

SECOND REGULAR SESSION

[PERFECTED]

SENATE SUBSTITUTE NO. 2 FOR

SENATE COMMITTEE SUBSTITUTE FOR

SENATE BILL NO. 727

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR KOENIG.

3329S.24P

KRISTINA MARTIN, Secretary

AN ACT

To repeal sections 135.713, 135.714, 135.715, 160.011, 160.041, 160.400, 160.415, 161.670, 162.471, 162.492, 162.611, 162.996, 163.011, 163.018, 163.021, 163.044, 163.172, 166.700, 167.031, 167.061, 167.071, 167.600, 167.619, 167.850, 168.021, 168.110, 168.400, 168.500, 169.560, 169.660, 170.048, 171.031, 171.033, 173.232, 210.167, 210.211, 211.031, 452.375, and 595.209, RSMo, and to enact in lieu thereof forty-four new sections relating to elementary and secondary education, with penalty provisions and an effective date for certain sections.

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

Section A. Sections 135.713, 135.714, 135.715, 160.011,
2 160.041, 160.400, 160.415, 161.670, 162.471, 162.492, 162.611,
3 162.996, 163.011, 163.018, 163.021, 163.044, 163.172, 166.700,
4 167.031, 167.061, 167.071, 167.600, 167.619, 167.850, 168.021,
5 168.110, 168.400, 168.500, 169.560, 169.660, 170.048, 171.031,
6 171.033, 173.232, 210.167, 210.211, 211.031, 452.375, and
7 595.209, RSMo, are repealed and forty-four new sections enacted
8 in lieu thereof, to be known as sections 135.713, 135.714,
9 135.715, 160.011, 160.041, 160.400, 160.415, 161.239, 161.670,
10 162.471, 162.492, 162.611, 162.996, 163.011, 163.018, 163.021,
11 163.044, 163.096, 163.172, 166.700, 167.012, 167.013, 167.031,
12 167.061, 167.600, 167.619, 167.850, 168.021, 168.110, 168.400,

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

13 168.500, 169.560, 169.660, 170.048, 171.028, 171.031, 171.033,
14 173.232, 210.167, 210.211, 211.031, 452.375, 595.209, and 1, to
15 read as follows:

135.713. 1. Any taxpayer who makes a qualifying
2 contribution to an educational assistance organization after
3 August 28, 2021, may claim a credit against the tax
4 otherwise due under chapter 143, other than taxes withheld
5 under sections 143.191 to 143.265, and chapter 153 in an
6 amount equal to one hundred percent of the amount the
7 taxpayer contributed during the tax year for which the
8 credit is claimed. No taxpayer shall claim a credit under
9 sections 135.712 to 135.719 for any contribution made by the
10 taxpayer, or an agent of the taxpayer, on behalf of the
11 taxpayer's dependent or, in the case of a business taxpayer,
12 on behalf of the business's agent's dependent.

2. The amount of the tax credit claimed shall not
14 exceed fifty percent of the taxpayer's state tax liability
15 for the tax year for which the credit is claimed. The state
16 treasurer shall certify the tax credit amount to the
17 taxpayer. A taxpayer may carry the credit forward to any of
18 such taxpayer's four subsequent tax years. All tax credits
19 authorized under the program shall not be transferred, sold,
20 or assigned, and are not refundable.

21 3. The cumulative amount of tax credits that may be
22 allocated to all taxpayers contributing to educational
23 assistance organizations in any one calendar year shall not
24 exceed **[fifty] a maximum of seventy-five** million dollars[,
25 **which]**. **Such maximum** amount shall be annually adjusted by
26 the state treasurer **[for inflation based on the Consumer**
27 **Price Index for All Urban Consumers for the Midwest region,**
28 **as defined and officially recorded by the United States**
29 **Department of Labor or its successor, such annual increase**

30 will cease when the amount of tax credits reach seventy-five
31 million dollars] in an amount equal to the percent increase
32 or decrease in the amount of state aid distributed to school
33 districts pursuant to the provisions of section 163.031 in
34 the current fiscal year as compared to such amount in the
35 preceding fiscal year, rounded to the nearest thousandth.

36 The state treasurer shall establish a procedure by which,
37 from the beginning of the calendar year until August first,
38 the cumulative amount of tax credits shall be allocated on a
39 first-come, first-served basis among all educational
40 assistance organizations. If an educational assistance
41 organization fails to use all, or some percentage to be
42 determined by the state treasurer, of its allocated tax
43 credits during this period, the state treasurer may
44 reallocate these unused tax credits to those educational
45 assistance organizations that have used all, or some
46 percentage to be determined by the state treasurer, of their
47 allocated tax credits during this period. The state
48 treasurer may establish more than one period and reallocate
49 more than once during each calendar year. The state
50 treasurer shall establish the procedure described in this
51 subsection in such a manner as to ensure that taxpayers can
52 claim all the tax credits possible up to the cumulative
53 amount of tax credits available for the calendar year.

54 4. A taxpayer who makes a contribution to an education
55 assistance organization shall not designate the student who
56 will receive a scholarship grant.

57 [5. The provisions of sections 135.712 to 135.719 and
58 sections 166.700 to 166.720 shall be effective in any fiscal
59 year immediately subsequent to any fiscal year in which the
60 amount appropriated for pupil transportation under section
61 163.161 equals or exceeds forty percent of the projected

62 amount necessary to fully fund transportation aid funding
63 for fiscal year 2021. If the amount appropriated for
64 transportation under section 163.161 in any succeeding year
65 falls below such amount, no additional scholarships for
66 newly qualified students shall be awarded.]

135.714. 1. Each educational assistance organization
2 shall:

3 (1) Notify the state treasurer of **[its] such**
4 **organization's** intent to provide scholarship accounts to
5 qualified students;

6 (2) Demonstrate to the state treasurer that **[it] such**
7 **organization** is exempt from federal income tax under Section
8 501(c)(3) of the Internal Revenue Code of 1986, as amended;

9 (3) Provide a state treasurer-approved receipt to
10 taxpayers for contributions made to the organization;

11 (4) Ensure that grants are distributed to scholarship
12 accounts of qualified students in the following order:

13 (a) **Qualified students who received a scholarship**
14 **grant in the previous school year;**

15 (b) **Qualified students who are siblings of qualified**
16 **students who will receive a scholarship grant in the current**
17 **school year;**

18 (c) Qualified students that have an approved
19 "individualized education plan" (IEP) developed under the
20 federal Individuals with Disabilities Education Act (IDEA),
21 20 U.S.C. Section 1400, et seq., as amended, **[or qualified**
22 **students living in a household whose total annual income**
23 **does not exceed an amount equal to one hundred percent of**
24 **the income standard used to qualify for free and reduced**
25 **price lunches;**

26 (b) **Qualified students living in a household whose**
27 **total annual income does not exceed an amount equal to two**

28 hundred percent of the income standard used to qualify for
29 free and reduced price lunches; and

30 (c) or who have been diagnosed with dyslexia, as the
31 term "dyslexia" is defined in section 633.420;

32 (d) Qualified students who are eligible for free lunch
33 as approved by the department of elementary and secondary
34 education in accordance with federal regulations and who
35 reside in an unaccredited or provisionally accredited school
36 district;

37 (e) Qualified students who are eligible for reduced
38 price lunch as approved by the department of elementary and
39 secondary education in accordance with federal regulations
40 and who reside in an unaccredited or provisionally
41 accredited school district;

42 (f) Qualified students who are eligible for free lunch
43 as approved by the department of elementary and secondary
44 education in accordance with federal regulations;

45 (g) Qualified students who are eligible for reduced
46 price lunch as approved by the department of elementary and
47 secondary education in accordance with federal regulations;

48 (h) Qualified students who are active duty military
49 dependents who have relocated to Missouri and are enrolling
50 in a school in the state for the first time; and

51 (i) All other qualified students;

52 (5) Ensure that:

53 (a) One hundred percent of [its] such organization's
54 revenues from interest or investments is spent on
55 scholarship accounts;

56 (b) At least ninety percent of [its] such
57 organization's revenues from qualifying contributions is
58 spent on scholarship accounts; and

59 (c) Marketing and administrative expenses do not
60 exceed the following limits of **[its] such organization's**
61 remaining revenue from contributions:

62 a. Ten percent for the first two hundred fifty
63 thousand dollars;

64 b. Eight percent for the next five hundred thousand
65 dollars; and

66 c. Three percent thereafter;

67 (6) **(a)** Distribute scholarship account payments
68 either four times per year or in a single lump sum at the
69 beginning of the year as requested by the parent of a
70 qualified student, **[not to exceed a total grant amount equal**
71 **to] based on** the state adequacy target as defined in section
72 163.011 and calculated by the department of elementary and
73 secondary education, **subject to the following total grant**
74 **amount limits:**

75 a. **For a qualified student who meets the criteria to**
76 **be included in a school district's limited English**
77 **proficiency pupil count as set forth in subdivision (8) of**
78 **section 163.011, not more than one hundred sixty percent of**
79 **the state adequacy target;**

80 b. **For a qualified student who is eligible for free or**
81 **reduced price lunch as approved by the department of**
82 **elementary and secondary education in accordance with**
83 **federal regulations, not more than one hundred twenty-five**
84 **percent of the state adequacy target;**

85 c. **For a qualified student who has an approved**
86 **individualized education plan developed under the federal**
87 **Individuals with Disabilities Education Act (IDEA), 20**
88 **U.S.C. Section 1400, et seq., as amended, not more than one**
89 **hundred seventy-five percent of the state adequacy target;**
90 **and**

91 **d. For all other qualified students, not more than the**
92 **state adequacy target;**

93 **(b) Scholarship account payments distributed under**
94 **this subdivision shall be** in the form of a deposit into the
95 scholarship account of the qualified student;

96 (7) Provide the state treasurer, upon request, with
97 criminal background checks on all **[its] such organization's**
98 employees and board members and exclude from employment or
99 governance any individual who might reasonably pose a risk
100 to the appropriate use of contributed funds;

101 (8) Demonstrate **[its] such organization's** financial
102 accountability by:

103 (a) Submitting to the state treasurer annual audit
104 financial statements by a certified public accountant within
105 six months of the end of the educational assistance
106 organization's fiscal year; and

107 (b) Having an auditor certify that the report is free
108 of material misstatements; and

109 (9) Ensure that participating students take the state
110 achievement tests or nationally norm-referenced tests that
111 measure learning gains in math and English language arts,
112 and provide for value-added assessment, in grades that
113 require testing under the statewide assessment system set
114 forth in section 160.518;

115 (10) Allow costs of the testing requirements to be
116 covered by the scholarships distributed by the educational
117 assistance organization;

118 (11) Provide the parents of each student who was
119 tested with a copy of the results of the tests on an annual
120 basis, beginning with the first year of testing;

121 (12) Provide the test results to the state treasurer,
122 **the department of elementary and secondary education, and**

123 **the board established in section 135.715** on an annual basis,
124 beginning with the first year of testing;

125 (13) Report student information that would allow the
126 state treasurer, **the department of elementary and secondary**
127 **education, and the board established in section 135.715** to
128 aggregate data by grade level, gender, family income level,
129 and race;

130 (14) Provide rates of high school graduation, college
131 attendance, and college graduation for participating
132 students to the state treasurer, **the department of**
133 **elementary and secondary education, and the board**
134 **established in section 135.715** in a manner consistent with
135 nationally recognized standards;

136 (15) Provide to the state treasurer, **the department of**
137 **elementary and secondary education, and the board**
138 **established in section 135.715** the results from an annual
139 parental satisfaction survey, including information about
140 the number of years that the parent's child has participated
141 in the scholarship program. The annual satisfaction survey
142 shall ask parents of scholarship students to express:

143 (a) Their level of satisfaction with the child's
144 academic achievement, including academic achievement at the
145 schools the child attends through the scholarship program
146 versus academic achievement at the school previously
147 attended;

148 (b) Their level of satisfaction with school safety at
149 the schools the child attends through the scholarship
150 program versus safety at the schools previously attended;

151 (16) Demonstrate **[its] such organization's** financial
152 viability, if **[it] such organization** is to receive donations
153 of fifty thousand dollars or more during the school year, by
154 filing with the state treasurer before the start of the

155 school year a surety bond payable to the state in an amount
156 equal to the aggregate amount of contributions expected to
157 be received during the school year or other financial
158 information that demonstrates the financial viability of the
159 educational assistance organization.

160 2. The annual audit required under this section shall
161 include:

162 (1) The name and address of the educational assistance
163 organization;

164 (2) The name and address of each qualified student for
165 whom a parent opened a scholarship account with the
166 organization;

167 (3) The total number and total dollar amount of
168 contributions received during the previous calendar year; and

169 (4) The total number and total dollar amount of
170 scholarship accounts opened during the previous calendar
171 year.

172 3. The state treasurer shall:

173 (1) Ensure compliance with all student privacy laws
174 for data in the state treasurer's possession;

175 (2) Collect all test results;

176 (3) Provide the test results and associated learning
177 gains to the public via a state website after the third year
178 of test and test-related data collection. The findings
179 shall be aggregated by the students' grade level, gender,
180 family income level, number of years of participation in the
181 scholarship program, and race; and

182 (4) Provide graduation rates to the public via a state
183 website after the third year of test and test-related data
184 collection.

185 4. **The state treasurer shall cause the following**
186 **information to be posted on the state treasurer's website**

187 annually, provided that no personally identifiable
188 information of any student is released:

189 (1) The number of students who have been awarded a
190 scholarship to date and the number of students who have been
191 awarded a scholarship in the current school year;

192 (2) The number of scholarship recipients enrolled in
193 each qualified school, along with the number of recipients
194 who qualify for free and reduced price lunch and the number
195 of recipients who receive special education services and the
196 type of special education services received. Such
197 information shall be broken down by school year and the
198 total to date;

199 (3) The total number of scholarship recipients who are
200 eligible for free and reduced price lunch as approved by the
201 department of elementary and secondary education in
202 accordance with federal guidelines, broken down by school
203 year and the total to date;

204 (4) The total number of scholarship recipients who
205 have an individualized education plan ("IEP") developed
206 under the federal Individuals with Disabilities Education
207 Act, 20 U.S.C. Section 1400, et seq., as amended, broken
208 down by school year and the total to date;

209 (5) The number of scholarship recipients who have
210 received a grant from each educational assistance
211 organization, broken down by school year and the total to
212 date;

213 (6) The student test scores required to be posted
214 online pursuant to subdivision (3) of subsection 3 of this
215 section;

216 (7) The results of the parent satisfaction survey
217 required annually pursuant to subdivision (15) of subsection
218 1 of this section;

219 (8) The average dollar amount of a scholarship grant
220 for all students who participate in the program;

221 (9) The average dollar amount of a scholarship grant
222 for all students who participate in the program and who have
223 an IEP;

224 (10) The average duration of a student's participation
225 in the program;

226 (11) The number of students who are in their first
227 year of participation in the program;

228 (12) A list of the educational assistance
229 organizations that make contributions to the empowerment
230 scholarship accounts of students enrolled in each qualified
231 school; and

232 (13) The total amount of money that has been remitted
233 from qualified students' empowerment scholarship accounts to
234 each qualified school, broken down by school year and the
235 total aggregate amount.

236 5. An educational assistance organization may contract
237 with private financial management firms to manage
238 scholarship accounts with the supervision of the state
239 treasurer, **provided that all laws and regulations that apply**
240 **to employees of such educational assistance organization**
241 **shall also apply to the actions of any employees of the**
242 **management firm while they are conducting work relating to**
243 **the direct decision-making of the operation of such**
244 **educational assistance organization.**

135.715. 1. [Notwithstanding any provision in section
2 135.713 to the contrary, the annual increase to the
3 cumulative amount of tax credits under subsection 3 of
4 section 135.713 shall cease when the amount of tax credits
5 reaches fifty million dollars.] The cumulative amount of
6 tax credits that may be allocated to all taxpayers

7 contributing to educational assistance organizations in the
8 first year of the program shall not exceed twenty-five
9 million dollars.

