** year subsequent to fiscal year 2007 **through June 30, 2021**, "local
121 effort" shall be the amount calculated under paragraph (a) of this subdivision plus any increase
122 in the amount received for school purposes from fines. **In every fiscal year beginning on or
123 after July 1, 2021, "local effort" shall be the amount calculated under paragraph (a) of this
124 subdivision, and any increase in the amount received for school purposes from fines shall
125 not be included.** If a district's assessed valuation has decreased subsequent to the calculation
126 outlined in paragraph (a) of this subdivision, the district's local effort shall be calculated using
127 the district's current assessed valuation in lieu of the assessed valuation utilized in the calculation
128 outlined in paragraph (a) of this subdivision. When a change in a school district's boundary lines
129 occurs because of a boundary line change, annexation, attachment, consolidation, reorganization,
130 or dissolution under section 162.071, 162.081, sections 162.171 to 162.201, section 162.221,

131 162.223, 162.431, 162.441, or 162.451, or in the event that a school district assumes any territory
132 from a district that ceases to exist for any reason, the department of elementary and secondary
133 education shall make a proper adjustment to each affected district's local effort, so that each
134 district's local effort figure conforms to the new boundary lines of the district. The department
135 shall compute the local effort figure by applying the calendar year 2004 assessed valuation data
136 to the new land areas resulting from the boundary line change, annexation, attachment,
137 consolidation, reorganization, or dissolution and otherwise follow the procedures described in
138 this subdivision;

139 (11) "Membership" shall be the average of:

140 (a) The number of resident full-time students and the full-time equivalent number of
141 part-time students who were enrolled in the public schools of the district on the last Wednesday
142 in September of the previous year and who were in attendance one day or more during the
143 preceding ten school days; and

144 (b) The number of resident full-time students and the full-time equivalent number of
145 part-time students who were enrolled in the public schools of the district on the last Wednesday
146 in January of the previous year and who were in attendance one day or more during the preceding
147 ten school days, plus the full-time equivalent number of summer school pupils. "Full-time
148 equivalent number of part-time students" is determined by dividing the total number of hours for
149 which all part-time students are enrolled by the number of hours in the school term. "Full-time
150 equivalent number of summer school pupils" is determined by dividing the total number of hours
151 for which all summer school pupils were enrolled by the number of hours required pursuant to
152 section 160.011 in the school term. Only students eligible to be counted for average daily
153 attendance shall be counted for membership;

154 (12) "Operating levy for school purposes", the sum of tax rates levied for teachers' and
155 incidental funds plus the operating levy or sales tax equivalent pursuant to section 162.1100 of
156 any transitional school district containing the school district, in the payment year, not including
157 any equalized operating levy for school purposes levied by a special school district in which the
158 district is located;

159 (13) "Performance district", any district that has met performance standards and
160 indicators as established by the department of elementary and secondary education for purposes
161 of accreditation under section 161.092 and as reported on the final annual performance report
162 for that district each year; for calculations to be utilized for payments in fiscal years subsequent
163 to fiscal year 2018, the number of performance districts shall not exceed twenty-five percent of
164 all public school districts;

165 (14) "Performance levy", three dollars and forty-three cents;

166 (15) "School purposes" pertains to teachers' and incidental funds;

167 (16) "Special education pupil count", the number of public school students with a current
168 individualized education program or services plan and receiving services from the resident
169 district as of December first of the preceding school year, except for special education services
170 provided through a school district established under sections 162.815 to 162.940 in a county with
171 a charter form of government and with more than one million inhabitants, in which case the sum
172 of the students in each district within the county exceeding the special education threshold of
173 each respective district within the county shall be counted within the special district and not in
174 the district of residence for purposes of distributing the state aid derived from the special
175 education pupil count;

176 (17) "Special education threshold" shall be calculated by dividing the total special
177 education pupil count of every performance district that falls entirely above the bottom five
178 percent and entirely below the top five percent of average daily attendance, when such districts
179 are rank-ordered based on their current operating expenditures per average daily attendance, by
180 the total average daily attendance of all included performance districts;

181 (18) "State adequacy target", the sum of the current operating expenditures of every
182 performance district that falls entirely above the bottom five percent and entirely below the top
183 five percent of average daily attendance, when such districts are rank-ordered based on their
184 current operating expenditures per average daily attendance, divided by the total average daily
185 attendance of all included performance districts. The department of elementary and secondary
186 education shall first calculate the state adequacy target for fiscal year 2007 and recalculate the
187 state adequacy target every two years using the most current available data. The recalculation
188 shall never result in a decrease from the state adequacy target as calculated for fiscal years 2017
189 and 2018 and any state adequacy target figure calculated subsequent to fiscal year 2018. Should
190 a recalculation result in an increase in the state adequacy target amount, fifty percent of that
191 increase shall be included in the state adequacy target amount in the year of recalculation, and
192 fifty percent of that increase shall be included in the state adequacy target amount in the
193 subsequent year. The state adequacy target may be adjusted to accommodate available
194 appropriations as provided in subsection 7 of section 163.031;

195 (19) "Teacher", any teacher, teacher-secretary, substitute teacher, supervisor, principal,
196 supervising principal, superintendent or assistant superintendent, school nurse, social worker,
197 counselor or librarian who shall, regularly, teach or be employed for no higher than grade twelve
198 more than one-half time in the public schools and who is certified under the laws governing the
199 certification of teachers in Missouri;

200 (20) "Weighted average daily attendance", the average daily attendance plus the product
201 of twenty-five hundredths multiplied by the free and reduced price lunch pupil count that exceeds
202 the free and reduced price lunch threshold, plus the product of seventy-five hundredths

203 multiplied by the number of special education pupil count that exceeds the special education
204 threshold, plus the product of six-tenths multiplied by the number of limited English proficiency
205 pupil count that exceeds the limited English proficiency threshold. For special districts
206 established under sections 162.815 to 162.940 in a county with a charter form of government and
207 with more than one million inhabitants, weighted average daily attendance shall be the average
208 daily attendance plus the product of twenty-five hundredths multiplied by the free and reduced
209 price lunch pupil count that exceeds the free and reduced price lunch threshold, plus the product
210 of seventy-five hundredths multiplied by the sum of the special education pupil count that
211 exceeds the threshold for each county district, plus the product of six-tenths multiplied by the
212 limited English proficiency pupil count that exceeds the limited English proficiency threshold.
213 None of the districts comprising a special district established under sections 162.815 to 162.940
214 in a county with a charter form of government and with more than one million inhabitants[,] shall
215 use any special education pupil count in calculating their weighted average daily attendance.

163.024. 1. All moneys received in the Iron County school fund, Reynolds County
2 school fund, Jefferson County school fund, and Washington County school fund from the
3 payment of a civil penalty pursuant to a consent decree filed in the United States district court
4 for the eastern district of Missouri in December, 2011, in the case of *United States of America*
5 *and State of Missouri v. the Doe Run Resources Corporation d/b/a "The Doe Run Company,"*
6 *and the Buick Resource Recycling Facility, LLC*, because of environmental violations shall not
7 be included in any district's local effort figure, as such term is defined in section 163.011. The
8 provisions of this ~~section~~ subsection shall terminate on July 1, 2016.

