

FIRST REGULAR SESSION

# SENATE BILL NO. 70

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR LeVOTA.

Pre-filed December 1, 2014, and ordered printed.

ADRIANE D. CROUSE, Secretary.

0326S.011

## AN ACT

To repeal section 167.131, RSMo, and to enact in lieu thereof two new sections relating to school accreditation, with an emergency clause.

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

Section A. Section 167.131, RSMo, is repealed and two new sections  
2 enacted in lieu thereof, to be known as sections 161.084 and 167.131, to read as  
3 follows:

**161.084. When classifying the public schools of the state under  
2 section 161.092, the state board of education shall not assign to any  
3 school district a classification designation of unaccredited or change  
4 a district's classification designation from accredited to provisionally  
5 accredited at any time when there is no state board of education  
6 member who is a resident of the congressional district in which such  
7 school district is located.**

167.131. 1. **Except as provided in subsections 3 to 5 of this  
2 section,** the board of education of each district in this state that does not  
3 maintain an accredited school pursuant to the authority of the state board of  
4 education to classify schools as established in section 161.092 shall pay the  
5 tuition of and provide transportation consistent with the provisions of section  
6 167.241 for each pupil resident therein who attends an accredited school in  
7 another district of the same or an adjoining county.

8 2. The rate of tuition to be charged by the district attended and paid by  
9 the sending district is the per pupil cost of maintaining the district's grade level  
10 grouping which includes the school attended. The cost of maintaining a grade  
11 level grouping shall be determined by the board of education of the district but  
12 in no case shall it exceed all amounts spent for teachers' wages, incidental

13 purposes, debt service, maintenance and replacements. The term "debt service",  
14 as used in this section, means expenditures for the retirement of bonded  
15 indebtedness and expenditures for interest on bonded indebtedness. Per pupil  
16 cost of the grade level grouping shall be determined by dividing the cost of  
17 maintaining the grade level grouping by the average daily pupil attendance. If  
18 there is disagreement as to the amount of tuition to be paid, the facts shall be  
19 submitted to the state board of education, and its decision in the matter shall be  
20 final. Subject to the limitations of this section, each pupil shall be free to attend  
21 the public school of his or her choice.

22 **3. Each district may establish and adopt, by objective means, a**  
23 **policy for desirable class size and student-teacher ratios. If a district**  
24 **adopts such a policy, it shall not be required to accept any transfer**  
25 **students from unaccredited districts under this section that would**  
26 **violate its class size or student-teacher ratio. If a student seeking to**  
27 **transfer from an unaccredited district is denied admission to an**  
28 **accredited district based on the district's policy, the student or the**  
29 **student's parent or guardian may appeal the ruling to the state board**  
30 **of education if he or she believes the district's policy is unduly**  
31 **restrictive to student transfers. The state board of education shall**  
32 **review the appropriateness of the district's policy. If the state board**  
33 **of education finds that the district's policy is unduly restrictive to**  
34 **student transfers from unaccredited districts, it may limit the district's**  
35 **policy. The state board of education's decision shall be final.**

36 **4. By January first annually, each accredited district located in**  
37 **the same county or an adjoining county to an unaccredited district**  
38 **shall report to the department of elementary and secondary education**  
39 **and publish on its internet website the number of available enrollment**  
40 **slots by grade level.**

41 **5. No unaccredited district, provisionally accredited district, or**  
42 **district with an annual performance report score consistent with a**  
43 **state board of education classification designation of unaccredited or**  
44 **provisionally accredited in the previous two years shall be eligible to**  
45 **receive transfer students.**

46 **6. For purposes of this section, the following terms shall mean:**  
47 **(1) "Accredited district", a school district that is accredited by**  
48 **the state board of education pursuant to the authority of the state**  
49 **board of education to classify schools as established in section 161.092;**

50           **(2) "Provisionally accredited district", a school district that is**  
51 **classified as provisionally accredited by the state board of education**  
52 **pursuant to the authority of the state board of education to classify**  
53 **schools as established in section 161.092;**

54           **(3) "Unaccredited district", a school district classified as**  
55 **unaccredited by the state board of education pursuant to the authority**  
56 **of the state board of education to classify schools as established in**  
57 **section 161.092.**

          Section B. Because of the importance of ensuring proper accreditation of  
2 the public schools of this state and providing guidance to school districts and  
3 parents for student transfers from unaccredited school districts to accredited  
4 school districts, section A of this act is deemed necessary for the immediate  
5 preservation of the public health, welfare, peace and safety, and is hereby  
6 declared to be an emergency act within the meaning of the constitution, and  
7 section A of this act shall be in full force and effect upon its passage and  
8 approval.

✓

Bill

Copy