10 2. The state treasurer shall limit the number of
11 educational assistance organizations that are certified to
12 administer scholarship accounts to no more than ten such
13 organizations in any single school year[, with]. **If the**
14 **total contributions to educational assistance organizations**
15 **exceed twenty-five million dollars in any school year, the**
16 **state treasurer may certify one additional educational**
17 **assistance organization to administer scholarship accounts.**
18 No more than [six] **seven** of such organizations [having]
19 **shall have** their principal place of business in:

20 (1) A county of the first classification with more
21 than two hundred sixty thousand but fewer than three hundred
22 thousand inhabitants;

23 (2) A county with a charter form of government and
24 with more than six hundred thousand but fewer than seven
25 hundred thousand inhabitants;

26 (3) A county with a charter form of government and
27 with more than three hundred thousand but fewer than four
28 hundred fifty thousand inhabitants;

29 (4) A county with a charter form of government and
30 with more than nine hundred fifty thousand inhabitants; or

31 (5) A city not within a county.

32 3. The state treasurer may delegate any duties
33 assigned to the state treasurer under sections 135.712 to
34 135.719 and sections 166.700 to 166.720 to the "Missouri
35 Empowerment Scholarship Accounts Board", which is hereby
36 established. The Missouri empowerment scholarship accounts
37 board shall consist of the state treasurer, who shall serve
38 as chair, the commissioner of the department of higher

39 education and workforce development, the commissioner of
40 education, [the commissioner of the office of
41 administration,] one member appointed by the president pro
42 tempore of the senate, one member appointed by the speaker
43 of the house of representatives, [and] one member appointed
44 by the governor with the advice and consent of the senate,
45 **and one member appointed by the six aforementioned board**
46 **members who is an employee of an educational assistance**
47 **organization and whose responsibilities are directly related**
48 **to such organization's involvement in the empowerment**
49 **scholarship accounts program.** The appointed members shall
50 serve terms of four years or until their successors have
51 been appointed and qualified. The board shall have all
52 powers and duties assigned to the state treasurer under
53 sections 135.712 to 135.719 and sections 166.700 to 166.720
54 that are delegated to the board by the state treasurer. **The**
55 **board shall assist the state treasurer with data collection,**
56 **collaboration with the department of elementary and**
57 **secondary education, making recommendations to the state**
58 **treasurer regarding the promulgation of rules concerning the**
59 **program.** Members of the board shall not receive
60 compensation for their service, but may receive
61 reimbursement for necessary expenses.

62 4. Notwithstanding the provisions of subsection 7 of
63 section 135.716 to the contrary, four percent of the total
64 qualifying contributions received by each educational
65 assistance organization per calendar year shall be deposited
66 in the Missouri empowerment scholarship accounts fund to be
67 used by the state treasurer for marketing and administrative
68 expenses or the costs incurred in administering the program,
69 whichever is less.

70 5. Notwithstanding the provisions of subdivision (5)
71 of subsection 2 of section 135.712 to the contrary, the term
72 "qualifying contribution" shall mean a donation of cash,
73 including, but not limited to, checks drawn on a banking
74 institution located in the continental United States in U.S.
75 dollars (other than cashier checks, or third-party checks
76 exceeding ten thousand dollars), money orders, payroll
77 deductions, and electronic fund transfers. This term shall
78 not include stocks, bonds, other marketable securities, or
79 property.

 160.011. As used in chapters 160, 161, 162, 163, 164,
2 165, 167, 168, 170, 171, 177 and 178, the following terms
3 mean:

4 (1) "District" or "school district", when used alone,
5 may include seven-director, urban, and metropolitan school
6 districts;

7 (2) "Elementary school", a public school giving
8 instruction in a grade or grades not higher than the eighth
9 grade;

10 (3) "Family literacy programs", services of sufficient
11 intensity in terms of hours, and of sufficient duration, to
12 make sustainable changes in families that include:

13 (a) Interactive literacy activities between parents
14 and their children;

15 (b) Training of parents regarding how to be the
16 primary teacher of their children and full partners in the
17 education of their children;

18 (c) Parent literacy training that leads to high school
19 completion and economic self sufficiency; and

20 (d) An age-appropriate education to prepare children
21 of all ages for success in school;

22 (4) "Graduation rate", the quotient of the number of
23 graduates in the current year as of June thirtieth divided
24 by the sum of the number of graduates in the current year as
25 of June thirtieth plus the number of twelfth graders who
26 dropped out in the current year plus the number of eleventh
27 graders who dropped out in the preceding year plus the
28 number of tenth graders who dropped out in the second
29 preceding year plus the number of ninth graders who dropped
30 out in the third preceding year;

31 (5) "High school", a public school giving instruction
32 in a grade or grades not lower than the ninth nor higher
33 than the twelfth grade;

34 (6) "Metropolitan school district", any school
35 district the boundaries of which are coterminous with the
36 limits of any city which is not within a county;

37 (7) "Public school" includes all elementary and high
38 schools operated at public expense;

39 (8) "School board", the board of education having
40 general control of the property and affairs of any school
41 district;

42 (9) "School term", a minimum of [one hundred seventy-
43 four school days, as that term is defined in section
44 160.041, for schools with a five-day school week or a
45 minimum of one hundred forty-two school days, as that term
46 is defined in section 160.041, for schools with a four-day
47 school week, and] one thousand forty-four hours of actual
48 pupil attendance as scheduled by the board pursuant to
49 section 171.031 during a twelve-month period in which the
50 academic instruction of pupils is actually and regularly
51 carried on for a group of students in the public schools of
52 any school district[. In school year 2019-20 and subsequent
53 years, one thousand forty-four hours of actual pupil

54 attendance shall be required with no minimum number of
55 school days required], and, for a school district that is
56 located wholly or partially in a county with a charter form
57 of government or a school district that is located wholly or
58 partially in a city with more than thirty thousand
59 inhabitants, a minimum of one hundred and sixty-nine school
60 days, as that term is defined in section 160.041, unless the
61 district has adopted a four-day school week as provided in
62 section 171.028, in which case the district school term
63 shall have a minimum of one hundred forty-two school days,
64 as such term is defined in section 160.041. A school term
65 may be within a school year or may consist of parts of two
66 consecutive school years, but does not include summer
67 school. A district may choose to operate two or more terms
68 for different groups of children. A school term for
69 students participating in a school flex program as
70 established in section 160.539 may consist of a combination
71 of actual pupil attendance and attendance at college or
72 technical career education or approved employment aligned
73 with the student's career academic plan for a total of the
74 required number of hours as provided in this subdivision;

75 (10) "Secretary", the secretary of the board of a
76 school district;

77 (11) "Seven-director district", any school district
78 which has seven directors and includes urban districts
79 regardless of the number of directors an urban district may
80 have unless otherwise provided by law;

81 (12) "Taxpayer", any individual who has paid taxes to
82 the state or any subdivision thereof within the immediately
83 preceding twelve-month period or the spouse of such
84 individual;

85 (13) "Town", any town or village, whether or not
86 incorporated, the plat of which has been filed in the office
87 of the recorder of deeds of the county in which it is
88 situated;

89 (14) "Urban school district", any district which
90 includes more than half of the population or land area of
91 any city which has not less than seventy thousand
92 inhabitants, other than a city which is not within a county.

160.041. 1. [The "minimum school day" consists of
2 three hours for schools with a five-day school week or four
3 hours for schools with a four-day school week in which the
4 pupils are under the guidance and direction of teachers in
5 the teaching process.] A "school month" consists of four
6 weeks of five days each for schools with a five-day school
7 week or four weeks of four days each for schools with a four-
8 day school week. [In school year 2019-20 and subsequent
9 years, no minimum number of school days shall be required,
10 and] **The term** "school day" shall mean any day in which, for
11 any amount of time, pupils are under the guidance and
12 direction of teachers in the teaching process. The "school
13 year" commences on the first day of July and ends on the
14 thirtieth day of June following.

15 2. Notwithstanding the provisions of subsection 1 of
16 this section, the commissioner of education is authorized to
17 reduce the required number of hours or days in which the
18 pupils are under the guidance and direction of teachers in
19 the teaching process if:

20 (1) There is damage to or destruction of a public
21 school facility which requires the dual utilization of
22 another school facility; or

23 (2) Flooding or other inclement weather as defined in
24 subsection 1 of section 171.033 prevents students from
25 attending the public school facility.

26 Such reduction shall not extend beyond two calendar years in
27 duration.

 160.400. 1. A charter school is an independent public
2 school.

3 2. Except as further provided in subsection 4 of this
4 section, charter schools may be operated only:

5 (1) In a metropolitan school district;

6 (2) In an urban school district containing most or all
7 of a city with a population greater than three hundred fifty
8 thousand inhabitants;

9 (3) In a school district that has been classified as
10 unaccredited by the state board of education;

11 (4) In a school district that has been classified as
12 provisionally accredited by the state board of education and
13 has received scores on its annual performance report
14 consistent with a classification of provisionally accredited
15 or unaccredited for three consecutive school years beginning
16 with the 2012-13 accreditation year under the following
17 conditions:

18 (a) The eligibility for charter schools of any school
19 district whose provisional accreditation is based in whole
20 or in part on financial stress as defined in sections
21 161.520 to 161.529, or on financial hardship as defined by
22 rule of the state board of education, shall be decided by a
23 vote of the state board of education during the third
24 consecutive school year after the designation of provisional
25 accreditation; and

26 (b) The sponsor is limited to the local school board
27 or a sponsor who has met the standards of accountability and
28 performance as determined by the department based on
29 sections 160.400 to 160.425 and section 167.349 and properly
30 promulgated rules of the department; [or]

31 (5) **In a school district located within a county with**
32 **more than one hundred fifty thousand but fewer than two**
33 **hundred thousand inhabitants, provided that the provisions**
34 **of subsections 15 to 18 of section 160.415 shall not apply**
35 **to any charter school operated in such county; or**

36 (6) In a school district that has been accredited
37 without provisions, sponsored only by the local school
38 board; provided that no board with a current year enrollment
39 of one thousand five hundred fifty students or greater shall
40 permit more than thirty-five percent of its student
41 enrollment to enroll in charter schools sponsored by the
42 local board under the authority of this subdivision, except
43 that this restriction shall not apply to any school district
44 that subsequently becomes eligible under subdivision (3) or
45 (4) of this subsection or to any district accredited without
46 provisions that sponsors charter schools prior to having a
47 current year student enrollment of one thousand five hundred
48 fifty students or greater.

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

52 (1) The school board of the district in any district
53 which is sponsoring a charter school as of August 27, 2012,
54 as permitted under subdivision (1) or (2) of subsection 2 of
55 this section, the special administrative board of a
56 metropolitan school district during any time in which powers
57 granted to the district's board of education are vested in a

58 special administrative board, or if the state board of
59 education appoints a special administrative board to retain
60 the authority granted to the board of education of an urban
61 school district containing most or all of a city with a
62 population greater than three hundred fifty thousand
63 inhabitants, the special administrative board of such school
64 district;

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

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

70 (4) Any private four-year college or university with
71 an enrollment of at least one thousand students, with its
72 primary campus in Missouri, and with an approved teacher
73 preparation program;

74 (5) Any two-year private vocational or technical
75 school designated as a 501(c)(3) nonprofit organization
76 under the Internal Revenue Code of 1986, as amended, and
77 accredited by the Higher Learning Commission, with its
78 primary campus in Missouri;

79 (6) The Missouri charter public school commission
80 created in section 160.425.

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

85 (1) As a district transitions from unaccredited to
86 provisionally accredited, the district shall continue to
87 fall under the requirements for an unaccredited district
88 until it achieves three consecutive full school years of
89 provisional accreditation;

90 (2) As a district transitions from provisionally
91 accredited to full accreditation, the district shall
92 continue to fall under the requirements for a provisionally
93 accredited district until it achieves three consecutive full
94 school years of full accreditation;

95 (3) In any school district classified as unaccredited
96 or provisionally accredited where a charter school is
97 operating and is sponsored by an entity other than the local
98 school board, when the school district becomes classified as
99 accredited without provisions, a charter school may continue
100 to be sponsored by the entity sponsoring it prior to the
101 classification of accredited without provisions and shall
102 not be limited to the local school board as a sponsor.

103 A charter school operating in a school district identified
104 in subdivision (1) [or], (2), or (5) of subsection 2 of this
105 section may be sponsored by any of the entities identified
106 in subsection 3 of this section, irrespective of the
107 accreditation classification of the district in which it is
108 located. A charter school in a district described in this
109 subsection whose charter provides for the addition of grade
110 levels in subsequent years may continue to add levels until
111 the planned expansion is complete to the extent of grade
112 levels in comparable schools of the district in which the
113 charter school is operated.

114 5. The mayor of a city not within a county may request
115 a sponsor under subdivision (2), (3), (4), (5), or (6) of
116 subsection 3 of this section to consider sponsoring a
117 "workplace charter school", which is defined for purposes of
118 sections 160.400 to 160.425 as a charter school with the
119 ability to target prospective students whose parent or

120 parents are employed in a business district, as defined in
121 the charter, which is located in the city.

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

126 7. The charter school shall be organized as a Missouri
127 nonprofit corporation incorporated pursuant to chapter 355.
128 The charter provided for herein shall constitute a contract
129 between the sponsor and the charter school.

130 8. As a nonprofit corporation incorporated pursuant to
131 chapter 355, the charter school shall select the method for
132 election of officers pursuant to section 355.326 based on
133 the class of corporation selected. Meetings of the
134 governing board of the charter school shall be subject to
135 the provisions of sections 610.010 to 610.030.

136 9. A sponsor of a charter school, its agents and
137 employees are not liable for any acts or omissions of a
138 charter school that it sponsors, including acts or omissions
139 relating to the charter submitted by the charter school, the
140 operation of the charter school and the performance of the
141 charter school.

142 10. A charter school may affiliate with a four-year
143 college or university, including a private college or
144 university, or a community college as otherwise specified in
145 subsection 3 of this section when its charter is granted by
146 a sponsor other than such college, university or community
147 college. Affiliation status recognizes a relationship
148 between the charter school and the college or university for
149 purposes of teacher training and staff development,
150 curriculum and assessment development, use of physical
151 facilities owned by or rented on behalf of the college or

152 university, and other similar purposes. A university,
153 college or community college may not charge or accept a fee
154 for affiliation status.

155 11. The expenses associated with sponsorship of
156 charter schools shall be defrayed by the department of
157 elementary and secondary education retaining one and five-
158 tenths percent of the amount of state and local funding
159 allocated to the charter school under section 160.415, not
160 to exceed one hundred twenty-five thousand dollars, adjusted
161 for inflation. The department of elementary and secondary
162 education shall remit the retained funds for each charter
163 school to the school's sponsor, provided the sponsor remains
164 in good standing by fulfilling its sponsorship obligations
165 under sections 160.400 to 160.425 and 167.349 with regard to
166 each charter school it sponsors, including appropriate
167 demonstration of the following:

168 (1) Expends no less than ninety percent of its charter
169 school sponsorship funds in support of its charter school
170 sponsorship program, or as a direct investment in the
171 sponsored schools;

172 (2) Maintains a comprehensive application process that
173 follows fair procedures and rigorous criteria and grants
174 charters only to those developers who demonstrate strong
175 capacity for establishing and operating a quality charter
176 school;

177 (3) Negotiates contracts with charter schools that
178 clearly articulate the rights and responsibilities of each
179 party regarding school autonomy, expected outcomes, measures
180 for evaluating success or failure, performance consequences
181 based on the annual performance report, and other material
182 terms;

183 (4) Conducts contract oversight that evaluates
184 performance, monitors compliance, informs intervention and
185 renewal decisions, and ensures autonomy provided under
186 applicable law; and

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

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

194 13. No university, college or community college shall
195 grant a charter to a nonprofit corporation if an employee of
196 the university, college or community college is a member of
197 the corporation's board of directors.