9 **2. (1) No moneys received in the Iron County school fund from the payment of any**
10 **penalty, whether to resolve violations or as payment of any stipulated penalty, under**
11 **Administrative Order on Consent No. APCP-2019-001 ("Order") issued by the department**
12 **of natural resources, shall be included in such school district's local effort calculation, as**
13 **such term is defined in section 163.011.**

14 **(2) The department of natural resources shall notify the revisor of statutes when**
15 **the Order is terminated as provided in the Order, and this subsection shall expire on the**
16 **last day of the fiscal year in which the revisor receives such notification from the**
17 **department.**

163.164. 1. **Notwithstanding any provision of law to the contrary, in any fiscal year**
2 **in which the total appropriation for the formula pursuant to section 163.031 is in excess**
3 **of the amount reimbursed to public schools, the department of elementary and secondary**
4 **education shall transfer such excess cash balances by the fifteenth day of the succeeding**
5 **fiscal year to the school transportation fund established in this section.**

6 **2. (1) There is hereby created in the state treasury the "School Transportation**
7 **Fund", which shall consist of money collected under this section. The state treasurer shall**
8 **be custodian of the fund. In accordance with sections 30.170 and 30.180, the state**
9 **treasurer may approve disbursements. The fund shall be administered by the**
10 **commissioner of the department of elementary and secondary education. The school**
11 **transportation fund shall consist of moneys transferred by the department pursuant to**
12 **subsection 1 of this section, to be used by public school districts to provide transportation**
13 **to students. Such funds shall be paid to public school districts in addition to the state aid**
14 **provided for transportation pursuant to section 163.161, based on the cost of pupil**
15 **transportation in accordance with section 163.161.**

16 **(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys**
17 **remaining in the fund at the end of the biennium shall not revert to the credit of the**
18 **general revenue fund.**

19 **(3) The state treasurer shall invest moneys in the fund in the same manner as other**
20 **funds are invested. Any interest and moneys earned on such investments shall be credited**
21 **to the fund.**

22 **3. The provisions of this section shall not apply in any year in which state**
23 **transportation aid reaches seventy-five percent of the total allowable cost of transporting**
24 **all pupils eligible to be transported.**

167.628. 1. A public school shall allow students to possess and apply topical
2 **sunscreen products to help prevent sunburn while on school property or at any school-**
3 **related event or activity.**

4 **2. A public school shall not require a student to provide a prescription or note of**
5 **a health care professional, as defined in section 376.1350, in order to possess or apply a**
6 **topical sunscreen product if the product is approved by the federal Food and Drug**
7 **Administration for over-the-counter use.**

8 **3. A public school shall require a student's parent or guardian to supply any topical**
9 **sunscreen product to be used by the student under this section.**

10 **4. Public schools are encouraged to educate students about sun safety guidelines.**

11 **5. Nothing in this section shall require public school personnel to assist students in**
12 **applying any topical sunscreen products.**

13 **6. Nothing in this section shall require a public school to adopt a written policy**
14 **allowing students to possess and apply any type of topical sunscreen product. A public**
15 **school may adopt a policy that prohibits students from possessing or applying certain types**
16 **of topical sunscreen products, such as products with allergy-inducing ingredients or**

17 **products that use aerosol or other delivery methods deemed inappropriate for the learning**
18 **environment by the school.**

19 **7. This section shall not create any civil liability on the part of the state or any state**
20 **agency, officer, employee, agent, political subdivision, or school district.**

167.790. 1. In order to receive funds under section 163.031, no school district shall
2 **perform any action described in subdivision (1) or (2) of this subsection or be a member**
3 **of, or remit any funds to, any statewide activities association that:**

4 **(1) Prohibits a student who is receiving instruction at a home school as defined in**
5 **section 167.031, or a virtual school, pursuant to section 161.670, from the opportunity to**
6 **participate in any event or activity offered by the school district or an attendance center**
7 **of the school district in which the student resides and where the statewide activities**
8 **association exercises authority, rules, or guidelines for participating in such events or**
9 **activities for any reason relating to such student's home instruction or virtual instruction;**
10 **or**

11 **(2) Requires a student who is receiving instruction at a home school as defined in**
12 **section 167.031 or a virtual school as a full-time equivalent student, pursuant to section**
13 **161.670, to attend the public school of residence for any portion of a school day in order**
14 **to participate in any event or activity offered by the school district or an attendance center**
15 **of the school district in which the student resides where the statewide activities association**
16 **exercises authority, rules, or guidelines for participating in such events or activities. This**
17 **subdivision shall not apply if a specific class is required for the participation and is directly**
18 **related to the participation in an association activity or in a club, extracurricular activity,**
19 **or sport.**

20 **2. The department of elementary and secondary education shall withhold payments**
21 **under section 163.031 for any district in violation of this section. The department shall**
22 **release any withheld funds under this section upon the district providing satisfactory proof**
23 **to the state board of education that the school district has ceased membership in the**
24 **association and has ceased remittance of any funds to said association.**

25 **3. No statewide activities association shall prohibit or restrict any school district**
26 **that is a member of such association from participating in any events sanctioned,**
27 **authorized, or regulated by such association with any school that is not a member of the**
28 **association.**

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

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

4 **(a) Upon the basis of college credit;**

5 (b) Upon the basis of examination;

6 (2) By the state board, under rules and regulations prescribed by the state board with
7 advice from the advisory council established by section 168.015 to any individual who presents
8 to the state board a valid doctoral degree from an accredited institution of higher education
9 accredited by a regional accrediting association such as North Central Association. Such
10 certificate shall be limited to the major area of postgraduate study of the holder, shall be issued
11 only after successful completion of the examination required for graduation pursuant to rules
12 adopted by the state board of education, and shall be restricted to those certificates established
13 pursuant to subdivision (2) of subsection 3 of this section;

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

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

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

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

27 (4) By the state board, under rules prescribed by it, on the basis of a relevant bachelor's
28 degree, or higher degree, and a passing score for the designated exit examination, for individuals
29 whose academic degree and professional experience are suitable to provide a basis for instruction
30 solely in the subject matter of banking or financial responsibility, at the discretion of the state
31 board. Such certificate shall be limited to the major area of study of the holder and shall be
32 restricted to those certificates established under subdivision (2) of subsection 3 of this section.
33 Holders of certificates granted under this subdivision shall be exempt from the teacher tenure act
34 under sections 168.102 to 168.130 and each school district shall have the decision-making
35 authority on whether to hire the holders of such certificates;

36 (5) By the state board, under rules and regulations prescribed by it, on the basis of
37 certification by the American Board for Certification of Teacher Excellence (ABCTE) and
38 verification of ability to work with children as demonstrated by sixty contact hours in any one
39 of the following areas as validated by the school principal: sixty contact hours in the classroom,
40 of which at least forty-five must be teaching; sixty contact hours as a substitute teacher, with at

41 least thirty consecutive hours in the same classroom; sixty contact hours of teaching in a private
42 school; or sixty contact hours of teaching as a paraprofessional, for an initial four-year ABCTE
43 certificate of license to teach, except that such certificate shall not be granted for the areas of
44 early childhood education, or special education. For certification in the area of elementary
45 education, ninety contact hours in the classroom shall be required, of which at least thirty shall
46 be in an elementary classroom. Upon the completion of the **following** requirements [~~listed in~~
47 ~~paragraphs (a), (b), (c), and (d) of this subdivision~~], an applicant shall be eligible to apply for a
48 career continuous professional certificate under subdivision (3) of subsection 3 of this section:

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

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

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

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

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

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

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

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

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

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

73 2. All valid teaching certificates issued pursuant to law or state board policies and
74 regulations prior to September 1, 1988, shall be exempt from the professional development
75 requirements of this section and shall continue in effect until they expire, are revoked or
76 suspended, as provided by law. When such certificates are required to be renewed, the state

77 board or its designee shall grant to each holder of such a certificate the certificate most nearly
78 equivalent to the one so held. Anyone who holds, as of August 28, 2003, a valid PC-I, PC-II,
79 or continuous professional certificate shall, upon expiration of ~~[his or her]~~ **such person's** current
80 certificate, be issued the appropriate level of certificate based upon the classification system
81 established pursuant to subsection 3 of this section.