198 14. No sponsor shall grant a charter under sections
199 160.400 to 160.425 and 167.349 without ensuring that a
200 criminal background check and family care safety registry
201 check are conducted for all members of the governing board
202 of the charter schools or the incorporators of the charter
203 school if initial directors are not named in the articles of
204 incorporation, nor shall a sponsor renew a charter without
205 ensuring a criminal background check and family care safety
206 registry check are conducted for each member of the
207 governing board of the charter school.

208 15. No member of the governing board of a charter
209 school shall hold any office or employment from the board or
210 the charter school while serving as a member, nor shall the
211 member have any substantial interest, as defined in section
212 105.450, in any entity employed by or contracting with the
213 board. No board member shall be an employee of a company
214 that provides substantial services to the charter school.

215 All members of the governing board of the charter school
216 shall be considered decision-making public servants as
217 defined in section 105.450 for the purposes of the financial
218 disclosure requirements contained in sections 105.483,
219 105.485, 105.487, and 105.489.

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

222 (1) The review of a charter school proposal including
223 an application that provides sufficient information for
224 rigorous evaluation of the proposed charter and provides
225 clear documentation that the education program and academic
226 program are aligned with the state standards and grade-level
227 expectations, and provides clear documentation of effective
228 governance and management structures, and a sustainable
229 operational plan;

230 (2) The granting of a charter;

231 (3) The performance contract that the sponsor will use
232 to evaluate the performance of charter schools. Charter
233 schools shall meet current state academic performance
234 standards as well as other standards agreed upon by the
235 sponsor and the charter school in the performance contract;

236 (4) The sponsor's intervention, renewal, and
237 revocation policies, including the conditions under which
238 the charter sponsor may intervene in the operation of the
239 charter school, along with actions and consequences that may
240 ensue, and the conditions for renewal of the charter at the
241 end of the term, consistent with subsections 8 and 9 of
242 section 160.405;

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

245 (6) Procedures to be implemented if a charter school
246 should close, consistent with the provisions of subdivision
247 (15) of subsection 1 of section 160.405.

248 The department shall provide guidance to sponsors in
249 developing such policies and procedures.

250 17. (1) A sponsor shall provide timely submission to
251 the state board of education of all data necessary to
252 demonstrate that the sponsor is in material compliance with
253 all requirements of sections 160.400 to 160.425 and section
254 167.349. The state board of education shall ensure each
255 sponsor is in compliance with all requirements under
256 sections 160.400 to 160.425 and 167.349 for each charter
257 school sponsored by any sponsor. The state board shall
258 notify each sponsor of the standards for sponsorship of
259 charter schools, delineating both what is mandated by
260 statute and what best practices dictate. The state board
261 shall evaluate sponsors to determine compliance with these
262 standards every three years. The evaluation shall include a
263 sponsor's policies and procedures in the areas of charter
264 application approval; required charter agreement terms and
265 content; sponsor performance evaluation and compliance
266 monitoring; and charter renewal, intervention, and
267 revocation decisions. Nothing shall preclude the department
268 from undertaking an evaluation at any time for cause.

269 (2) If the department determines that a sponsor is in
270 material noncompliance with its sponsorship duties, the
271 sponsor shall be notified and given reasonable time for
272 remediation. If remediation does not address the compliance
273 issues identified by the department, the commissioner of
274 education shall conduct a public hearing and thereafter
275 provide notice to the charter sponsor of corrective action

276 that will be recommended to the state board of education.
277 Corrective action by the department may include withholding
278 the sponsor's funding and suspending the sponsor's authority
279 to sponsor a school that it currently sponsors or to sponsor
280 any additional school until the sponsor is reauthorized by
281 the state board of education under section 160.403.

282 (3) The charter sponsor may, within thirty days of
283 receipt of the notice of the commissioner's recommendation,
284 provide a written statement and other documentation to show
285 cause as to why that action should not be taken. Final
286 determination of corrective action shall be determined by
287 the state board of education based upon a review of the
288 documentation submitted to the department and the charter
289 sponsor.

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

294 18. If a sponsor notifies a charter school of closure
295 under subsection 8 of section 160.405, the department of
296 elementary and secondary education shall exercise its
297 financial withholding authority under subsection 12 of
298 section 160.415 to assure all obligations of the charter
299 school shall be met. The state, charter sponsor, or
300 resident district shall not be liable for any outstanding
301 liability or obligations of the charter school.

160.415. 1. For the purposes of calculation and
2 distribution of state school aid under section 163.031,
3 pupils enrolled in a charter school shall be included in the
4 pupil enrollment of the school district within which each
5 pupil resides. Each charter school shall report the
6 eligibility for free and reduced price lunch, special

7 education, or limited English proficiency status, as well as
8 eligibility for categorical aid, of pupils resident in a
9 school district who are enrolled in the charter school to
10 the school district in which those pupils reside. The
11 charter school shall report the average daily attendance
12 data, free and reduced price lunch count, special education
13 pupil count, and limited English proficiency pupil count to
14 the state department of elementary and secondary education.
15 Each charter school shall promptly notify the state
16 department of elementary and secondary education and the
17 pupil's school district when a pupil discontinues enrollment
18 at a charter school.

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

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

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

35 (3) If the department overpays or underpays the amount
36 due to the charter school, such overpayment or underpayment
37 shall be repaid by the charter school or credited to the

38 charter school in twelve equal payments in the next fiscal
39 year.

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

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

48 3. A workplace charter school shall receive payment
49 for each eligible pupil as provided under subsection 2 of
50 this section, except that if the pupil is not a resident of
51 the district and is participating in a voluntary
52 interdistrict transfer program, the payment for such pupils
53 shall be the same as provided under section 162.1060.

54 4. A charter school that has declared itself as a
55 local educational agency shall receive from the department
56 of elementary and secondary education an annual amount equal
57 to the product of the charter school's weighted average
58 daily attendance and the state adequacy target, multiplied
59 by the dollar value modifier for the district, plus local
60 tax revenues per weighted average daily attendance from the
61 incidental and teachers funds in excess of the performance
62 levy as defined in section 163.011 plus all other state aid
63 attributable to such pupils. If a charter school declares
64 itself as a local educational agency, the department of
65 elementary and secondary education shall, upon notice of the
66 declaration, reduce the payment made to the school district
67 by the amount specified in this subsection and pay directly
68 to the charter school the annual amount reduced from the
69 school district's payment.

70 5. If a school district fails to make timely payments
71 of any amount for which it is the disbursal agent, the state
72 department of elementary and secondary education shall
73 authorize payment to the charter school of the amount due
74 pursuant to subsection 2 of this section and shall deduct
75 the same amount from the next state school aid apportionment
76 to the owing school district. If a charter school is paid
77 more or less than the amounts due pursuant to this section,
78 the amount of overpayment or underpayment shall be adjusted
79 equally in the next twelve payments by the school district
80 or the department of elementary and secondary education, as
81 appropriate. Any dispute between the school district and a
82 charter school as to the amount owing to the charter school
83 shall be resolved by the department of elementary and
84 secondary education, and the department's decision shall be
85 the final administrative action for the purposes of review
86 pursuant to chapter 536. During the period of dispute, the
87 department of elementary and secondary education shall make
88 every administrative and statutory effort to allow the
89 continued education of students in their current charter
90 school setting.

91 6. The charter school and a local school board may
92 agree by contract for services to be provided by the school
93 district to the charter school. The charter school may
94 contract with any other entity for services. Such services
95 may include but are not limited to food service, custodial
96 service, maintenance, management assistance, curriculum
97 assistance, media services and libraries and shall be
98 subject to negotiation between the charter school and the
99 local school board or other entity. Documented actual costs
100 of such services shall be paid for by the charter school.

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

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

111 (2) Provide a term sheet setting forth the proposed
112 duration of the service contract; roles and responsibilities
113 of the governing board, the school staff, and the service
114 provider; scope of services and resources to be provided by
115 the service provider; performance evaluation measures and
116 time lines; compensation structure, including clear
117 identification of all fees to be paid to the service
118 provider; methods of contract oversight and enforcement;
119 investment disclosure; and conditions for renewal and
120 termination of the contract;

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

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

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

130 (6) Provide a process to ensure that the expenditures
131 that the education service provider intends to bill to the

132 charter school shall receive prior approval of the governing
133 board or its designee.

134 8. A charter school may enter into contracts with
135 community partnerships and state agencies acting in
136 collaboration with such partnerships that provide services
137 to students and their families linked to the school.

138 9. A charter school shall be eligible for
139 transportation state aid pursuant to section 163.161 and
140 shall be free to contract with the local district, or any
141 other entity, for the provision of transportation to the
142 students of the charter school.

143 10. (1) The proportionate share of state and federal
144 resources generated by students with disabilities or staff
145 serving them shall be paid in full to charter schools
146 enrolling those students by their school district where such
147 enrollment is through a contract for services described in
148 this section. The proportionate share of money generated
149 under other federal or state categorical aid programs shall
150 be directed to charter schools serving such students
151 eligible for that aid.

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

156 11. A charter school shall not charge tuition or
157 impose fees that a school district is prohibited from
158 charging or imposing, except that a charter school may
159 receive tuition payments from districts in the same or an
160 adjoining county for nonresident students who transfer to an
161 approved charter school, as defined in section 167.895, from
162 an unaccredited district.

163 12. A charter school is authorized to incur debt in
164 anticipation of receipt of funds. A charter school may also
165 borrow to finance facilities and other capital items. A
166 school district may incur bonded indebtedness or take other
167 measures to provide for physical facilities and other
168 capital items for charter schools that it sponsors or
169 contracts with. Except as otherwise specifically provided
170 in sections 160.400 to 160.425, upon the dissolution of a
171 charter school, any liabilities of the corporation will be
172 satisfied through the procedures of chapter 355. A charter
173 school shall satisfy all its financial obligations within
174 twelve months of notice from the sponsor of the charter
175 school's closure under subsection 8 of section 160.405.
176 After satisfaction of all its financial obligations, a
177 charter school shall return any remaining state and federal
178 funds to the department of elementary and secondary
179 education for disposition as stated in subdivision (17) of
180 subsection 1 of section 160.405. The department of
181 elementary and secondary education may withhold funding at a
182 level the department determines to be adequate during a
183 school's last year of operation until the department
184 determines that school records, liabilities, and reporting
185 requirements, including a full audit, are satisfied.

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

188 14. The governing board of a charter school is
189 authorized to accept grants, gifts or donations of any kind
190 and to expend or use such grants, gifts or donations. A
191 grant, gift or donation shall not be accepted by the
192 governing board if it is subject to any condition contrary
193 to law applicable to the charter school or other public
194 schools, or contrary to the terms of the charter.

195 15. In addition to any state aid remitted to charter
196 schools under this section, the department of elementary and
197 secondary education shall remit to any charter school an
198 amount equal to the weighted average daily attendance of the
199 charter school multiplied by the difference of:

200 (1) The amount of state aid and local aid per weighted
201 average daily attendance received by the school district in
202 which the charter school is located, not including any funds
203 remitted to charter schools in the district. For the
204 purposes of this subdivision, the weighted average daily
205 attendance of the school district shall not include the
206 weighted average daily attendance of the charter schools
207 located in the district; and

208 (2) The amount of state aid and local aid per weighted
209 average daily attendance of the charter school received by
210 the charter school.

211 16. Charter schools may adjust weighted average daily
212 attendance pursuant to section 163.036.

213 17. When calculating the amounts in subdivisions (1)
214 and (2) of subsection 15 of this section, the department
215 shall utilize the most current data to which the department
216 has access.

217 18. For the purposes of subsection 15 of this section:

218 (1) The definitions contained in section 163.011,
219 shall apply;

220 (2) The term "local aid" shall mean all local and
221 county revenue received, including, but not limited to, the
222 following:

223 (a) Property taxes and delinquent taxes;

224 (b) Merchants' and manufacturers' tax revenues;

225 (c) Financial institutions' tax revenues;

226 (d) City sales tax revenue, including city sales tax
227 collected in any city not within a county;

228 (e) Payments in lieu of taxes; and

229 (f) Revenues from state-assessed railroad and
230 utilities tax;

231 (3) The term local aid shall not be construed to
232 include:

233 (a) Charitable contributions, gifts, and grants made
234 to school districts;

235 (b) Interest earnings of school districts and student
236 fees paid to school districts;

237 (c) Debt service authorized by a public vote for the
238 purpose of making payments on a bond issuance of a school
239 district;

240 (d) Proposition C revenues received for school
241 purposes from the school district trust fund under section
242 163.087; or

243 (e) Any other funding solely intended for a particular
244 school district or their respective employees, schools,
245 foundations, or organizations;

246 (4) The term "state aid" shall mean any revenues
247 received pursuant to this section and sections 163.043 and
248 163.087.

249 19. Notwithstanding any other provision of law to the
250 contrary, subsections 15 to 18 of this section shall be
251 applicable to charter schools operated only **in the following**
252 **school districts, provided that no such school district**
253 **shall be located in a county with more than one hundred**
254 **fifty thousand but fewer than two hundred thousand**
255 **inhabitants:**

256 (1) In a metropolitan school district;

257 (2) In an urban school district containing most or all
258 of a city with more than four hundred thousand inhabitants
259 and located in more than one county;

260 (3) In a school district that has been classified as
261 unaccredited by the state board of education;

262 (4) In a school district that has been classified as
263 provisionally accredited by the state board of education and
264 has received scores on its annual performance report
265 consistent with a classification of provisionally accredited
266 or unaccredited for three consecutive school years beginning
267 with the 2012-13 accreditation year under the conditions
268 described in paragraphs (a) and (b) of subdivision (4) of
269 subsection 2 of section 160.400; or

270 (5) In a school district that has been accredited
271 without provisions, sponsored only by the local school board
272 under the conditions described in subdivision (5) of
273 subsection 2 of section 160.400.

274 20. (1) The members of the governing board of a
275 charter school shall be residents of the state of Missouri.

276 (2) Any current member of a governing board of a
277 charter school who does not meet the requirements in
278 subdivision (1) of this subsection may complete their term.
279 Such individual shall not be renominated as a member of the
280 governing board on which he or she sits.

281 21. **(1)** Any charter school management company
282 operating a charter school in the state shall be a nonprofit
283 corporation incorporated pursuant to chapter 355.

284 **(2) Notwithstanding any provision of law to the**
285 **contrary, if a charter school is operated by a charter**
286 **school management company, all laws and regulations that**
287 **apply to employees of such charter school shall apply to the**
288 **actions of any employees of the management company while**

289 they are conducting any work relating to the direct decision-
290 making of the operation of such charter school.

291 22. Beginning July 1, 2023, the provisions of section
292 160.995 shall be applicable to charter schools.

293 23. Each charter school shall publish its annual
294 performance report on the school's website in a downloadable
295 format.

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

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

5 (2) "Local educational agency", as such term is
6 defined in section 161.1085.

7 2. There is hereby created in the state treasury the
8 "Elementary Literacy Fund", which shall consist of moneys
9 appropriated by the general assembly from general revenue
10 and any gifts, bequests, or donations. The state treasurer
11 shall be custodian of the fund. In accordance with sections
12 30.170 and 30.180, the state treasurer may approve
13 disbursements. The fund shall be a dedicated fund and money
14 in the fund shall be used solely for the purpose of
15 providing grants to local educational agencies for home
16 reading programs as provided in this section.
17 Notwithstanding the provisions of section 33.080 to the
18 contrary, any moneys remaining in the fund at the end of the
19 biennium shall not revert to the credit of the general
20 revenue fund. The state treasurer shall invest moneys in
21 the fund in the same manner as other funds are invested.
22 Any interest and moneys earned on such investments shall be
23 credited to the fund.