82 3. (1) Certificates of license to teach in the public schools of the state shall be based
83 upon minimum requirements prescribed by the state board of education which shall include
84 completion of a background check as prescribed in section 168.133. The state board shall
85 provide for the following levels of professional certification: an initial professional certificate
86 and a career continuous professional certificate.

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

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

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

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

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

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

113 within two years, the certificate shall become inactive. In order to reactivate the certificate, the
114 possessor shall complete twenty-four contact hours of professional development which may
115 include hours spent in the classroom in an appropriate college curriculum within the six months
116 prior to or after reactivating ~~[his or her]~~ **the possessor's** certificate. The requirements of this
117 paragraph shall be monitored and verified by the local school district which employs the holder
118 of the career continuous professional certificate.

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

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

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

- 146 (1) Is the spouse of a member of the Armed Forces stationed in Missouri;
- 147 (2) Relocated from another state within one year of the date of application;

148 (3) Underwent a criminal background check in order to be issued a teaching certificate
149 of license from another state; and

150 (4) Otherwise qualifies under this section.

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

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

168.133. 1. As used in this section, "screened volunteer" shall mean any person who
2 assists a school by providing uncompensated service and who may periodically be left alone with
3 students. The school district shall ensure that a criminal background check is conducted for all
4 screened volunteers, who shall complete the criminal background check prior to being left alone
5 with a student. Screened volunteers include, but are not limited to, persons who regularly assist
6 in the office or library, mentor or tutor students, coach or supervise a school-sponsored activity
7 before or after school, or chaperone students on an overnight trip. Screened volunteers may only
8 access student education records when necessary to assist the district and while supervised by
9 staff members. Volunteers that are not screened shall not be left alone with a student or have
10 access to student records.

11 2. **(1)** The school district shall ensure that a criminal background check is conducted on
12 any person employed after January 1, 2005, authorized to have contact with pupils and prior to
13 the individual having contact with any pupil. Such persons include, but are not limited to,
14 administrators, teachers, **substitute teachers**, aides, paraprofessionals, assistants, secretaries,
15 custodians, cooks, screened volunteers, and nurses.

16 **(2)** The school district shall also ensure that a criminal background check is conducted
17 for school bus drivers. The district may allow such drivers to operate buses pending the result
18 of the criminal background check. For bus drivers, the school district shall be responsible for
19 conducting the criminal background check on drivers employed by the school district. For
20 drivers employed by a pupil transportation company under contract with the school district, the

21 criminal background check shall be conducted pursuant to section 43.540 and conform to the
22 requirements established in the National Child Protection Act of 1993, as amended by the
23 Volunteers for Children Act.

24 **(3) The school district shall also ensure that a criminal background check is**
25 **conducted on any person who is eighteen years of age or older, who is not counted by the**
26 **district for purposes of average daily attendance, as defined in section 163.011, and who**
27 **requests enrollment in a course that takes place on school district property during regular**
28 **school hours and that includes students counted by the district for purposes of average**
29 **daily attendance, as defined in section 163.011. The background check shall be conducted**
30 **before the person enrolls in any such course.**

31 **(4) Personnel who have successfully undergone a criminal background check and a**
32 **check of the family care safety registry as part of the professional license application process**
33 **under section 168.021 and who have received clearance on the checks within one prior year of**
34 **employment shall be considered to have completed the background check requirement.**

35 **(5) A criminal background check under this section shall include a search of any**
36 **information publicly available in an electronic format through a public index or single case**
37 **display.**

38 3. In order to facilitate the criminal history background check, the applicant **or person**
39 **requesting enrollment in a course as described in this section** shall submit a set of
40 fingerprints collected [~~pursuant to standards determined by the Missouri highway patrol~~] **under**
41 **section 43.540.** The fingerprints shall be used by the highway patrol to search the criminal
42 history repository and shall be forwarded to the Federal Bureau of Investigation for searching the
43 federal criminal history files.

44 4. The applicant **or person requesting enrollment in a course as described in this**
45 **section** shall pay the fee for the state criminal history record information pursuant to section
46 43.530 and sections 210.900 to 210.936 and pay the appropriate fee determined by the Federal
47 Bureau of Investigation for the federal criminal history record when he or she applies for a
48 position authorized to have contact with pupils pursuant to this section **or requests enrollment**
49 **in a course as described in this section.** The department shall distribute the fees collected for
50 the state and federal criminal histories to the Missouri highway patrol.

51 5. The department of elementary and secondary education shall facilitate an annual check
52 of employed persons holding current active certificates under section 168.021 against criminal
53 history records in the central repository under section 43.530, the sexual offender registry under
54 sections 589.400 to 589.426, and child abuse central registry under sections 210.109 to 210.183.
55 The department of elementary and secondary education shall facilitate procedures for school
56 districts to submit personnel information annually for persons employed by the school districts

57 who do not hold a current valid certificate who are required by subsection 1 of this section to
58 undergo a criminal background check, sexual offender registry check, and child abuse central
59 registry check. The Missouri state highway patrol shall provide ongoing electronic updates to
60 criminal history background checks of those persons previously submitted, both those who have
61 an active certificate and those who do not have an active certificate, by the department of
62 elementary and secondary education. This shall fulfill the annual check against the criminal
63 history records in the central repository under section 43.530.

64 6. The school district may adopt a policy to provide for reimbursement of expenses
65 incurred by an employee for state and federal criminal history information pursuant to section
66 43.530.

67 7. If, as a result of the criminal history background check mandated by this section, it is
68 determined that the holder of a certificate issued pursuant to section 168.021 has pled guilty or
69 nolo contendere to, or been found guilty of a crime or offense listed in section 168.071, or a
70 similar crime or offense committed in another state, the United States, or any other country,
71 regardless of imposition of sentence, such information shall be reported to the department of
72 elementary and secondary education.

73 8. Any school official making a report to the department of elementary and secondary
74 education in conformity with this section shall not be subject to civil liability for such action.

75 9. For any teacher who is employed by a school district on a substitute or part-time basis
76 within one year of such teacher's retirement from a Missouri school, the state of Missouri shall
77 not require such teacher to be subject to any additional background checks prior to having
78 contact with pupils. Nothing in this subsection shall be construed as prohibiting or otherwise
79 restricting a school district from requiring additional background checks for such teachers
80 employed by the school district.

81 10. A criminal background check and fingerprint collection conducted under subsections
82 1 to 3 of this section shall be valid for at least a period of one year and transferrable from one
83 school district to another district. A school district may, in its discretion, conduct a new criminal
84 background check and fingerprint collection under subsections 1 to 3 **of this section** for a newly
85 hired employee at the district's expense. A teacher's change in type of certification shall have no
86 effect on the transferability or validity of such records.

87 11. Nothing in this section shall be construed to alter the standards for suspension,
88 denial, or revocation of a certificate issued pursuant to this chapter.

89 12. **If, as a result of the criminal history background check mandated by this**
90 **section, it is determined that a person who requested enrollment in a course as described**
91 **in this section has pled guilty or nolo contendere to or been found guilty of a crime or**
92 **offense listed in subsection 6 of section 168.071, or a similar crime or offense committed in**

93 **another state, the United States, or any other country, regardless of imposition of sentence,**
94 **the school district shall prohibit the person from enrolling in any course that takes place**
95 **on school property during regular school hours and that includes students counted by the**
96 **district for purposes of average daily attendance, as defined in section 163.011.**

97 **13. For all years beginning on or after January 1, 2021, any substitute teacher may,**
98 **at the time such substitute teacher submits the fingerprints and information required for**
99 **the Missouri criminal record review under subsections 2 and 3 of this section, designate up**
100 **to five school districts to which the results of the substitute teacher's criminal history**
101 **background check and fingerprint collection shall be disseminated. The substitute teacher**
102 **shall pay an additional five-dollar fee for such records to be disseminated for any**
103 **additional school district up to five additional school districts.**

104 **14.** The state board of education may promulgate rules for criminal history background
105 checks made pursuant to this section. Any rule or portion of a rule, as that term is defined in
106 section 536.010, that is created under the authority delegated in this section shall become
107 effective only if it complies with and is subject to all of the provisions of chapter 536 and, if
108 applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the
109 powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective
110 date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of
111 rulemaking authority and any rule proposed or adopted after January 1, 2005, shall be invalid and
112 void.

168.205. **1.** Notwithstanding any provision of law to the contrary, two or more school
2 districts may share a superintendent who possesses a valid Missouri superintendent's license.
3 If any school districts choose to share a superintendent, they shall not be required to receive
4 approval from the department of elementary and secondary education but may notify the
5 department.

6 **2. (1) Beginning on July 1, 2021, subject to appropriation, a school district that**
7 **enters into an agreement with another school district to share a superintendent shall**
8 **receive additional state aid as provided in this subsection.**

9 **(2) The department of elementary and secondary education shall annually**
10 **distribute thirty thousand dollars to any school district that shares a superintendent under**
11 **this subsection. Any such amount distributed to a school district shall be in addition to and**
12 **shall not be included in any calculation of state aid under chapter 163.**

13 **(3) To receive the additional thirty thousand dollars under this subsection, the**
14 **school district shall provide proof to the department of elementary and secondary**
15 **education that the school district will use all of the additional thirty thousand dollars**
16 **received under this subsection and at least half of the amount saved as a result in**

17 **participating in sharing a superintendent under this subsection to compensate teachers or**
18 **to provide counseling services.**

19 **(4) No school district that receives additional funding under this subsection shall**
20 **receive such funding for more than five years.**

170.025. 1. Each school district shall ensure that:

2 **(1) Its elementary school or schools provide instruction in cursive writing so that**
3 **students create readable documents through legible cursive handwriting by the end of the**
4 **fifth grade; and**

5 **(2) Students pass with proficiency a teacher-constructed test demonstrating their**
6 **competency in both reading and writing cursive.**

7 **2. The department of elementary and secondary education may promulgate rules**
8 **to implement the provisions of this section. Any rule or portion of a rule, as that term is**
9 **defined in section 536.010, that is created under the authority delegated in this section shall**
10 **become effective only if it complies with and is subject to all of the provisions of chapter**
11 **536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and**
12 **if any of the powers vested with the general assembly pursuant to chapter 536 to review,**
13 **to delay the effective date, or to disapprove and annul a rule are subsequently held**
14 **unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted**
15 **after August 28, 2020, shall be invalid and void.**

170.029. 1. The state board of education shall develop a statewide plan for career
2 **and technical education (CTE) that ensures sustainability, viability, and relevance by**
3 **matching workforce needs with appropriate educational resources.**

4 **2. The state board of education, in consultation with the career and technical education**
5 **advisory council as established in section 178.550, shall establish minimum requirements for a**
6 **~~[career and technical education (CTE)] CTE certificate~~ that a student can earn in addition to ~~[his~~**
7 **~~or her]~~ the student's high school graduation diploma. Students entering high school in school**
8 **year 2017-18 and thereafter shall be eligible to earn a CTE certificate.**

9 **~~[2.] 3. The ~~[state board of education]~~ statewide plan shall establish CTE requirements~~**
10 **intended to provide students with the necessary technical employability skills to be prepared for**
11 **an entry-level career in a technical field or additional training in a technical field. The provisions**
12 **of this section shall not be considered a means for tracking students in order to impel students**
13 **to particular vocational, career, or college paths. The state board of education shall work with**
14 **local school districts to ensure that tracking does not occur. For purposes of this section,**
15 **"tracking" means separating pupils by academic ability into groups for all subjects or certain**
16 **classes and curriculum.**

17 [3-] 4. Each local school district shall determine the curriculum, programs of study, and
18 course offerings based on the needs and interests of the students in the district **and meeting the**
19 **requirements of the statewide plan.** As required by Missouri's state plan for career education
20 and the Missouri school improvement program, the state board of education shall work in
21 cooperation with individual school districts to stipulate the minimum number of CTE offerings.
22 Each local school district shall strive to offer programs of study that are economically feasible
23 for students in the district. In establishing CTE offerings, the district may rely on standards,
24 technical coursework, and skills assessments developed for industry-recognized certificates or
25 credentials.

26 **5. To enable school districts to offer CTE programs of study that are current with**
27 **business and industry standards, the department of elementary and secondary education**
28 **shall convene work groups from each program area to develop and recommend rigorous**
29 **and relevant performance standards or course competencies for each program of study.**
30 **The work groups shall include, but not be limited to, educators providing instruction in**
31 **each CTE program area, advisors from each CTE program area from the department of**
32 **elementary and secondary education, the department of higher education and workforce**
33 **development, business and industry, and institutions of higher education. The department**
34 **of elementary and secondary education shall develop written model curriculum**
35 **frameworks relating to CTE program areas that may be used by school districts. The**
36 **requirements of section 160.514 shall not apply to this section.**

37 [4-] 6. No later than January 1, 2017, the department of elementary and secondary
38 education shall develop a process for recognition of a school district's career and technical
39 education program that offers a career and technical education certificate.

40 [5-] 7. The department of elementary and secondary education shall promulgate all
41 necessary rules and regulations for the administration of this section. Any rule or portion of a
42 rule, as that term is defined in section 536.010, that is created under the authority delegated in
43 this section shall become effective only if it complies with and is subject to all of the provisions
44 of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are
45 nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536
46 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held
47 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
48 August 28, 2016, shall be invalid and void."