24 3. The general assembly shall annually appropriate to
25 the fund an amount not to exceed five million dollars. The

26 department shall develop a process by which a local
27 educational agency may apply for a grant from the fund for
28 an eligible home reading program that meets the conditions
29 set forth in subsection 4 of this section, provided that the
30 local educational agency shall match any such funds if such
31 funds are granted.

32 4. A home reading program shall be considered eligible
33 for a grant from the fund if the program is provided by a
34 nonprofit organization that meets all of the following
35 conditions:

36 (1) The program's objective is to deliver an evidence-
37 based reading program consisting of books that are
38 individually mailed to the residences of students in
39 kindergarten to grade five following the selection of such
40 books by such students, provided that each student shall be
41 allowed to select books that he or she can read on his or
42 her own with ease;

43 (2) The program incorporates at least weekly phone
44 calls, texts, or application notifications in multiple
45 languages to the parent or guardian of each participating
46 student to increase parental and family engagement
47 throughout the duration of the program;

48 (3) The program provides at least six, but not more
49 than nine, student-selected new books that students are
50 allowed to keep;

51 (4) The program builds on pedagogical and literacy
52 principles to improve reading comprehension with student
53 exercises;

54 (5) The program includes a customizable portal that
55 generates individualized data reports for analysis of
56 student progress;

57 (6) The program collects, disaggregates, and
58 distributes detailed data on all metrics of the program,
59 such as parental engagement, books read, and demographic
60 data;

61 (7) The program provides summary data to the general
62 assembly and to the department for all students served by
63 the program;

64 (8) The program provider agrees to secure the required
65 matching funds from the local educational agency, to
66 maintain verification of the receipt of such matching funds,
67 and to provide such verification in the event of an audit;
68 and

69 (9) The combined total cost of the program, including
70 matching funds from the local educational agency, does not
71 exceed sixty dollars per student per semester.

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

13 2. (1) For purposes of calculation and distribution
14 of state school aid, students enrolled in the Missouri
15 course access and virtual school program shall be included
16 in the student enrollment of the school district in which
17 the student is enrolled under **the relevant provisions of**

18 subsection 3 of this section[; provided that any such] for
19 **such enrollment.** Student attendance for full-time virtual
20 program students shall only be included in any district
21 pupil attendance calculation under chapter 163 [and any
22 charter school pupil attendance calculation under section
23 160.415,] using current-year pupil attendance for such full-
24 time virtual program pupils[; and further provided that].
25 **For the purpose of calculating average daily attendance in**
26 **full-time virtual programs under this section, average daily**
27 **attendance shall be defined as the quotient or the sum of**
28 **the quotients obtained by dividing the total number of hours**
29 **attended in a term by enrolled pupils between the ages of**
30 **five and twenty-one by the actual number of hours that the**
31 **program was in session in that term, and the provisions of**
32 **section 162.1250 shall not apply to such funding**
33 **calculation. Such calculation shall be generated by the**
34 **virtual provider and provided to the host district for**
35 **submission to the department of elementary and secondary**
36 **education. Such students may complete their instructional**
37 **activities, as defined in subsection 4 of this section,**
38 **during any hour of the day and during any day of the week.**
39 **The hours attended for each enrolled pupil shall be**
40 **documented by the pupil's weekly progress in the educational**
41 **program according to a process determined by the virtual**
42 **program and published annually in the virtual program's**
43 **enrollment handbook or policy. To the average daily**
44 **attendance of the following school term shall be added the**
45 **full-time equivalent average daily attendance of summer**
46 **school students.** In the case of a host school district
47 enrolling one or more full-time virtual school students,
48 such enrolling district shall, **as part of its monthly state**
49 **allocation,** receive no less under the state aid calculation

50 for such students than an amount equal to the state adequacy
51 target multiplied by the weighted average daily attendance
52 of such full-time students. Students residing in Missouri
53 and enrolled in a full-time virtual school program operated
54 by a public institution of higher education in this state
55 shall be counted for a state aid calculation by the
56 department, and the department shall pay, from funds
57 dedicated to state school aid payments made under section
58 163.031, to such institution an amount equal to the state
59 adequacy target multiplied by the weighted average daily
60 attendance of such full-time students.

61 (2) The Missouri course access and virtual school
62 program shall report to the district of residence the
63 following information about each student served by the
64 Missouri course access and virtual school program: name,
65 address, eligibility for free or reduced-price lunch,
66 limited English proficiency status, special education needs,
67 and the number of courses in which the student is enrolled.
68 The Missouri course access and virtual school program shall
69 promptly notify the resident district when a student
70 discontinues enrollment. A "full-time equivalent student"
71 is a student who is enrolled in the instructional equivalent
72 of six credits per regular term. Each Missouri course
73 access and virtual school program course shall count as one
74 class and shall generate that portion of a full-time
75 equivalent that a comparable course offered by the school
76 district would generate.

77 (3) Pursuant to an education services plan and
78 collaborative agreement under subsection 3 of this section,
79 full-time equivalent students may be allowed to use a
80 physical location of the resident school district for all or
81 some portion of ongoing instructional activity, and the

82 enrollment plan shall provide for reimbursement of costs of
83 the resident district for providing such access pursuant to
84 rules promulgated under this section by the department.

85 (4) In no case shall more than the full-time
86 equivalency of a regular term of attendance for a single
87 student be used to claim state aid. Full-time equivalent
88 student credit completed shall be reported to the department
89 of elementary and secondary education in the manner
90 prescribed by the department. Nothing in this section shall
91 prohibit students from enrolling in additional courses under
92 a separate agreement that includes terms for paying tuition
93 or course fees.

94 (5) A full-time virtual school program serving full-
95 time equivalent students shall be considered an attendance
96 center in the host school district and shall participate in
97 the statewide assessment system as defined in section
98 160.518. The academic performance of students enrolled in a
99 full-time virtual school program shall be assigned to the
100 designated attendance center of the full-time virtual school
101 program and shall be considered in like manner to other
102 attendance centers. The academic performance of any student
103 who disenrolls from a full-time virtual school program and
104 enrolls in a public school or charter school shall not be
105 used in determining the annual performance report score of
106 the attendance center or school district in which the
107 student enrolls for twelve months from the date of
108 enrollment.

109 (6) For the purposes of this section, a public
110 institution of higher education operating a full-time
111 virtual school program shall be subject to all requirements
112 applicable to a host school district with respect to its
113 full-time equivalent students.

114 3. (1) A student who resides in this state may enroll
115 in Missouri course access and virtual school program courses
116 of his or her choice as a part of the student's annual
117 course load each school year, with any costs associated with
118 such course or courses to be paid by the school district or
119 charter school if:

120 (a) The student is enrolled full-time in a public
121 school, including any charter school; and

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

127 (2) Each school district or charter school shall adopt
128 a policy that delineates the process by which a student may
129 enroll in courses provided by the Missouri course access and
130 virtual school program that is substantially similar to the
131 typical process by which a district student would enroll in
132 courses offered by the school district and a charter school
133 student would enroll in courses offered by the charter
134 school. The policy may include consultation with the
135 school's counselor and may include parental notification or
136 authorization. The policy shall ensure that available
137 opportunities for in-person instruction are considered prior
138 to moving a student to virtual courses. The policy shall
139 allow for continuous enrollment throughout the school year.
140 If the school district or charter school disapproves a
141 student's request to enroll in a course or courses provided
142 by the Missouri course access and virtual school program,
143 the reason shall be provided in writing and it shall be for
144 good cause. Good cause justification to disapprove a
145 student's request for enrollment in a course shall be a

146 determination that doing so is not in the best educational
147 interest of the student, and shall be consistent with the
148 determination that would be made for such course request
149 under the process by which a district student would enroll
150 in a similar course offered by the school district and a
151 charter school student would enroll in a similar course
152 offered by the charter school, except that the determination
153 may consider the suitability of virtual courses for the
154 student based on prior participation in virtual courses by
155 the student. Appeals of any course denials under this
156 subsection shall be considered under a policy that is
157 substantially similar to the typical process by which
158 appeals would be considered for a student seeking to enroll
159 in courses offered by the school district and a charter
160 school student seeking to enroll in courses offered by the
161 charter school.

162 (3) For students enrolled in any Missouri course
163 access and virtual school program course in which costs
164 associated with such course are to be paid by the school
165 district or charter school as described under this
166 subdivision, the school district or charter school shall pay
167 the content provider directly on a pro rata monthly basis
168 based on a student's completion of assignments and
169 assessments. If a student discontinues enrollment, the
170 district or charter school may stop making monthly payments
171 to the content provider. No school district or charter
172 school shall pay, for any one course for a student, more
173 than the market necessary costs but in no case shall pay
174 more than fourteen percent of the state adequacy target, as
175 defined under section 163.011, as calculated at the end of
176 the most recent school year for any single, year-long course

177 and no more than seven percent of the state adequacy target
178 as described above for any single semester equivalent course.

179 (4) [For students enrolling in a full-time virtual
180 program, the department of elementary and secondary
181 education shall adopt a policy that delineates the process
182 by which] (a) A student who lives in this state may enroll
183 in a virtual program of their choice as provided in this
184 subdivision, **and the provisions of subdivisions (1) to (3)**
185 **of this subsection shall not apply to such enrollment in a**
186 **full-time virtual program.** Each host school district
187 operating a full-time virtual program under this section
188 shall **adopt**, operate and implement [the state] **an** enrollment
189 policy[, subject to] **as specified by** the provisions of this
190 subdivision. [The policy shall:

191 (a) Require the good faith collaboration of] The
192 student, the student's parent or guardian if the student is
193 not considered homeless, the virtual program, the host
194 district, and the resident district[;] **shall collaborate in**
195 **good faith to implement the enrollment policy regarding the**
196 **student's enrollment, and the resident school district and**
197 **the host school district may mutually agree that the**
198 **resident district shall offer or continue to offer services**
199 **for the student under an agreement that includes financial**
200 **terms for reimbursement by the host school district for the**
201 **necessary costs of the resident school district providing**
202 **such services. An enrollment policy specified under this**
203 **subsection shall:**

204 [(b)] a. Require a student's parent or guardian, if
205 the student is not considered homeless, to apply for
206 enrollment in a full-time virtual program directly with the
207 virtual program;

208 **b.** Specify timelines for timely participation by the
209 virtual program, the host district, and resident district;
210 provided that the resident district shall provide any
211 relevant information and input on the enrollment within ten
212 business days of notice from the virtual program of the
213 enrollment application;

214 [(c)] **c.** Include a survey of the reasons for the
215 student's and parent's interests in participating in the
216 virtual program;

217 [(d)] **d.** Include consideration of available
218 opportunities for in-person instruction prior to enrolling a
219 student in a virtual program;

220 [(e)] **e.** Evaluate requests for enrollment based on
221 meeting the needs for a student to be successful considering
222 all relevant factors;

223 [(f)] **f.** Ensure that, for any enrolling student **with a**
224 **covered disability**, an **individualized** education [services
225 plan and collaborative agreement is] **program and a related**
226 **services agreement, in cases where such agreement is needed,**
227 **are** created to provide all services required to ensure a
228 free and appropriate public education, including financial
229 terms for reimbursement by the host district for the
230 necessary costs of any virtual program, school district, or
231 public or private entity providing all or a portion of such
232 services;

233 [(g)] **g.** Require the virtual program to determine
234 whether an enrolling student will be admitted, based on the
235 enrollment policy, in consideration of all relevant factors
236 and provide the basis for its determination and any service
237 plan for the student, in writing, to the student, the
238 student's parent or guardian, the host district, and the
239 resident district; **and**

240 [(h)] h. Provide a process for reviewing appeals of
241 decisions made under this subdivision[; and].

242 [(i) Require] (b) The department [to] shall publish
243 an annual report based on the enrollments and enrollment
244 surveys conducted under this subdivision that provides data
245 at the statewide and district levels of sufficient detail to
246 allow analysis of trends regarding the reasons for
247 participation in the virtual program at the statewide and
248 district levels; provided that no such survey results will
249 be published in a manner that reveals individual student
250 information. The department shall also include, in the
251 annual report, data at the statewide and district levels of
252 sufficient detail to allow detection and analysis of the
253 racial, ethnic, and socio-economic balance of virtual
254 program participation among schools and districts at the
255 statewide and district levels, provided that no such survey
256 results will be published in a manner that reveals
257 individual student information.

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

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

268 (7) Virtual school programs shall monitor individual
269 student success and engagement of students enrolled in their
270 program[,] and, for students enrolled in virtual courses on
271 a part-time basis, the virtual school program shall provide

272 regular student progress reports for each student at least
273 four times per school year to the school district or charter
274 school, provide the host school district and the resident
275 school district ongoing access to academic and other
276 relevant information on student success and engagement, and
277 shall terminate or alter the course offering if it is found
278 the course [or full-time virtual school] is not meeting the
279 educational needs of the students enrolled in the course.

280 (8) The department of elementary and secondary
281 education shall monitor the aggregate performance of
282 providers and make such information available to the public
283 under subsection 11 of this section.

284 (9) Pursuant to rules to be promulgated by the
285 department of elementary and secondary education, when a
286 student transfers into a school district or charter school,
287 credits previously gained through successful passage of
288 approved courses under the Missouri course access and
289 virtual school program shall be accepted by the school
290 district or charter school.

291 (10) Pursuant to rules to be promulgated by the
292 department of elementary and secondary education, if a
293 student transfers into a school district or charter school
294 while enrolled in a Missouri course access and virtual
295 school program course or full-time virtual school, the
296 student shall continue to be enrolled in such course or
297 school.

298 (11) Nothing in this section shall prohibit home
299 school **or FPE school** students, private school students, or
300 students wishing to take additional courses beyond their
301 regular course load from enrolling in Missouri course access
302 and virtual school program courses under an agreement that
303 includes terms for paying tuition or course fees.

304 (12) Nothing in this subsection shall require any
305 school district, charter school, virtual program, or the
306 state to provide computers, equipment, or internet access to
307 any student unless required under the education services
308 plan created for an eligible student under subdivision (4)
309 of this subsection or for an eligible student with a
310 disability to comply with federal law. An education
311 services plan may require an eligible student to have access
312 to school facilities of the resident school district during
313 regular school hours for participation and instructional
314 activities of a virtual program under this section, and the
315 education services plan shall provide for reimbursement of
316 the resident school district for such access pursuant to
317 rules adopted by the department under this section.

318 (13) The authorization process shall provide for
319 continuous monitoring of approved providers and courses.
320 The department shall revoke or suspend or take other
321 corrective action regarding the authorization of any course
322 or provider no longer meeting the requirements of the
323 program. Unless immediate action is necessary, prior to
324 revocation or suspension, the department shall notify the
325 provider and give the provider a reasonable time period to
326 take corrective action to avoid revocation or suspension.
327 The process shall provide for periodic renewal of
328 authorization no less frequently than once every three years.

329 (14) Courses approved as of August 28, 2018, by the
330 department to participate in the Missouri virtual
331 instruction program shall be automatically approved to
332 participate in the Missouri course access and virtual school
333 program, but shall be subject to periodic renewal.

334 (15) Any online course or virtual program offered by a
335 school district or charter school, including those offered

336 prior to August 28, 2018, which meets the requirements of
337 section 162.1250 shall be automatically approved to
338 participate in the Missouri course access and virtual school
339 program. Such course or program shall be subject to
340 periodic renewal. A school district or charter school
341 offering such a course or virtual school program shall be
342 deemed an approved provider.