170.047. 1. **This section shall be known and may be cited as the "Jason Flatt/Avery**
2 **Reine Cantor Act".**

3 **2. (1) Beginning in the 2017-18 school year and continuing until the end of the 2020-**
4 **21 school year, any licensed educator may annually complete up to two hours of training or**

5 professional development in youth suicide awareness and prevention as part of the professional
6 development hours required for state board of education certification.

7 **(2) Beginning in the 2021-22 school year and continuing in subsequent school years,**
8 **the practicing teacher assistance programs established under section 168.400 may offer and**
9 **include at least two hours of in-service training provided by each local school district for**
10 **all practicing teachers in such district regarding suicide prevention. Each school year, all**
11 **teachers, principals, and licensed educators in each district may attend such training or**
12 **complete training on suicide prevention through self-review of suicide prevention**
13 **materials. Attendance at the training shall count as two contact hours of professional**
14 **development under section 168.021 and shall count as two hours of any other such training**
15 **required under this section.**

16 ~~[2-]~~ **3.** The department of elementary and secondary education shall develop guidelines
17 suitable for training or professional development in youth suicide awareness and prevention. The
18 department ~~[shall]~~ **may** develop materials that may be used for ~~[such]~~ **the training [or**
19 ~~professional development]~~ **described under subsection 2 of this section or may offer districts**
20 **materials developed by a third party that districts may use for the training.**

21 ~~[3-]~~ **4.** For purposes of this section, the term "licensed educator" shall refer to any teacher
22 with a certificate of license to teach issued by the state board of education or any other educator
23 or administrator required to maintain a professional license issued by the state board of
24 education.

25 ~~[4-]~~ **5.** The department of elementary and secondary education may promulgate rules and
26 regulations to implement this section.

27 ~~[5-]~~ **6.** Any rule or portion of a rule, as that term is defined in section 536.010, that is
28 created under the authority delegated in this section shall become effective only if it complies
29 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
30 This section and chapter 536 are nonseverable, and if any of the powers vested with the general
31 assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and
32 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and
33 any rule proposed or adopted after August 28, 2016, shall be invalid and void.

170.048. 1. By July 1, 2018, each district shall adopt a policy for youth suicide
2 awareness and prevention, including plans for how the district will provide for the training and
3 education of its district employees.

4 2. Each district's policy shall address and include, but not be limited to, the following:

5 (1) Strategies that can help identify students who are at possible risk of suicide;

6 (2) Strategies and protocols for helping students at possible risk of suicide; and

7 (3) Protocols for responding to a suicide death.

8 3. By July 1, 2017, the department of elementary and secondary education shall develop
9 a model policy that districts may adopt. When developing the model policy, the department shall
10 cooperate, consult with, and seek input from organizations that have expertise in youth suicide
11 awareness and prevention. By July 1, 2021, and at least every three years thereafter, the
12 department shall request information and seek feedback from districts on their experience with
13 the policy for youth suicide awareness and prevention. The department shall review this
14 information and may use it to adapt the department's model policy. The department shall post
15 any information on its website that it has received from districts that it deems relevant. The
16 department shall not post any confidential information or any information that personally
17 identifies any student or school employee.

18 **4. (1) Beginning July 1, 2021, a public school or charter school that serves any**
19 **pupils in seventh grade to twelfth grade and that issues pupil identification cards shall have**
20 **printed on either side of the cards the telephone number described in paragraph (a) of this**
21 **subdivision and may have printed on either side of the cards the telephone numbers**
22 **described in paragraphs (b) and (c) of this subdivision:**

23 **(a) The telephone number for the National Suicide Prevention Lifeline,**
24 **1-800-273-8255;**

25 **(b) The Crisis Text Line, which can be accessed by texting HOME to 741741; and**

26 **(c) A local suicide prevention hotline telephone number if available.**

27 **(2) If, on July 1, 2021, a public school or charter school subject to the requirements**
28 **of this subsection has a supply of unissued pupil identification cards that do not comply**
29 **with the requirements of subdivision (1) of this subsection, the school shall issue those**
30 **cards until that supply is depleted.**

31 **(3) Subdivision (1) of this subsection shall apply to a pupil identification card issued**
32 **for the first time to a pupil and to a card issued to replace a damaged or lost card.**

173.035. 1. The department of higher education and workforce development shall develop,
2 maintain, and operate a website containing information of public ~~and private~~ institutions of higher
3 education in this state directing students to resources including, but not limited to, academic programs,
4 financial aid, ~~and~~ how academic course credit may be transferred from one institution of higher
5 education to another, **and information collected under sections 161.625 and 173.1011.** The
6 information on the website shall be made available to the public and shall be accessible from various
7 devices including, but not limited to, computers, tablets, and other electronic communication devices.

8 ~~2. [Inclusion of institution information on the website is voluntary, and institutions of higher~~
9 ~~education may elect to have institutional information included on the website by notifying the department~~
10 ~~of higher education and workforce development]~~ **Institutions of higher education shall submit all**
11 **information listed in this section and any other information required by the department for**
12 **inclusion on the website.**

13 3. The department of higher education and workforce development may promulgate all
14 necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as
15 that term is defined in section 536.010, that is created under the authority delegated in this section shall
16 become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if
17 applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers
18 vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to
19 disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking
20 authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.

173.831. 1. As used in this section, the following terms mean:

2 **(1) "Academic skill intake assessment", a criterion-referenced assessment of**
3 **numeracy and literacy skills with high reliability and validity as determined by third party**
4 **research;**

5 **(2) "Accredited", holding an active accreditation from one of the seven United**
6 **States regional accreditors, including the Middle States Commission on Higher Education,**
7 **the New England Association of Schools and Colleges, the Higher Learning Commission,**
8 **the Northwest Commission on Colleges and Universities, the Southern Association of**
9 **Colleges and Schools, the Western Association of Schools and Colleges, and the Accrediting**
10 **Commission for Community and Junior Colleges, as well as any successor entities or**
11 **consolidations of the above, including AdvancEd or Cognia;**

12 **(3) "Adult dropout recovery services", includes but is not limited to sourcing,**
13 **recruitment, and engagement of eligible students, learning plan development, active**
14 **teaching, and proactive coaching and mentoring, resulting in an accredited high school**
15 **diploma;**

16 **(4) "Approved program provider", a public, not-for-profit, or other entity that**
17 **meets the requirements of subdivision (2) of subsection 3 of this section;**

18 **(5) "Average cost per graduate", the amount of the total program funding**
19 **reimbursed to a provider divided by the total graduates for a cohort year;**

20 **(6) "Career pathways coursework", one or more courses that align with the skill**
21 **needs of industries in the economy of the state or region that help an individual enter or**
22 **advance within a specific occupation or occupational cluster;**

23 **(7) "Career placement services", services designed to assist students in obtaining**
24 **employment, including career interest self-assessments and job search skills, including**
25 **resume development and mock interviews;**

26 **(8) "Coaching", proactive communication between the approved program provider**
27 **and the student related to the student's pace and progress through the student's learning**
28 **plan;**