343 **(16) A host district may contract with a provider to**
344 **perform any required services involved with delivering a**
345 **full-time virtual education.**

346 4. (1) As used in this subsection, the term
347 "instructional activities" means classroom-based or
348 nonclassroom-based activities that a student shall be
349 expected to complete, participate in, or attend during any
350 given school day, such as:

- 351 (a) Online logins to curricula or programs;
- 352 (b) Offline activities;
- 353 (c) Completed assignments within a particular program,
354 curriculum, or class;
- 355 (d) Testing;
- 356 (e) Face-to-face communications or meetings with
357 school staff;
- 358 (f) Telephone or video conferences with school staff;
- 359 (g) School-sanctioned field trips; or
- 360 (h) Orientation.

361 (2) A full-time virtual school shall submit a
362 notification to the parent or guardian of any student who is
363 not consistently engaged in instructional activities **and**
364 **shall provide regular student progress reports for each**
365 **student at least four times per school year.**

366 (3) Each full-time virtual school shall develop,
367 adopt, and post on the school's website a policy setting

368 forth the consequences for a student who fails to complete
369 the required instructional activities. Such policy shall
370 state, at a minimum, that if a student fails to complete the
371 instructional activities after receiving a notification
372 under subdivision (2) of this subsection, and after
373 reasonable intervention strategies have been implemented,
374 that the student shall be subject to certain consequences
375 which may include disenrollment from the school. Prior to
376 any disenrollment, the parent or guardian shall have the
377 opportunity to present any information that the parent deems
378 relevant, and such information shall be considered prior to
379 any final decision.

380 (4) If a full-time virtual school disenrolls a student
381 under subdivision (3) of this subsection, the school shall
382 immediately provide written notification to such student's
383 school district of residence. The student's school district
384 of residence shall then provide to the parents or guardian
385 of the student a written list of available educational
386 options and promptly enroll the student in the selected
387 option. Any student disenrolled from a full-time virtual
388 school shall be prohibited from reenrolling in the same
389 virtual school for the remainder of the school year.

390 5. School districts or charter schools shall inform
391 parents of their child's right to participate in the
392 program. Availability of the program shall be made clear in
393 the parent handbook, registration documents, and featured on
394 the home page of the school district or charter school's
395 website.

396 6. The department shall:

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

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

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

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

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

415 (4) Within thirty days of any denial, provide a
416 written explanation to any course or full-time virtual
417 school providers that are denied authorization;

418 (5) Allow a course or full-time virtual school
419 provider denied authorization to reapply at any point in the
420 future.

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

426 8. If the department determines that there are
427 insufficient funds available for evaluating and authorizing
428 course or full-time virtual school providers, the department
429 may charge applicant course or full-time virtual school
430 providers a fee up to, but no greater than, the amount of
431 the costs in order to ensure that evaluation occurs. The

432 department shall establish and publish a fee schedule for
433 purposes of this subsection.

434 9. Except as specified in this section and as may be
435 specified by rule of the state board of education, the
436 Missouri course access and virtual school program shall
437 comply with all state laws and regulations applicable to
438 school districts, including but not limited to the Missouri
439 school improvement program (MSIP), annual performance report
440 (APR), teacher certification, curriculum standards, audit
441 requirements under chapter 165, access to public records
442 under chapter 610, and school accountability report cards
443 under section 160.522. Teachers and administrators employed
444 by a virtual provider shall be considered to be employed in
445 a public school for all certification purposes under chapter
446 168.

447 10. The department shall submit and publicly publish
448 an annual report on the Missouri course access and virtual
449 school program and the participation of entities to the
450 governor, the chair and ranking member of the senate
451 education committee, and the chair and ranking member of the
452 house of representatives elementary and secondary education
453 committee. The report shall at a minimum include the
454 following information:

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

458 (2) The number of authorized providers;

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

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

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

465 (6) Student outcome data, including completion rates,
466 student learning gains, student performance on state or
467 nationally accepted assessments, by subject and grade level
468 per provider. This outcome data shall be published in a
469 manner that protects student privacy;

470 (7) The costs per course;

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

474 11. (1) The department shall be responsible for
475 creating the Missouri course access and virtual school
476 program catalog providing a listing of all courses
477 authorized and available to students in the state, detailed
478 information, including costs per course, about the courses
479 to inform student enrollment decisions, and the ability for
480 students to submit their course enrollments.

481 (2) On or before January 1, 2023, the department shall
482 publish on its website, and distribute to all school
483 districts and charter schools in this state, a guidance
484 document that details the options for virtual course access
485 and full-time virtual course access for all students in the
486 state. The guidance document shall include a complete and
487 readily understood description of the applicable enrollment
488 processes including the opportunity for students to enroll
489 and the roles and responsibilities of the student, parent,
490 virtual provider, school district or districts, and charter
491 schools, as appropriate. The guidance document shall be
492 distributed in written and electronic form to all school
493 districts, charter schools, and virtual providers. School
494 districts and charter schools shall provide a copy of the

495 guidance document to every pupil and parent or legal
496 guardian of every pupil enrolled in the district or charter
497 school at the beginning of each school year and upon
498 enrollment for every pupil enrolling at a different time of
499 the school year. School districts and charter schools shall
500 provide a readily viewable link to the electronic version of
501 the guidance document on the main page of the district's or
502 charter school's website.

503 12. The state board of education through the
504 rulemaking process and the department of elementary and
505 secondary education in its policies and procedures shall
506 ensure that multiple content providers and learning
507 management systems are allowed, ensure digital content
508 conforms to accessibility requirements, provide an easily
509 accessible link for providers to submit courses or full-time
510 virtual schools on the Missouri course access and virtual
511 school program website, and allow any person, organization,
512 or entity to submit courses or full-time virtual schools for
513 approval. No content provider shall be allowed that is
514 unwilling to accept payments in the amount and manner as
515 described under subdivision (3) of subsection 3 of this
516 section or does not meet performance or quality standards
517 adopted by the state board of education.

518 13. Any rule or portion of a rule, as that term is
519 defined in section 536.010, that is created under the
520 authority delegated in this section shall become effective
521 only if it complies with and is subject to all of the
522 provisions of chapter 536 and, if applicable, section
523 536.028. This section and chapter 536 are nonseverable and
524 if any of the powers vested with the general assembly
525 pursuant to chapter 536 to review, to delay the effective
526 date, or to disapprove and annul a rule are subsequently

527 held unconstitutional, then the grant of rulemaking
528 authority and any rule proposed or adopted after August 28,
529 2006, shall be invalid and void.

162.471. 1. The government and control of an urban
2 school district is vested in a board of seven directors.

3 2. Except as provided in section 162.563, each
4 director shall be a voter of the district who has resided
5 within this state for one year next preceding the director's
6 election or appointment and who is at least twenty-four
7 years of age. All directors, except as otherwise provided
8 in sections 162.481, 162.492, and 162.563, shall hold their
9 offices for six years and until their successors are duly
10 elected and qualified. All vacancies occurring in the
11 board[, except as provided in section 162.492,] shall be
12 filled by appointment by the board as soon as practicable,
13 and the person appointed shall hold office until the next
14 school board election, when a successor shall be elected for
15 the remainder of the unexpired term. The power of the board
16 to perform any official duty during the existence of a
17 vacancy continues unimpaired thereby.

162.492. 1. In all urban districts containing the
2 greater part of the population of a city which has more than
3 three hundred thousand inhabitants, the election authority
4 of the city in which the greater portion of the school
5 district lies, and of the county if the district includes
6 territory not within the city limits, shall serve ex officio
7 as a redistricting commission. The commission shall on or
8 before November 1, 2018, divide the school district into
9 five subdistricts, all subdistricts being of compact and
10 contiguous territory and as nearly equal in the number of
11 inhabitants as practicable and thereafter the board shall
12 redistrict the district into subdivisions as soon as

13 practicable after each United States decennial census. In
14 establishing the subdistricts each member shall have one
15 vote and a majority vote of the total membership of the
16 commission is required to make effective any action of the
17 commission.

18 2. School elections for the election of directors
19 shall be held on municipal election days in 2014 and 2016.
20 At the election in 2014, directors shall be elected to hold
21 office until 2019 and until their successors are elected and
22 qualified. At the election in 2016, directors shall be
23 elected until 2019 and until their successors are elected
24 and qualified. Beginning in 2019, school elections for the
25 election of directors shall be held on the local election
26 date as specified in the charter of a home rule city with
27 more than four hundred thousand inhabitants and located in
28 more than one county. Beginning at the election for school
29 directors in 2019, the number of directors on the board
30 shall be reduced from nine to seven. Two directors shall be
31 at-large directors and five directors shall represent the
32 subdistricts, with one director from each of the
33 subdistricts. At the 2019 election, one of the at-large
34 directors and the directors from subdistricts one, three,
35 and five shall be elected for a two-year term, and the other
36 at-large director and the directors from subdistricts two
37 and four shall be elected for a four-year term. Thereafter,
38 all seven directors shall serve a four-year term. Directors
39 shall serve until the next election and until their
40 successors, then elected, are duly qualified as provided in
41 this section. In addition to other qualifications
42 prescribed by law, each member elected from a subdistrict
43 shall be a resident of the subdistrict from which he or she

44 is elected. The subdistricts shall be numbered from one to
45 five.

46 3. The five candidates, one from each of the
47 subdistricts, who receive a plurality of the votes cast by
48 the voters of that subdistrict and the at-large candidates
49 receiving a plurality of the at-large votes shall be
50 elected. The name of no candidate for nomination shall be
51 printed on the ballot unless the candidate has at least
52 sixty days prior to the election filed a declaration of
53 candidacy with the secretary of the board of directors
54 containing the signatures of at least two hundred fifty
55 registered voters who are residents of the subdistrict
56 within which the candidate for nomination to a subdistrict
57 office resides, and in case of at-large candidates the
58 signatures of at least five hundred registered voters. The
59 election authority shall determine the validity of all
60 signatures on declarations of candidacy.

61 4. In any election either for at-large candidates or
62 candidates elected by the voters of subdistricts, if there
63 are more than two candidates, a majority of the votes are
64 not required to elect but the candidate having a plurality
65 of the votes shall be elected.

66 5. The names of all candidates shall appear upon the
67 ballot without party designation and in the order of the
68 priority of the times of filing their petitions of
69 nomination. No candidate may file both at large and from a
70 subdistrict and the names of all candidates shall appear
71 only once on the ballot, nor may any candidate file more
72 than one declaration of candidacy. All declarations shall
73 designate the candidate's residence and whether the
74 candidate is filing at large or from a subdistrict and the
75 numerical designation of the subdistrict or at-large area.

76 6. The provisions of all sections relating to seven-
77 director school districts shall also apply to and govern
78 urban districts in cities of more than three hundred
79 thousand inhabitants, to the extent applicable and not in
80 conflict with the provisions of those sections specifically
81 relating to such urban districts.

82 7. Vacancies which occur on the school board [between
83 the dates of election shall be filled by special election if
84 such vacancy happens more than six months prior to the time
85 of holding an election as provided in subsection 2 of this
86 section. The state board of education shall order a special
87 election to fill such a vacancy. A letter from the
88 commissioner of education, delivered by certified mail to
89 the election authority or authorities that would normally
90 conduct an election for school board members shall be the
91 authority for the election authority or authorities to
92 proceed with election procedures. If a vacancy occurs less
93 than six months prior to the time of holding an election as
94 provided in subsection 2 of this section, no special
95 election shall occur and the vacancy shall be filled at the
96 next election day on which local elections are held as
97 specified in the charter of any home rule city with more
98 than four hundred thousand inhabitants and located in more
99 than one county] **shall be filled in the manner provided in**
100 **section 162.471.**

 162.611. Any member failing to attend the meetings of
2 the board for three consecutive regular meetings, unless
3 excused by the board for reasons satisfactory to the board,
4 shall be deemed to have vacated his seat; and the secretary
5 of the board shall certify that fact to the [mayor] **board**.
6 The secretary shall likewise certify to the [mayor] **board**
7 any other vacancy occurring in the board. Any vacancy shall

8 be filled by the [mayor] board by appointment for the
9 remainder of the term.

162.996. 1. Special educational services may be
2 offered during the regular school day. Children who attend
3 special educational services in the district and who
4 otherwise attend a private, parochial, parish [or], home
5 school, **or FPE school** shall be in compliance with section
6 167.031.

7 2. A public school district shall be entitled to state
8 aid for resident handicapped children who attend special
9 educational services and who otherwise attend private,
10 parochial, parish, **FPE**, or home schools. State aid shall be
11 calculated on the basis of full-time equivalent average
12 daily attendance of part-time students as provided in
13 section 163.011.

14 3. Nothing in this section shall change the authority
15 of a public school board to set the schedule of classes for
16 full-time or part-time public school pupils including pupils
17 receiving services under this section.

18 4. Nothing herein shall be construed to require
19 transportation for these services.

20 5. No resident child shall be denied or discriminated
21 against in special educational services offered by a school
22 district on the grounds that the child regularly attends a
23 private, parochial, parish [or], home school, **or FPE school**.

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

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

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

37 (3) "Current operating expenditures":

38 (a) For the fiscal year 2007 calculation, "current
39 operating expenditures" shall be calculated using data from
40 fiscal year 2004 and shall be calculated as all expenditures
41 for instruction and support services except capital outlay
42 and debt service expenditures minus the revenue from federal
43 categorical sources; food service; student activities;
44 categorical payments for transportation costs pursuant to
45 section 163.161; state reimbursements for early childhood
46 special education; the career ladder entitlement for the
47 district, as provided for in sections 168.500 to 168.515;
48 the vocational education entitlement for the district, as
49 provided for in section 167.332; and payments from other
50 districts;

51 (b) In every fiscal year subsequent to fiscal year
52 2007, current operating expenditures shall be the amount in
53 paragraph (a) of this subdivision plus any increases in
54 state funding pursuant to sections 163.031 and 163.043
55 subsequent to fiscal year 2005, not to exceed five percent,
56 per recalculation, of the state revenue received by a
57 district in the 2004-05 school year from the foundation
58 formula, line 14, gifted, remedial reading, exceptional
59 pupil aid, fair share, and free textbook payments for any
60 district from the first preceding calculation of the state
61 adequacy target;

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

66 (5) "Dollar-value modifier", an index of the relative
67 purchasing power of a dollar, calculated as one plus fifteen
68 percent of the difference of the regional wage ratio minus

69 one, provided that the dollar value modifier shall not be
70 applied at a rate less than 1.0:

71 (a) "County wage per job", the total county wage and
72 salary disbursements divided by the total county wage and
73 salary employment for each county and the City of St. Louis
74 as reported by the Bureau of Economic Analysis of the United
75 States Department of Commerce for the fourth year preceding
76 the payment year;

77 (b) "Regional wage per job":

78 a. The total Missouri wage and salary disbursements of
79 the metropolitan area as defined by the Office of Management
80 and Budget divided by the total Missouri metropolitan wage
81 and salary employment for the metropolitan area for the
82 county signified in the school district number or the City
83 of St. Louis, as reported by the Bureau of Economic Analysis
84 of the United States Department of Commerce for the fourth
85 year preceding the payment year and recalculated upon every
86 decennial census to incorporate counties that are newly
87 added to the description of metropolitan areas; or if no
88 such metropolitan area is established, then:

89 b. The total Missouri wage and salary disbursements of
90 the micropolitan area as defined by the Office of Management
91 and Budget divided by the total Missouri micropolitan wage
92 and salary employment for the micropolitan area for the
93 county signified in the school district number, as reported
94 by the Bureau of Economic Analysis of the United States
95 Department of Commerce for the fourth year preceding the
96 payment year, if a micropolitan area for such county has
97 been established and recalculated upon every decennial
98 census to incorporate counties that are newly added to the
99 description of micropolitan areas; or

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

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

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

109 (6) "Free and reduced price lunch pupil count", for
110 school districts not eligible for and those that do not
111 choose the USDA Community Eligibility Option, the number of
112 pupils eligible for free and reduced price lunch on the last
113 Wednesday in January for the preceding school year who were
114 enrolled as students of the district, as approved by the
115 department in accordance with applicable federal
116 regulations. For eligible school districts that choose the
117 USDA Community Eligibility Option, the free and reduced
118 price lunch pupil count shall be the percentage of free and
119 reduced price lunch students calculated as eligible on the
120 last Wednesday in January of the most recent school year
121 that included household applications to determine free and
122 reduced price lunch count multiplied by the district's
123 average daily attendance figure;

124 (7) "Free and reduced price lunch threshold" shall be
125 calculated by dividing the total free and reduced price
126 lunch pupil count of every performance district that falls
127 entirely above the bottom five percent and entirely below
128 the top five percent of average daily attendance, when such
129 districts are rank-ordered based on their current operating
130 expenditures per average daily attendance, by the total

131 average daily attendance of all included performance
132 districts;

133 (8) "Limited English proficiency pupil count", the
134 number in the preceding school year of pupils aged three
135 through twenty-one enrolled or preparing to enroll in an
136 elementary school or secondary school who were not born in
137 the United States or whose native language is a language
138 other than English or are Native American or Alaskan native,
139 or a native resident of the outlying areas, and come from an
140 environment where a language other than English has had a
141 significant impact on such individuals' level of English
142 language proficiency, or are migratory, whose native
143 language is a language other than English, and who come from
144 an environment where a language other than English is
145 dominant; and have difficulties in speaking, reading,
146 writing, or understanding the English language sufficient to
147 deny such individuals the ability to meet the state's
148 proficient level of achievement on state assessments
149 described in Public Law 107-10, the ability to achieve
150 successfully in classrooms where the language of instruction
151 is English, or the opportunity to participate fully in
152 society;

153 (9) "Limited English proficiency threshold" shall be
154 calculated by dividing the total limited English proficiency
155 pupil count of every performance district that falls
156 entirely above the bottom five percent and entirely below
157 the top five percent of average daily attendance, when such
158 districts are rank-ordered based on their current operating
159 expenditures per average daily attendance, by the total
160 average daily attendance of all included performance
161 districts;

162 (10) "Local effort":

163 (a) For the fiscal year 2007 calculation, "local
164 effort" shall be computed as the equalized assessed
165 valuation of the property of a school district in calendar
166 year 2004 divided by one hundred and multiplied by the
167 performance levy less the percentage retained by the county
168 assessor and collector plus one hundred percent of the
169 amount received in fiscal year 2005 for school purposes from
170 intangible taxes, fines, escheats, payments in lieu of taxes
171 and receipts from state-assessed railroad and utility tax,
172 one hundred percent of the amount received for school
173 purposes pursuant to the merchants' and manufacturers' taxes
174 under sections 150.010 to 150.370, one hundred percent of
175 the amounts received for school purposes from federal
176 properties under sections 12.070 and 12.080 except when such
177 amounts are used in the calculation of federal impact aid
178 pursuant to P.L. 81-874, fifty percent of Proposition C
179 revenues received for school purposes from the school
180 district trust fund under section 163.087, and one hundred
181 percent of any local earnings or income taxes received by
182 the district for school purposes. Under this paragraph, for
183 a special district established under sections 162.815 to
184 162.940 in a county with a charter form of government and
185 with more than one million inhabitants, a tax levy of zero
186 shall be utilized in lieu of the performance levy for the
187 special school district;

188 (b) In every year subsequent to fiscal year 2007,
189 "local effort" shall be the amount calculated under
190 paragraph (a) of this subdivision plus any increase in the
191 amount received for school purposes from fines. If a
192 district's assessed valuation has decreased subsequent to
193 the calculation outlined in paragraph (a) of this
194 subdivision, the district's local effort shall be calculated

195 using the district's current assessed valuation in lieu of
196 the assessed valuation utilized in the calculation outlined
197 in paragraph (a) of this subdivision. When a change in a
198 school district's boundary lines occurs because of a
199 boundary line change, annexation, attachment, consolidation,
200 reorganization, or dissolution under section 162.071,
201 162.081, sections 162.171 to 162.201, section 162.221,
202 162.223, 162.431, 162.441, or 162.451, or in the event that
203 a school district assumes any territory from a district that
204 ceases to exist for any reason, the department of elementary
205 and secondary education shall make a proper adjustment to
206 each affected district's local effort, so that each
207 district's local effort figure conforms to the new boundary
208 lines of the district. The department shall compute the
209 local effort figure by applying the calendar year 2004
210 assessed valuation data to the new land areas resulting from
211 the boundary line change, annexation, attachment,
212 consolidation, reorganization, or dissolution and otherwise
213 follow the procedures described in this subdivision;

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

215 (a) The number of resident full-time students and the
216 full-time equivalent number of part-time students who were
217 enrolled in the public schools of the district on the last
218 Wednesday in September of the previous year and who were in
219 attendance one day or more during the preceding ten school
220 days; and

221 (b) The number of resident full-time students and the
222 full-time equivalent number of part-time students who were
223 enrolled in the public schools of the district on the last
224 Wednesday in January of the previous year and who were in
225 attendance one day or more during the preceding ten school
226 days, plus the full-time equivalent number of summer school

227 pupils. "Full-time equivalent number of part-time students"
228 is determined by dividing the total number of hours for
229 which all part-time students are enrolled by the number of
230 hours in the school term. "Full-time equivalent number of
231 summer school pupils" is determined by dividing the total
232 number of hours for which all summer school pupils were
233 enrolled by the number of hours required pursuant to section
234 160.011 in the school term. Only students eligible to be
235 counted for average daily attendance shall be counted for
236 membership;

237 (12) "Operating levy for school purposes", the sum of
238 tax rates levied for teachers' and incidental funds plus the
239 operating levy or sales tax equivalent pursuant to section
240 162.1100 of any transitional school district containing the
241 school district, in the payment year, not including any
242 equalized operating levy for school purposes levied by a
243 special school district in which the district is located;

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

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

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

257 (16) "Special education pupil count", the number of
258 public school students with a current individualized

259 education program or services plan and receiving services
260 from the resident district as of December first of the
261 preceding school year, except for special education services
262 provided through a school district established under
263 sections 162.815 to 162.940 in a county with a charter form
264 of government and with more than one million inhabitants, in
265 which case the sum of the students in each district within
266 the county exceeding the special education threshold of each
267 respective district within the county shall be counted
268 within the special district and not in the district of
269 residence for purposes of distributing the state aid derived
270 from the special education pupil count;

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

279 (18) "State adequacy target", the sum of the current
280 operating expenditures of every performance district that
281 falls entirely above the bottom five percent and entirely
282 below the top five percent of average daily attendance, when
283 such districts are rank-ordered based on their current
284 operating expenditures per average daily attendance, divided
285 by the total average daily attendance of all included
286 performance districts. The department of elementary and
287 secondary education shall first calculate the state adequacy
288 target for fiscal year 2007 and recalculate the state
289 adequacy target every two years using the most current
290 available data. The recalculation shall never result in a

291 decrease from the state adequacy target as calculated for
292 fiscal years 2017 and 2018 and any state adequacy target
293 figure calculated subsequent to fiscal year 2018. Should a
294 recalculation result in an increase in the state adequacy
295 target amount, fifty percent of that increase shall be
296 included in the state adequacy target amount in the year of
297 recalculation, and fifty percent of that increase shall be
298 included in the state adequacy target amount in the
299 subsequent year. The state adequacy target may be adjusted
300 to accommodate available appropriations as provided in
301 subsection 7 of section 163.031;

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

310 (20) "Weighted average daily attendance" [,]:

311 (a) **For fiscal years prior to the 2026 fiscal year,**
312 **paragraph (g) of this subdivision;**

313 (b) **For the 2026 fiscal year, the sum of nine-tenths**
314 **multiplied by paragraph (g) of this subdivision plus one-**
315 **tenth multiplied by the weighted membership;**

316 (c) **For the 2027 fiscal year, the sum of eight-tenths**
317 **multiplied by paragraph (g) of this subdivision plus two-**
318 **tenths multiplied by the weighted membership;**

319 (d) **For the 2028 fiscal year, the sum of seven-tenths**
320 **multiplied by paragraph (g) of this subdivision plus three-**
321 **tenths multiplied by the weighted membership;**

322 **(e) For the 2029 fiscal year, the sum of six-tenths**
323 **multiplied by paragraph (g) of this subdivision plus four-**
324 **tenths multiplied by the weighted membership;**

325 **(f) For the 2030 fiscal year and all subsequent fiscal**
326 **years, the sum of five-tenths multiplied by paragraph (g) of**
327 **this subdivision plus five-tenths multiplied by the weighted**
328 **membership;**

329 **(g) The average daily attendance plus the product of**
330 **twenty-five hundredths multiplied by the free and reduced**
331 **price lunch pupil count that exceeds the free and reduced**
332 **price lunch threshold, plus the product of seventy-five**
333 **hundredths multiplied by the number of special education**
334 **pupil count that exceeds the special education threshold,**
335 **plus the product of six-tenths multiplied by the number of**
336 **limited English proficiency pupil count that exceeds the**
337 **limited English proficiency threshold. For special**
338 **districts established under sections 162.815 to 162.940 in a**
339 **county with a charter form of government and with more than**
340 **one million inhabitants, weighted average daily attendance**
341 **shall be the average daily attendance plus the product of**
342 **twenty-five hundredths multiplied by the free and reduced**
343 **price lunch pupil count that exceeds the free and reduced**
344 **price lunch threshold, plus the product of seventy-five**
345 **hundredths multiplied by the sum of the special education**
346 **pupil count that exceeds the threshold for each county**
347 **district, plus the product of six-tenths multiplied by the**
348 **limited English proficiency pupil count that exceeds the**
349 **limited English proficiency threshold. None of the**
350 **districts comprising a special district established under**
351 **sections 162.815 to 162.940 in a county with a charter form**
352 **of government and with more than one million inhabitants,**

353 shall use any special education pupil count in calculating
354 their weighted average daily attendance;

355 (21) "Weighted membership", the membership plus the
356 product of twenty-five hundredths multiplied by the free and
357 reduced price lunch pupil count that exceeds the free and
358 reduced price lunch threshold, plus the product of seventy-
359 five hundredths multiplied by the number of special
360 education pupil count that exceeds the special education
361 threshold, plus the product of six-tenths multiplied by the
362 number of limited English proficiency pupil count that
363 exceeds the limited English proficiency threshold. For
364 special districts established under sections 162.815 to
365 162.940 in a county with more than one million inhabitants,
366 weighted membership shall be the membership plus the product
367 of twenty-five hundredths multiplied by the free and reduced
368 price lunch pupil count that exceeds the free and reduced
369 price lunch threshold, plus the product of seventy-five
370 hundredths multiplied by the sum of the special education
371 pupil count that exceeds the threshold for each county
372 district, plus the product of six-tenths multiplied by the
373 limited English proficiency pupil count that exceeds the
374 limited English proficiency threshold. None of the
375 districts comprising a special district established under
376 sections 162.815 to 162.940 in a county with more than one
377 million inhabitants shall use any special education pupil
378 count in calculating their weighted membership.

163.018. 1. (1) Notwithstanding the definition of
2 average daily attendance in subdivision (2) of section
3 163.011 to the contrary, pupils between the ages of three
4 and five who are eligible for free and reduced price lunch
5 and attend an early childhood education program:

6 (a) That is operated by and in a district or by a
7 charter school that has declared itself as a local
8 educational agency providing full-day kindergarten and that
9 meets standards established by the state board of education;
10 or

11 (b) That is under contract with a district or charter
12 school that has declared itself as a local educational
13 agency and that meets standards established by the state
14 board of education;

15 shall be included in the district's or charter school's
16 calculation of average daily attendance. The total number
17 of such pupils included in the district's or charter
18 school's calculation of average daily attendance shall not
19 exceed **[four] eight** percent of the total number of pupils
20 who are eligible for free and reduced price lunch between
21 the ages of five and eighteen who are included in the
22 district's or charter school's calculation of average daily
23 attendance.

24 (2) If a pupil described under subdivision (1) of this
25 subsection leaves an early childhood education program
26 during the school year, a district or charter school shall
27 be allowed to fill the vacant enrollment spot with another
28 pupil between the ages of three and five who is eligible for
29 free and reduced price lunch without affecting the
30 district's or charter school's calculation of average daily
31 attendance.

32 2. In establishing standards for any early childhood
33 education program that is under contract with a district or
34 charter school that has declared itself as a local
35 educational agency, the state board of education shall
36 consider:

37 (1) Whether a program offers full-day and full-year
38 programming;

39 (2) Whether a program has teacher-to-child ratios
40 consistent with reasonable standards set by early childhood
41 education program accrediting agencies;

42 (3) Whether a program offers professional development
43 supports for educators and the type of supports offered;

44 (4) Whether a program uses appropriately credentialed
45 educators;

46 (5) Whether a program uses an early childhood
47 education curriculum that has been approved by the
48 department of elementary and secondary education and whether
49 the curriculum is developmentally appropriate; and

50 (6) Any other factor that the state board of education
51 determines to be significant in ensuring that children
52 achieve high levels of kindergarten readiness.

53 The state board of education shall require that staff
54 members of any early childhood education program that is
55 under contract with a district or charter school that has
56 declared itself as a local educational agency undergo
57 background checks as described in section 168.133.

58 3. This section shall not require school attendance
59 beyond that mandated under section 167.031 and shall not
60 change or amend the provisions of sections 160.051, 160.053,
61 160.054, and 160.055 relating to kindergarten attendance.

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

3 (1) Provides for [a minimum of one hundred seventy-
4 four days and one thousand forty-four hours of actual pupil
5 attendance in a term scheduled by the board pursuant to
6 section 160.041 for each pupil or group of pupils, except

7 that the board shall provide a minimum of one hundred
8 seventy-four days and five hundred twenty-two hours of
9 actual pupil attendance in a term for kindergarten pupils.

10 If any school is dismissed because of inclement weather
11 after school has been in session for three hours, that day
12 shall count as a school day including afternoon session
13 kindergarten students] **at least a minimum school term as**
14 **provided in section 171.031.** When the aggregate hours lost
15 in a term due to inclement weather decreases the total hours
16 of the school term below the required minimum number of
17 hours by more than twelve hours for all-day students or six
18 hours for one-half-day kindergarten students, all such hours
19 below the minimum must be made up [in one-half day or full
20 day additions to the term, except] as provided in section
21 171.033[. In school year 2019-20 and subsequent years, one
22 thousand forty-four hours of actual pupil attendance with no
23 minimum number of school days shall be required for each
24 pupil or group of pupils; except that, the board shall
25 provide a minimum of five hundred twenty-two hours of actual
26 pupil attendance in a term for kindergarten pupils with no
27 minimum number of school days];

28 (2) Maintains adequate and accurate records of
29 attendance, personnel and finances, as required by the state
30 board of education, which shall include the preparation of a
31 financial statement which shall be submitted to the state
32 board of education the same as required by the provisions of
33 section 165.111 for districts;

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

38 (4) Computes average daily attendance as defined in
39 subdivision (2) of section 163.011 as modified by section
40 171.031. Whenever there has existed within the district an
41 infectious disease, contagion, epidemic, plague or similar
42 condition whereby the school attendance is substantially
43 reduced for an extended period in any school year, the
44 apportionment of school funds and all other distribution of
45 school moneys shall be made on the basis of the school year
46 next preceding the year in which such condition existed.