29 **(9) "Department", the department of elementary and secondary education;**

- 30 (10) "Employability skills certification", a certificate earned by demonstrating
31 professional nontechnical skills through assessment, portfolio, or observation;
- 32 (11) "Graduate", a student who has successfully completed all of the state and
33 approved program provider requirements in order to obtain a high school diploma;
- 34 (12) "Graduation rate", the total number of graduates for the fiscal year divided
35 by all students for the fiscal year for whom the approved program provider has received
36 funding, calculated one fiscal year in arrears;
- 37 (13) "Graduation requirements", course and credit requirements for the approved
38 program provider's accredited high school diploma;
- 39 (14) "High school diploma", a diploma issued by an accredited institution;
- 40 (15) "Industry-recognized credential", an education-related credential or work-
41 related credential that verifies an individual's qualification or competence issued by a third
42 party with the relevant authority to issue such credentials;
- 43 (16) "Learning plan", a documented plan for courses or credits needed for each
44 individual in order to complete program and approved program provider graduation
45 requirements;
- 46 (17) "Mentoring", a direct relationship between a coach and a student to facilitate
47 the completion of the student's learning plan designed to prepare the student to succeed
48 in the program and the student's future endeavors;
- 49 (18) "Milestones", objective measures of progress for which payment is made to
50 an approved program provider under this section, including earned units of high school
51 credit, attainment of an employability skills certificate, attainment of an industry-
52 recognized credential, and attainment of an accredited high school diploma;
- 53 (19) "Program", the workforce diploma program established in this section;
- 54 (20) "Request for qualifications", a request for interested potential program
55 providers to submit evidence that they meet the qualifications established in subsection 3
56 of this section;
- 57 (21) "Student", a participant in the program established in this section who is
58 twenty-one years of age or older, who is a resident of Missouri, and who has not yet earned
59 a high school diploma;
- 60 (22) "Transcript evaluation", a documented summary of credits earned in previous
61 public or private accredited high schools compared with the program and approved
62 program provider graduation requirements;
- 63 (23) "Unit of high school credit", credit awarded based on a student's
64 demonstration that the student has successfully met the content expectations for the credit
65 area as defined by subject area standards, expectations, or guidelines.

66 **2. There is hereby established the "Workforce Diploma Program" within the**
67 **department of elementary and secondary education to assist students with obtaining a high**
68 **school diploma and developing employability and career technical skills. The program**
69 **may be delivered in campus-based, blended, or online modalities.**

70 **3. (1) Before August 16, 2021, and annually thereafter, the department shall issue**
71 **a request for qualifications for interested program providers to become approved program**
72 **providers and participate in the program.**

73 **(2) Each approved program provider shall meet all of the following qualifications:**

74 **(a) Be an accredited high school diploma-granting entity;**

75 **(b) Have a minimum of two years of experience providing adult dropout recovery**
76 **services;**

77 **(c) Provide academic skill intake assessments and transcript evaluations to each**
78 **student. Such academic skill intake assessments may be administered in person or online;**

79 **(d) Develop a learning plan for each student that integrates graduation**
80 **requirements and career goals;**

81 **(e) Provide a course catalog that includes all courses necessary to meet graduation**
82 **requirements;**

83 **(f) Offer remediation opportunities in literacy and numeracy, as applicable;**

84 **(g) Offer employability skills certification, as applicable;**

85 **(h) Offer career pathways coursework, as applicable;**

86 **(i) Offer preparation for industry-recognized credentials, as applicable; and**

87 **(j) Offer career placement services, as applicable.**

88 **(3) Upon confirmation by the department that an interested program provider**
89 **meets all of the qualifications listed in subdivision (2) of this subsection, an interested**
90 **program provider shall become an approved program provider.**

91 **4. (1) The department shall announce the approved program providers before**
92 **October sixteenth annually, with authorization for the approved program providers to**
93 **begin enrolling students starting before November fifteenth annually.**

94 **(2) Approved program providers shall maintain their approval without reapplying**
95 **annually if the approved program provider has not been removed from the approved**
96 **program provider list under this section.**

97 **5. All approved providers shall comply with requirements as provided by the**
98 **department to ensure:**

99 **(1) An accurate accounting of a student's accumulated credits toward a high school**
100 **diploma;**

101 **(2) An accurate accounting of credits necessary to complete a high school diploma;**
102 **and**

103 **(3) The provision of course work aligned to the academic performance standards**
104 **of the state.**

105 **6. (1) Except as provided in subdivision (2) of this subsection, the department shall**
106 **pay approved program providers for the following milestones provided by the approved**
107 **program provider:**

108 **(a) Two hundred fifty dollars for the completion of each half unit of high school**
109 **credit;**

110 **(b) Two hundred fifty dollars for attaining an employability skills certification;**

111 **(c) Two hundred fifty dollars for attaining an industry-recognized credential**
112 **requiring no more than fifty hours of training;**

113 **(d) Five hundred dollars for attaining an industry-recognized credential requiring**
114 **at least fifty-one but no more than one hundred hours of training;**

115 **(e) Seven hundred fifty dollars for attaining an industry-recognized credential**
116 **requiring more than one hundred hours of training;**

117 **(f) One thousand dollars for attaining an accredited high school diploma.**

118 **(2) No approved program provider shall receive funding for a student under this**
119 **section if the approved program provider receives federal or state funding or private**
120 **tuition for that student.**

121 **(3) Payments made under this subsection shall be subject to an appropriation made**
122 **to the department for such purposes.**

123 **7. (1) Approved program providers shall submit monthly invoices to the**
124 **department before the eleventh calendar day of each month for milestones met in the**
125 **previous calendar month.**

126 **(2) The department shall pay approved program providers in the order in which**
127 **invoices are submitted until all available funds are exhausted.**

128 **(3) The department shall provide a written update to approved program providers**
129 **by the last calendar day of each month. The update shall include the aggregate total**
130 **dollars that have been paid to approved program providers to date and the estimated**
131 **number of enrollments still available for the program year.**

132 **8. Before July sixteenth of each year, each provider shall report the following**
133 **metrics to the department:**

134 **(1) The total number of students who have been funded through the program;**

135 **(2) The total number of credits earned;**

136 **(3) The total number of employability skills certifications issued;**

137 (4) The total number of industry-recognized credentials earned for each tier of
138 funding; and

139 (5) The total number of graduates.

140 9. (1) Before September sixteenth of each year, an approved eligible program
141 provider shall conduct and submit to the department the results of a survey of each
142 individual who graduated from the program of the approved eligible program provider
143 under this section. The survey shall be conducted in the year after the year in which the
144 individual graduates and the next four consecutive years.

145 (2) The survey shall include at least the following data collection elements for each
146 year the survey is conducted:

147 (a) The individual's employment status, including whether the individual is
148 employed full-time or part-time;

149 (b) The individual's hourly wages;

150 (c) The individual's access to employer-sponsored healthcare; and

151 (d) The individual's postsecondary enrollment status, including whether the
152 individual has completed a postsecondary certificate or degree program.

153 10. (1) Upon the end of the second fiscal year of the program, the department shall
154 review data from each approved program provider to ensure that each is achieving
155 minimum program performance standards, including:

156 (a) A minimum of a fifty percent graduation rate;

157 (b) An average cost per graduate of seven thousand dollars or less.