47 2. For the 2006-07 school year and thereafter, no
48 school district shall receive more state aid, as calculated
49 under subsections 1 and 2 of section 163.031, for its
50 education program, exclusive of categorical add-ons, than it
51 received per weighted average daily attendance for the
52 school year 2005-06 from the foundation formula, line 14,
53 gifted, remedial reading, exceptional pupil aid, fair share,
54 and free textbook payment amounts, unless it has an
55 operating levy for school purposes, as determined pursuant
56 to section 163.011, of not less than two dollars and seventy-
57 five cents after all adjustments and reductions. Any
58 district which is required, pursuant to Article X, Section
59 22 of the Missouri Constitution, to reduce its operating
60 levy below the minimum tax rate otherwise required under
61 this subsection shall not be construed to be in violation of
62 this subsection for making such tax rate reduction.
63 Pursuant to Section 10(c) of Article X of the state
64 constitution, a school district may levy the operating levy
65 for school purposes required by this subsection less all
66 adjustments required pursuant to Article X, Section 22 of
67 the Missouri Constitution if such rate does not exceed the
68 highest tax rate in effect subsequent to the 1980 tax year.
69 Nothing in this section shall be construed to mean that a

70 school district is guaranteed to receive an amount not less
71 than the amount the school district received per eligible
72 pupil for the school year 1990-91. The provisions of this
73 subsection shall not apply to any school district located in
74 a county of the second classification which has a nuclear
75 power plant located in such district or to any school
76 district located in a county of the third classification
77 which has an electric power generation unit with a rated
78 generating capacity of more than one hundred fifty megawatts
79 which is owned or operated or both by a rural electric
80 cooperative except that such school districts may levy for
81 current school purposes and capital projects an operating
82 levy not to exceed two dollars and seventy-five cents less
83 all adjustments required pursuant to Article X, Section 22
84 of the Missouri Constitution.

85 3. No school district shall receive more state aid, as
86 calculated in section 163.031, for its education program,
87 exclusive of categorical add-ons, than it received per
88 eligible pupil for the school year 1993-94, if the state
89 board of education determines that the district was not in
90 compliance in the preceding school year with the
91 requirements of section 163.172, until such time as the
92 board determines that the district is again in compliance
93 with the requirements of section 163.172.

94 4. No school district shall receive state aid,
95 pursuant to section 163.031, if such district was not in
96 compliance, during the preceding school year, with the
97 requirement, established pursuant to section 160.530 to
98 allocate revenue to the professional development committee
99 of the district.

100 5. No school district shall receive more state aid, as
101 calculated in subsections 1 and 2 of section 163.031, for

102 its education program, exclusive of categorical add-ons,
103 than it received per weighted average daily attendance for
104 the school year 2005-06 from the foundation formula, line
105 14, gifted, remedial reading, exceptional pupil aid, fair
106 share, and free textbook payment amounts, if the district
107 did not comply in the preceding school year with the
108 requirements of subsection 5 of section 163.031.

109 6. Any school district that levies an operating levy
110 for school purposes that is less than the performance levy,
111 as such term is defined in section 163.011, shall provide
112 written notice to the department of elementary and secondary
113 education asserting that the district is providing an
114 adequate education to the students of such district. If a
115 school district asserts that it is not providing an adequate
116 education to its students, such inadequacy shall be deemed
117 to be a result of insufficient local effort. The provisions
118 of this subsection shall not apply to any special district
119 established under sections 162.815 to 162.940.

163.044. 1. Beginning with the 2007 fiscal year and
2 each subsequent fiscal year, the general assembly shall
3 appropriate **[fifteen]** **thirty** million dollars to be directed
4 in the following manner to school districts with an average
5 daily attendance of three hundred fifty students or less in
6 the school year preceding the payment year:

7 (1) **[Ten]** **Twenty** million dollars shall be distributed
8 to the eligible districts in proportion to their average
9 daily attendance; and

10 (2) **[Five]** **Ten** million dollars shall be directed to
11 the eligible districts that have an operating levy for
12 school purposes in the current year equal to or greater than
13 the performance levy and any school districts which have an
14 operating levy for school purposes in the current year less

15 than the performance levy solely due to a modification of
16 such district's levy required under subdivision (4) of
17 subsection 5 of section 137.073. A tax-rate-weighted
18 average daily attendance shall be calculated for each
19 eligible district in proportion to its operating levy for
20 school purposes for the current year divided by the
21 performance levy with that result multiplied by the
22 district's average daily attendance in the school year
23 preceding the payment year. The total appropriation
24 pursuant to this subdivision shall then be divided by the
25 sum of the tax-rate-weighted average daily attendance of the
26 eligible districts, and the resulting amount per tax-rate-
27 weighted average daily attendance shall be multiplied by
28 each eligible district's tax-rate-weighted average daily
29 attendance to determine the amount to be paid to each
30 eligible district.

31 2. The payment under this section shall not be
32 transferred to the capital projects fund.

33 3. Except as provided in subsection 2 of this section,
34 districts receiving payments under this section may use the
35 moneys for, including but not limited to, the following:

- 36 (1) Distance learning;
37 (2) Extraordinary transportation costs;
38 (3) Rural teacher recruitment; and
39 (4) Student learning opportunities not available
40 within the district.

**163.096. For any school district that, during fiscal
2 year 2005, recorded revenues from intangible taxes, the
3 merchants' and manufacturers' surcharge, and payments in
4 lieu of taxes other than tax increment financing surplus to
5 the district's teacher and incidental funds and, as a
6 result, caused an elevation of the district's "local effort"**

7 figure, as the term "local effort" is defined in section
8 163.011, the department of elementary and secondary
9 education shall calculate the amount of state aid the
10 district would have received had the district placed such
11 revenues in its capital projects fund or debt service fund.
12 The department shall use this revised local effort figure
13 for all state aid payments subsequent to August 28, 2024.

163.172. 1. (1) In school year 1994-95 and
2 thereafter until school year 2006-07, the minimum teacher's
3 salary shall be eighteen thousand dollars. Beginning in
4 school year 2006-07, the minimum teacher's salary shall be
5 twenty-two thousand dollars; in school year 2007-08, the
6 minimum teacher's salary shall be twenty-three thousand
7 dollars; in school year 2008-09, the minimum teacher's
8 salary shall be twenty-four thousand dollars; in school year
9 2009-10 and [thereafter] in each subsequent school year
10 through the 2024-25 school year, the minimum teacher's
11 salary shall be twenty-five thousand dollars.

12 (2) For the 2025-26 school year and in all subsequent
13 school years, the minimum teacher's salary shall be forty
14 thousand dollars.

15 (3) Beginning in the school year 1996-97 until school
16 year 2006-07, for any full-time teacher with a master's
17 degree and at least ten years' teaching experience in a
18 public school or combination of public schools, the minimum
19 salary shall be twenty-four thousand dollars. Beginning in
20 the school year 2006-07, for any full-time teacher with a
21 master's degree in an academic teaching field and at least
22 ten years' teaching experience in a public school or
23 combination of public schools, the minimum salary shall be
24 thirty thousand dollars; in the 2007-08 school year such
25 minimum salary shall be thirty-one thousand dollars; in the

26 2008-09 school year such minimum salary shall be thirty-two
27 thousand dollars; and in the 2009-10 school year **and in each**
28 **subsequent school year through the 2024-25 school year**, such
29 minimum salary shall be thirty-three thousand dollars.

30 (4) For the 2025-26 school year and in all subsequent
31 school years, the minimum teacher's salary for any full-time
32 teacher with a master's degree in an academic teaching field
33 directly related to the teacher's assignment and at least
34 ten years' teaching experience in a public school or
35 combination of public schools shall be as follows:

36 (a) In the 2025-26 school year, forty-six thousand
37 dollars;

38 (b) In the 2026-27 school year, forty-seven thousand
39 dollars; and

40 (c) In the 2027-28 school year, forty-eight thousand
41 dollars.

42 2. (1) As used in this subsection, "CPI" means the
43 Consumer Price Index for All Urban Consumers for the United
44 States as reported by the Bureau of Labor Statistics, or its
45 successor index.

46 (2) In the 2028-29 school year and in all subsequent
47 school years, the minimum salaries identified in subdivision
48 (2) of subsection 1 of this section and in paragraph (c) of
49 subdivision (4) of subsection 1 of this section shall be
50 adjusted annually by the percentage increase in inflation as
51 described in subdivision (3) of this subsection.

52 (3) If the CPI report for January of a given year
53 indicates that inflation increased over the previous twelve
54 months by at least one percent, the department of elementary
55 and secondary education shall increase the minimum salaries
56 described in subdivision (2) of this subsection by the same

57 percentage increase in inflation, except that no minimum
58 salary increase shall exceed three percent.

59 (4) The state board of education shall publish such
60 minimum salaries annually in February beginning in calendar
61 year 2026. Modifications to the minimum salaries shall take
62 effect on July first of each calendar year.

63 [2. Beginning with the budget requests for fiscal year
64 1991,] 3. The commissioner of education shall present to
65 the appropriate committees of the general assembly
66 information on the average Missouri teacher's salary,
67 regional average salary data, and national average salary
68 data.

69 [3.] 4. All school salary information shall be public
70 information.

71 [4.] 5. As used in this section, the term "salary"
72 shall be defined as the salary figure which appears on the
73 teacher's contract and as determined by the local school
74 district's basic salary schedule and does not include
75 supplements for extra duties.

76 [5.] 6. The minimum salary for any fully certificated
77 teacher employed on a less than full-time basis by a school
78 district, state school for the severely handicapped, the
79 Missouri School for the Deaf, or the Missouri School for the
80 Blind shall be prorated to reflect the amounts provided in
81 subsection 1 of this section.

82 7. (1) There is hereby created in the state treasury
83 the "Teacher Baseline Salary Grant Fund", which shall
84 consist of moneys appropriated under subsection 8 of this
85 section. The state treasurer shall be custodian of the
86 fund. In accordance with sections 30.170 and 30.180, the
87 state treasurer may approve disbursements. The fund shall
88 be a dedicated fund and, upon appropriation, moneys in this

89 fund shall be used solely to increase minimum teacher's
90 salaries as provided in this section.

91 (2) Notwithstanding the provisions of section 33.080
92 to the contrary, any moneys remaining in the fund at the end
93 of the biennium shall not revert to the credit of the
94 general revenue fund.

95 (3) The state treasurer shall invest moneys in the
96 fund in the same manner as other funds are invested. Any
97 interest and moneys earned on such investments shall be
98 credited to the fund.

99 8. (1) There is hereby created the "Teacher Baseline
100 Salary Grant" program. The general assembly may appropriate
101 amounts to the teacher baseline salary grant fund created in
102 subsection 7 of this section. The total amount appropriated
103 to such fund shall not exceed the amount necessary to assist
104 each school district in increasing minimum teacher's
105 salaries to the minimum amount as required under this
106 section.

107 (2) Subject to the appropriation of moneys to the
108 teacher baseline salary grant fund, each school district may
109 apply to the department of elementary and secondary
110 education for a grant of moneys from the teacher baseline
111 salary grant fund to assist such district in increasing
112 minimum teacher's salaries as required under this section.

166.700. As used in sections 166.700 to 166.720, the
2 following terms mean:

3 (1) "Curriculum", a complete course of study for a
4 particular content area or grade level, including any
5 supplemental materials;

6 (2) "District", the same meaning as used in section
7 160.011;

8 (3) "Educational assistance organization", the same
9 meaning as used in section 135.712;

10 (4) **"Illegal alien", any person who is not lawfully**
11 **present in the United States or any person who gained**
12 **illegal entry into the United States;**

13 (5) "Parent", the same meaning as used in section
14 135.712;

15 [(5)] (6) "Private school", a school that is not a
16 part of the public school system of the state of Missouri
17 and that charges tuition for the rendering of elementary or
18 secondary educational services;

19 [(6)] (7) "Program", the same meaning as used in
20 section 135.712;

21 [(7)] (8) "Qualified school", [a home school as
22 defined in section 167.031] **an FPE school** or any of the
23 following entities that is incorporated in Missouri and that
24 does not discriminate on the basis of race, color, or
25 national origin:

26 (a) A charter school as defined in section 160.400;

27 (b) A private school;

28 (c) A public school as defined in section 160.011; or

29 (d) A public or private virtual school;

30 [(8)] (9) "Qualified student", any elementary or
31 secondary school student who is a resident of this state,
32 **who is not an illegal alien**, and [resides in any county with
33 a charter form of government or any city with at least
34 thirty thousand inhabitants] who:

35 (a) Has an approved "individualized education plan"

36 (IEP) developed under the federal Individuals with

37 Disabilities Education Act (IDEA), 20 U.S.C. Section 1400 [,,]

38 et seq., as amended; or

39 (b) Is a member of a household whose total annual
40 income does not exceed an amount equal to **[two] three**
41 hundred percent of the income standard used to qualify for
42 free and reduced price lunches, and **that** meets at least one
43 of the following qualifications:

44 a. Attended a public school as a full-time student for
45 at least one semester during the previous twelve months; **[or]**

46 b. Is a child who is eligible to begin kindergarten or
47 first grade under sections 160.051 to 160.055; **or**

48 c. **Is a sibling of a qualified student who received a**
49 **scholarship grant in the previous school year and will**
50 **receive a scholarship grant in the current school year.**

167.012. 1. For purposes of state law, a "home
2 school" is a school, whether incorporated or unincorporated,
3 that:

4 (1) Has as its primary purpose the provision of
5 private or religious-based instruction;

6 (2) Enrolls children between the ages of seven years
7 and the compulsory attendance age for the school district in
8 which the home school is located, of which no more than four
9 are unrelated by affinity or consanguinity in the third
10 degree;

11 (3) Does not charge or receive consideration in the
12 form of tuition, fees, or other remuneration in a genuine
13 and fair exchange for provision of instruction;

14 (4) Does not enroll children who participate in the
15 program established in sections 135.712 to 135.719 and
16 sections 166.700 to 166.720; and

17 (5) Is not an FPE school.

18 2. Except as otherwise provided in this subsection, as
19 evidence that a child is receiving regular instruction, the

20 child's parent, guardian, or other person having control or
21 custody of the child shall:

22 (1) Maintain the following records:

23 (a) a. A plan book, diary, or other written record
24 indicating subjects taught and activities engaged in;

25 b. A portfolio of samples of the child's academic
26 work; and

27 c. A record of evaluations of the child's academic
28 progress; or

29 (b) Other written or credible evidence equivalent to
30 subparagraphs a. to c. of paragraph (a) of this subdivision;
31 and

32 (2) Offer at least one thousand hours of instruction,
33 at least six hundred hours of which shall be in reading,
34 language arts, mathematics, social studies, science, or
35 academic courses that are related to such subject areas and
36 consonant with the child's age and ability. At least four
37 hundred of the six hundred hours shall occur at the regular
38 home school location;

39 (3) The requirements of this subsection shall not
40 apply to any pupil sixteen years of age or older.

41 3. The production of a daily log by a parent,
42 guardian, or other person having control or custody of a
43 child showing that a home school has a course of instruction
44 that satisfies the requirements of this section and section
45 167.031 or, in the case of a pupil sixteen years of age or
46 older who attended a metropolitan school district the
47 previous year, a written statement that the pupil is
48 attending home school in compliance with section 167.031
49 shall be a defense to any prosecution under section 167.031
50 and to any charge or action for educational neglect brought
51 under chapter 210. Home school education enforcement and

52 records pursuant to this section, and sections 210.167 and
53 211.031, shall be subject to review only by the local
54 prosecuting attorney.

167.013. 1. For purposes of state law, a "Family
2 Paced Education (FPE) school" or "FPE school" is a school,
3 whether incorporated or unincorporated, that:

4 (1) Has as its primary purpose the provision of
5 private or religious-based instruction;

6 (2) Enrolls children between the ages of seven years
7 and the compulsory attendance age for the school district in
8 which the FPE school is located, of which no more than four
9 are unrelated by affinity or consanguinity in the third
10 degree;

11 (3) Does not charge or receive consideration in the
12 form of tuition, fees, or other remuneration in a genuine
13 and fair exchange for provision of instruction; and

14 (4) May enroll children who participate in the program
15 established in sections 135.712 to 135.719 and sections
16 166.700 to 166.720.