158 (2) Any approved program provider that fails to meet the minimum program
159 performance standards described in subdivision (1) of this subsection shall be placed on
160 probationary status for the remainder of the fiscal year by the department.

161 (3) Any approved program provider that fails to meet the minimum program
162 performance standards described in subdivision (1) of this subsection for two consecutive
163 years shall be removed from the approved provider list by the department.

164 11. (1) No approved program provider shall discriminate against a student on the
165 basis of race, color, religion, national origin, ancestry, sex, sexuality, gender, age as it
166 relates to employment, disability, marital status, or familial status as it relates to housing;
167 except that, all approved program providers shall comply with all applicable provisions
168 of section 566.149.

169 (2) If an approved program provider determines that a student would be better
170 served by participating in a different program, the approved provider may refer the
171 student to the state's adult basic education services.

172 **12. (1) There is hereby created in the state treasury the "Workforce Diploma**
173 **Program Fund", which shall consist of any grants, gifts, donations, bequests, or moneys**
174 **appropriated under this section. The state treasurer shall be custodian of the fund. In**
175 **accordance with sections 30.170 and 30.180, the state treasurer may approve**
176 **disbursements. The fund shall be a dedicated fund and, upon appropriation, moneys in**
177 **the fund shall be used solely as provided in this section.**

178 **(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys**
179 **remaining in the fund at the end of the biennium shall not revert to the credit of the**
180 **general revenue fund.**

181 **(3) The state treasurer shall invest moneys in the fund in the same manner as other**
182 **funds are invested. Any interest and moneys earned on such investments shall be credited**
183 **to the fund.**

184 **13. The director of the department may promulgate all necessary rules and**
185 **regulations for the administration of this section. Any rule or portion of a rule, as that**
186 **term is defined in section 536.010, that is created under the authority delegated in this**
187 **section shall become effective only if it complies with and is subject to all of the provisions**
188 **of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are**
189 **nonseverable, and if any of the powers vested with the general assembly pursuant to**
190 **chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are**
191 **subsequently held unconstitutional, then the grant of rulemaking authority and any rule**
192 **proposed or adopted after August 28, 2020, shall be invalid and void.**

173.1011. 1. This section shall be known and may be cited as the "Informed Student
2 **Document Act".**

3 **2. As used in this section, the following terms mean:**

4 **(1) "Board", the coordinating board for higher education created in section 173.005;**

5 **(2) "Institution", any public postsecondary institution of higher education in this state that**
6 **is subject to the board and any private postsecondary institution of higher education in this state**
7 **that elects to provide information;**

8 **(3) "Peer institutions", a board-approved list of public or private state universities or**
9 **colleges that provides benchmarks for assessing institutional effectiveness. The criteria for**
10 **selections may consist of a university's or college's size, student characteristics, program mix,**
11 **institutional mission, and research focus and any other criterion approved by the board.**

12 **3. (1) The board shall develop an informed student document that is designed for use by**
13 **prospective students of institutions and parents of prospective students and that is also available**
14 **to the public, members of the general assembly, and other interested policy makers.**

15 **(2) The informed student document developed under this section shall identify:**

16 **(a) The institutional grouping to which the institution is assigned under any system of**
17 **institutional accountability maintained by the board; and**

18 (b) The institution's in-state and out-of-state peer institutions.

19 (3) For purposes of this section, information required to be included in the informed
20 student document regarding the institution's in-state or out-of-state peer institutions shall be listed
21 in the form of the average of that information for those institutions unless otherwise prescribed
22 by rules promulgated by the board.

23 (4) The informed student document shall include the following information relating to the
24 institution for the most recent state fiscal year for which the information is available and compare
25 that information to the same information for the state fiscal year preceding the most recent state
26 fiscal year for which the information is available and the state fiscal year preceding the most
27 recent state fiscal year for which the information is available by five years:

28 (a) Under the heading "COSTS":

29 a. The average annual total academic cost for a resident undergraduate student enrolled
30 in thirty semester credit hours at the institution's in-state and out-of-state peer institutions; and

31 b. For any institution that offers a bachelor's degree, the average number of fall and
32 spring semesters of enrollment attempted by a student to obtain a bachelor's degree at the
33 institution and at the institution's in-state peer institutions;

34 (b) Under the heading "EMPLOYMENT":

35 a. Employment potential for graduates of the institution and graduates of the institution's
36 in-state and out-of-state peer institutions;

37 b. Self-reported job placement of students within the first three years of graduation;

38 c. Self-reported income of college alumni over the first ten years of their careers; and

39 d. Field of study median earnings of individuals who received federal financial aid during
40 their studies and completed an award in the indicated field of study; and

41 (c) Under the heading "ADMISSIONS":

42 a. The middle fifty percent test score range of first-time undergraduate students at the
43 institution whose Scholastic Assessment Test (SAT) scores were in the twenty-fifth to seventy-fifth
44 percentile of students' scores at that institution;

45 b. The middle fifty percent test score range of first-time undergraduate students at the
46 institution whose American College Test (ACT) scores were in the twenty-fifth to seventy-fifth
47 percentile of students' scores at that institution;

48 c. The percentage of the students who applied for first-time undergraduate admission to
49 the institution who were offered admission to the institution; and

50 d. The percentage of students admitted from the top ten percent of Missouri's high school
51 graduating class or, if a particular high school does not calculate such percentage, the size of the
52 high school's graduating class and the percentage of students admitted from such class.

53 4. The prospective student or the student's parent or legal guardian shall verify on the
54 institution's website that the entire informed student document has been read prior to the
55 completion of the application for each institution.

56 5. The informed student document shall be made available to every public high school in
57 the state for public distribution to students by school guidance counselors no later than October

58 **fifteenth of each year and to the public, members of the general assembly, and other interested**
59 **policy makers on the website of the department of higher education and workforce development**
60 **and on each institution's website in accordance with procedures developed under this section.**

173.1200. 1. Each public institution of higher education shall develop and implement
2 a policy to advise students and staff on suicide prevention programs available on and off campus
3 that includes, but is not limited to:

4 (1) Crisis intervention access, which includes information for national, state, and local
5 suicide prevention hotlines;

6 (2) Mental health program access, which provides information on the availability of local
7 mental health clinics, student health services, and counseling services;

8 (3) Multimedia application access, which includes crisis hotline contact information,
9 suicide warning signs, resources offered, and free-of-cost applications;

10 (4) Student communication plans, which consist of creating outreach plans regarding
11 educational and outreach activities on suicide prevention; and

12 (5) Post intervention plans, which include creating a strategic plan to communicate
13 effectively with students, staff, and parents after the loss of a student to suicide.

14 2. Such policy shall also advise students, faculty, and staff, including residence hall staff,
15 of the proper procedures for identifying and addressing the needs of students exhibiting suicidal
16 tendencies or behavior, and shall provide for training, where appropriate.

17 3. Each public institution of higher education shall provide all incoming students with
18 information about depression and suicide prevention resources available to students. The
19 information provided to students shall include available mental health services and other support
20 services, including student-run organizations for individuals at risk of or affected by suicide.

21 4. The information prescribed by subdivisions (1) through (4) of subsection 1 of this
22 section shall be posted on the website of each institution of higher education in this state.

23 5. Any applicable free-of-cost prevention materials or programs shall be posted on the
24 websites of the public institutions of higher education and the department of higher education
25 and workforce development.

26 6. (1) Each public institution of higher education shall establish and maintain methods
27 of anonymous reporting concerning unsafe, potentially harmful, dangerous, violent, or criminal
28 activities, or the threat of such activities.

29 (2) Such methods shall ensure that the identity of the reporting party remains unknown
30 to all persons and entities, including law enforcement officers and employees or other persons,
31 except when criminal, civil, or administrative action is initiated regarding unsafe, potentially
32 harmful, dangerous, violent, or criminal activities, or the threat of such activities.

33 **7. (1) Beginning July 1, 2021, a public institution of higher education that issues**
34 **student identification cards shall have printed on either side of the cards the telephone**

35 number described in paragraph (a) of this subdivision and may have printed on either side
36 of the cards the telephone numbers described in paragraphs (b) to (d) of this subdivision:

37 (a) The telephone number for the National Suicide Prevention Lifeline,
38 1-800-273-8255;

39 (b) The Crisis Text Line, which can be accessed by texting HOME to 741741;

40 (c) The campus police or security telephone number or, if the campus does not have
41 a campus police or security telephone number, the local law enforcement authority's
42 telephone number; and

43 (d) A local suicide prevention hotline telephone number if available.

44 (2) If, on July 1, 2021, a public institution of higher education subject to the
45 requirements of this subsection has a supply of unissued student identification cards that
46 do not comply with the requirements of subdivision (1) of this subsection, the institution
47 shall issue those cards until that supply is depleted.

48 (3) Subdivision (1) of this subsection shall apply to a student identification card
49 issued for the first time to a student and to a card issued to replace a damaged or lost card.

173.1352. 1. As used in this section, the following terms mean:

2 (1) "Advanced placement examination", any examination administered through
3 the College Board's Advanced Placement Program (AP);

4 (2) "Board", the coordinating board for higher education created in section
5 173.005;

6 (3) "Institution", any in-state public community college, college, or university that
7 offers postsecondary freshman-level courses.

8 2. (1) Each institution shall adopt and implement a policy to grant undergraduate
9 course credit to entering freshman students for each advanced placement examination
10 upon which such student achieves a score of three or higher as provided in subdivision (2)
11 of this subsection.

12 (2) In the policy, the institution shall:

13 (a) Establish the institution's conditions for granting course credit;

14 (b) Provide for automatically granting course credit for a student who achieves a
15 score of three or higher on any advanced placement examination for any core curriculum
16 course developed under sections 178.785 to 178.789;

17 (c) Provide for granting course credit to a student who achieves a score of three or
18 higher on any advanced placement examination for any course that is not part of the core
19 curriculum developed under sections 178.785 to 178.789 unless the institution makes an
20 evidence-based determination that a score of four or higher is required to indicate that the

21 student is sufficiently prepared to be successful in a related and more advanced course for
22 which a lower-division course is a prerequisite; and

23 (d) Based on the correlations identified under subsection 4 of this section, identify
24 the specific course credit or other academic requirements of the institution, including the
25 number of semester credit hours or other course credit, that the institution will grant to a
26 student who achieves required scores on advanced placement examinations.

27 3. On request of an applicant for admission as an entering freshman, and based on
28 information provided by the applicant, an institution shall determine and notify the
29 applicant regarding:

30 (1) The amount and type of any course credit that would be granted to the
31 applicant under the policy; and

32 (2) Any other academic requirement that the applicant would satisfy under the
33 policy.

34 4. The board, in consultation with the department of elementary and secondary
35 education, shall identify correlations between the subject matter and content of courses
36 offered by each institution and the subject matter and content of courses and examinations
37 in the advanced placement program and shall make that information available to the
38 public on the board's website.

174.281. Southeast Missouri State University is hereby designated and shall
2 hereafter be operated as an institution with a statewide mission in the visual and
3 performing arts, computer science, and cybersecurity.

174.453. 1. Except as provided in section 174.450 and in subsection 6 of this section,
2 the board of governors shall be appointed as follows:

3 (1) Five voting members shall be selected from the counties comprising the institution's
4 historic statutory service region as described in section 174.010, except that no more than two
5 members shall be appointed from any one county with a population of less than two hundred
6 thousand inhabitants;

7 (2) Two voting members shall be selected from any of the counties in the state which are
8 outside of the institution's historic service region; and

9 (3) One nonvoting member who is a student shall be selected in the same manner as
10 prescribed in section 174.055.

11 2. The term of service of the governors shall be as follows:

12 (1) The voting members shall be appointed for terms of six years; and

13 (2) The nonvoting student member shall serve a two-year term.

14 3. Members of any board of governors selected pursuant to this section and in office on
15 May 13, 1999, shall serve the remainder of their unexpired terms.

16 4. Notwithstanding the provisions of subsection 1 of this section, the board of governors
17 of Missouri Southern State University shall be appointed as follows:

18 (1) Six voting members shall be selected from any of the following counties: Barton,
19 Jasper, Newton, McDonald, Dade, Lawrence, and Barry provided that no more than three of
20 these six members shall be appointed from any one county;

21 (2) Two voting members shall be selected from any of the counties in the state which are
22 outside of the counties articulated in subdivision (1) of this subsection;

23 (3) One nonvoting member who is a student shall be selected in the same manner as
24 prescribed in section 174.055; and

25 (4) The provisions of subdivisions (1) and (2) of this subsection shall only apply to board
26 members first appointed after August 28, 2004.

27 5. Notwithstanding the provisions of subsection 1 of this section, the board of governors
28 of Missouri Western State University shall be appointed as follows:

29 (1) Five voting members shall be selected from any of the following counties:
30 Buchanan, Platte, Clinton, Andrew, and DeKalb provided that no more than three of these five
31 members shall be appointed from any one county;

32 (2) Two voting members shall be selected from any of the counties in the state which are
33 outside of the counties articulated in subdivision (1) of this subsection;

34 (3) One nonvoting member who is a student shall be selected in the same manner as
35 prescribed in section 174.055; and

36 (4) The provisions of subdivisions (1) and (2) of this subsection shall only apply to board
37 members first appointed after August 28, 2005.

38 **6. (1) Notwithstanding the provisions of subsection 1 of this section to the contrary,**
39 **the board of governors of Southeast Missouri State University shall be appointed as**
40 **follows:**

41 **(a) One voting member shall be selected from one of the following counties: Butler,**
42 **Dunklin, Mississippi, New Madrid, Pemiscot, Scott, and Stoddard;**

43 **(b) Two voting members shall be selected from any of the following counties:**
44 **Bollinger, Cape Girardeau, Madison, Perry, Ste. Genevieve, and St. Francois;**

45 **(c) Two voting members shall be selected from any of the following counties or**
46 **areas: Franklin, Jefferson, Lincoln, St. Charles, St. Louis, St. Louis City, and Warren;**

47 **(d) Two voting members shall be selected from any of the counties in the state; and**

48 **(e) One nonvoting member who is a student shall be selected in the same manner**
49 **as provided in section 174.055.**

50 **(2) The provisions of paragraphs (a) through (c) of this subdivision shall only apply**
51 **to board members first appointed after August 28, 2020.**

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