17 2. Except as otherwise provided in this subsection, as
18 evidence that a child is receiving regular instruction, the
19 child's parent, guardian, or other person having control or
20 custody of the child shall:

21 (1) Maintain the following records:

22 (a) a. A plan book, diary, or other written record
23 indicating subjects taught and activities engaged in;

24 b. A portfolio of samples of the child's academic
25 work; and

26 c. A record of evaluations of the child's academic
27 progress; or

28 (b) Other written or credible evidence equivalent to
29 subparagraphs a. to c. of paragraph (a) of this subdivision;
30 and

31 (2) Offer at least one thousand hours of instruction,
32 at least six hundred hours of which shall be in reading,
33 language arts, mathematics, social studies, science, or
34 academic courses that are related to such subject areas and
35 consonant with the child's age and ability. At least four
36 hundred of the six hundred hours shall occur at the regular
37 FPE school location;

38 (3) The requirements of this subsection shall not
39 apply to any pupil sixteen years of age or older.

40 3. The production of a daily log by a parent,
41 guardian, or other person having control or custody of a
42 child showing that a FPE school has a course of instruction
43 that satisfies the requirements of this section and section
44 167.031 or, in the case of a pupil sixteen years of age or
45 older who attended a metropolitan school district the
46 previous year, a written statement that the pupil is
47 attending a FPE school in compliance with section 167.031
48 shall be a defense to any prosecution under section 167.031
49 and to any charge or action for educational neglect brought
50 under chapter 210. FPE school education enforcement and
51 records pursuant to this section, and sections 210.167 and
52 211.031, shall be subject to review only by the local
53 prosecuting attorney.

167.031. 1. (1) Every parent, guardian, or other
2 person in this state having charge, control, or custody of a
3 child [not enrolled] is responsible for enrolling the child
4 in a program of academic instruction in a public, private,
5 parochial, parish school, home school, FPE school, or full-
6 time equivalent attendance in a combination of such schools

7 [and] between the ages of seven years and the compulsory
8 attendance age for the district [is responsible for
9 enrolling the child in a program of academic instruction
10 which complies with subsection 2 of this section].

11 (2) Any parent, guardian, or other person who enrolls
12 a child between the ages of five and seven years in a public
13 school program of academic instruction shall cause such
14 child to attend the academic program on a regular basis,
15 according to this section. Nonattendance by such child
16 shall cause such parent, guardian, or other responsible
17 person to be in violation of the provisions of section
18 167.061, except as provided by this section. A parent,
19 guardian, or other person in this state having charge,
20 control, or custody of a child between the ages of seven
21 years of age and the compulsory attendance age for the
22 district shall cause the child to attend regularly some
23 public, private, parochial, parish, home school, **FPE school**,
24 or a combination of such schools not less than the entire
25 school term of the school [which] **that** the child attends;
26 except that:

27 [(1)] (a) A child who, to the satisfaction of the
28 superintendent of public schools of the district in which
29 [he] **such child** resides, or if there is no superintendent
30 then the chief school officer, is determined to be mentally
31 or physically incapacitated may be excused from attendance
32 at school for the full time required, or any part thereof;

33 [(2)] (b) A child between fourteen years of age and
34 the compulsory attendance age for the district may be
35 excused from attendance at school for the full time
36 required, or any part thereof, by the superintendent of
37 public schools of the district, or if there is none then by
38 a court of competent jurisdiction, when legal employment has

39 been obtained by the child and found to be desirable, and
40 after the parents or guardian of the child have been advised
41 of the pending action; or

42 **[(3)] (c)** A child between five and seven years of age
43 shall be excused from attendance at school if a parent,
44 guardian, or other person having charge, control, or custody
45 of the child makes a written request that the child be
46 dropped from the school's rolls; **or**

47 **(d) A child may be excused from attendance at school**
48 **for the full time required, or any part thereof, if the**
49 **child is unable to attend school due to mental or behavioral**
50 **health concerns, provided that the school receives**
51 **documentation from a mental health professional licensed**
52 **under chapters 334 or 337 acting within his or her**
53 **authorized scope of practice stating that the child is not**
54 **able to attend school due to such concerns.**

55 2. **[(1) As used in sections 167.031 to 167.071, a**
56 **"home school" is a school, whether incorporated or**
57 **unincorporated, that:**

58 **(a) Has as its primary purpose the provision of**
59 **private or religious-based instruction;**

60 **(b) Enrolls pupils between the ages of seven years and**
61 **the compulsory attendance age for the district, of which no**
62 **more than four are unrelated by affinity or consanguinity in**
63 **the third degree; and**

64 **(c) Does not charge or receive consideration in the**
65 **form of tuition, fees, or other remuneration in a genuine**
66 **and fair exchange for provision of instruction.**

67 **(2) As evidence that a child is receiving regular**
68 **instruction, the parent shall, except as otherwise provided**
69 **in this subsection:**

70 **(a) Maintain the following records:**

71 a. A plan book, diary, or other written record
72 indicating subjects taught and activities engaged in; and

73 b. A portfolio of samples of the child's academic
74 work; and

75 c. A record of evaluations of the child's academic
76 progress; or

77 d. Other written, or credible evidence equivalent to
78 subparagraphs a., b. and c.; and

79 (b) Offer at least one thousand hours of instruction,
80 at least six hundred hours of which will be in reading,
81 language arts, mathematics, social studies and science or
82 academic courses that are related to the aforementioned
83 subject areas and consonant with the pupil's age and
84 ability. At least four hundred of the six hundred hours
85 shall occur at the regular home school location.

86 (3) The requirements of subdivision (2) of this
87 subsection shall not apply to any pupil above the age of
88 sixteen years.

89 3.] Nothing in this section shall require a private,
90 parochial, parish [or], home school, **or FPE school** to
91 include in its curriculum any concept, topic, or practice in
92 conflict with the school's religious doctrines or to exclude
93 from its curriculum any concept, topic, or practice
94 consistent with the school's religious doctrines. Any other
95 provision of the law to the contrary notwithstanding, all
96 departments or agencies of the state of Missouri shall be
97 prohibited from dictating through rule, regulation, or other
98 device any statewide curriculum for private, parochial,
99 parish [or], home schools, **or FPE schools**.

100 [4.] 3. A school year begins on the first day of July
101 and ends on the thirtieth day of June following.

102 [5. The production by a parent of a daily log showing
103 that a home school has a course of instruction which
104 satisfies the requirements of this section or, in the case
105 of a pupil over the age of sixteen years who attended a
106 metropolitan school district the previous year, a written
107 statement that the pupil is attending home school in
108 compliance with this section shall be a defense to any
109 prosecution under this section and to any charge or action
110 for educational neglect brought pursuant to chapter 210.

111 [6.] 4. (1) As used in [sections 167.031 to 167.051]
112 **this section**, the term "compulsory attendance age for the
113 district" shall mean:

114 [(1)] (a) Seventeen years of age for any metropolitan
115 school district for which the school board adopts a
116 resolution to establish such compulsory attendance age;
117 provided that such resolution shall take effect no earlier
118 than the school year next following the school year during
119 which the resolution is adopted; and

120 [(2)] (b) Seventeen years of age or having
121 successfully completed sixteen credits towards high school
122 graduation in all other cases.

123 (2) The school board of a metropolitan school district
124 for which the compulsory attendance age is seventeen years
125 may adopt a resolution to lower the compulsory attendance
126 age to sixteen years; provided that such resolution shall
127 take effect no earlier than the school year next following
128 the school year during which the resolution is adopted.

129 [7.] 5. For purposes of [subsection 2 of this section]
130 **home school or FPE school credits toward high school**
131 **graduation**, as applied in subsection [6 herein] 4 of this
132 **section**, a "completed credit towards high school graduation"
133 shall be defined as one hundred hours or more of instruction

134 in a course. [Home school education enforcement and records
135 pursuant to this section, and sections 210.167 and 211.031,
136 shall be subject to review only by the local prosecuting
137 attorney.]

167.061. Any parent, guardian or other person having
2 charge, control or custody of a child, who violates the
3 provisions of section 167.031 is guilty of a class C
4 misdemeanor. Upon conviction and pending any judicial
5 appeal, the defendant shall be required to enroll the child
6 in a public, private, parochial, parish [or], home school,
7 **or FPE school** within three public school days, after which
8 each successive school day shall constitute a separate
9 violation of section 167.031. The fine or imprisonment, or
10 both, may be suspended and finally remitted by the court,
11 with or without the payment of costs, at the discretion of
12 the court, if the child is immediately placed and kept in
13 regular attendance at a public, private, parochial, parish
14 [or], home school, **or FPE school** and if the fact of regular
15 attendance is proved subsequently to the satisfaction of the
16 court. A certificate stating that the child is regularly
17 attending a public, private, parochial or parish school and
18 properly attested by the superintendent, principal or person
19 in charge of the school is prima facie evidence of regular
20 attendance by the child.

167.600. 1. As used in sections 167.600 to 167.621,
2 the following terms mean:

3 (1) "Family practitioner", a primary care provider,
4 including a licensed physician, nurse practitioner or
5 primary care physician sponsor as defined in subdivision (4)
6 of subsection 1 of section 208.166, or a primary care
7 contracted health provider plan, approved by the parent,

8 guardian or legal custodian of a school age child pursuant
9 to section 167.611;

10 (2) "Most accessible care", that care or services
11 which reach the most children where they normally are during
12 school hours or where children are most likely to
13 participate with the least obstacles to participation and
14 may include, but shall not be limited to, private, public or
15 parochial schools, learning centers, preschools, child care
16 facilities, common community gathering places, licensed
17 health care facilities, physicians' offices and community
18 centers and may also include the use of traveling medical
19 professionals;

20 (3) "School age children", all children under the age
21 of nineteen without regard to whether they are currently
22 enrolled in any school and without regard to what public,
23 private, parochial [or], home school, **or FPE school** they may
24 attend;

25 (4) "School children health services", services,
26 including immunization, screening for physical or mental
27 disease, disability or injury, treatment of pathological
28 disease or injury, emergency medical treatment or first aid,
29 or administration of drugs or treatment as ordered by the
30 child's family practitioner, provided that the term shall
31 only include the enumerated services and services directly
32 related to the services enumerated herein;

33 (5) "Service area", the public school district, if the
34 school district elects to be a Medicaid provider, or an area
35 determined by the department of social services at the time
36 a public school within a school district elects to be a
37 Medicaid provider.

38 2. Sections 167.600 to 167.621 shall not be severable
39 from each other.

167.619. When a school or school district enrolls as a
2 Medicaid provider pursuant to section 167.606 or receives a
3 grant under section 167.603, the department of social
4 services shall assure that the grants or funds are used to
5 provide the most accessible care to school age children. No
6 resident child shall be denied or discriminated against in
7 school children health services or Medicaid services offered
8 by a school district or a local health department under
9 sections 167.600 to 167.621 on the grounds that the child
10 regularly attends or does not attend a public, private,
11 parochial, parish [or], home school, **or an FPE school.**

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

- 3 (1) "Board", the state board of education;
- 4 (2) "Commissioner", the commissioner of education;
- 5 (3) "Recovery high school", a public high school that
6 serves eligible students diagnosed with substance use
7 disorder or dependency as defined by the most recent
8 Diagnostic and Statistical Manual of Mental Disorders and
9 that provides both a comprehensive four-year high school
10 education in an alternative public school setting and a
11 structured plan of recovery;
- 12 (4) "Sending district", the school district where a
13 student attending or planning to attend the recovery high
14 school resides and from which the student is referred for
15 enrollment in a recovery high school.

16 2. (1) The commissioner may approve and authorize up
17 to four pilot recovery high schools, geographically located
18 in metropolitan areas throughout the state, to be
19 established by school districts or groups of school
20 districts for the purpose of demonstrating the effectiveness
21 of the recovery high school model in this state. The

22 commissioner shall issue a request for proposals from school
23 districts to operate a pilot recovery high school. Such
24 proposals may be submitted by an individual school district
25 proposing to operate a recovery high school or by a group of
26 school districts proposing to jointly operate such a
27 school. Such proposals shall be submitted to the
28 commissioner no later than ~~December~~ **July** first of the
29 school year prior to the school year in which the recovery
30 high school is proposed to begin operation. The approval of
31 the board shall be required for the recovery high school to
32 begin operation.

33 (2) Proposals shall detail how the district or
34 districts will satisfy the criteria for a high school
35 education program under state law and board rule and how the
36 recovery high school will satisfy the requirements for
37 accreditation by the Association of Recovery Schools or
38 another recovery school accreditation organization
39 authorized by the board. The proposal shall include a
40 financial plan outlining the anticipated public and private
41 funding that will allow the recovery high school to operate
42 and meet the school's educational and recovery criteria.
43 The district or districts may partner with one or more local
44 nonprofit organizations or other local educational agencies
45 regarding establishment and operation of a recovery high
46 school and may establish a joint board to oversee the
47 operation of the recovery high school as provided in a
48 memorandum of understanding entered with such organization
49 or organizations.

50 (3) By approval of the proposal upon the
51 recommendation of the commissioner, the board shall be
52 deemed to have authorized all necessary equivalencies and
53 waivers of regulations enumerated in the proposal.

54 (4) The commissioner may specify an authorization
55 period for the recovery high school, which shall be no less
56 than four years. Before July first of each year the
57 recovery high school is in operation, the school district or
58 group of school districts, in consultation with the recovery
59 high school, shall submit to the commissioner an analysis of
60 the recovery high school's educational, recovery, and other
61 related outcomes as specified in the proposal. The
62 commissioner shall review the analysis and renew any
63 recovery high school meeting the requirements of this
64 section and the requirements of the school's proposal and
65 may include terms and conditions to address areas needing
66 correction or improvement. The commissioner may revoke or
67 suspend the authorization of a recovery high school not
68 meeting the requirements of this section or the requirements
69 of the school's proposal.

70 (5) Pupil attendance, dropout rate, student
71 performance on statewide assessments, and other data
72 considered in the Missouri school improvement program and
73 school accreditation shall not be attributed to the general
74 accreditation of either a sending district or the district
75 or districts operating the recovery high school and may be
76 used by the commissioner only in the renewal process for the
77 recovery high school as provided in this subsection.

78 3. (1) A school district may enter into an agreement
79 with a district or districts operating a recovery high
80 school for the enrollment of an eligible student who is
81 currently enrolled in or resides in the sending district.

82 (2) A parent or guardian may seek to enroll an
83 eligible student residing in a sending district in a
84 recovery high school created under this section. A student

85 over eighteen years of age residing in a sending district
86 may seek to enroll in a recovery high school.

87 (3) An "eligible student" shall mean a student who is
88 in recovery from substance use disorder or substance
89 dependency, or such a condition along with co-occurring
90 disorders such as anxiety, depression, and attention deficit
91 hyperactivity disorder, and who is determined by the
92 recovery high school to be a student who would academically
93 and clinically benefit from placement in the recovery high
94 school and is committed to working on the student's
95 recovery. The recovery high school shall consider available
96 information including, but not limited to, any
97 recommendation of a drug counselor, alcoholism counselor, or
98 substance abuse counselor licensed or certified under
99 applicable laws and regulations.

100 (4) A recovery high school shall not limit or deny
101 admission to an eligible student based on race, ethnicity,
102 national origin, disability, income level, proficiency in
103 the English language, or athletic ability.

104 4. (1) The recovery high school shall annually adopt
105 a policy establishing a tuition rate for its students no
106 later than February first of the preceding school year.

107 (2) The sending district of an eligible student who is
108 enrolled in and attending a recovery high school shall pay
109 tuition to the recovery high school equal to the lesser of:

110 (a) The tuition rate established under subdivision (1)
111 of this subsection; or

112 (b) The state adequacy target, as defined in section
113 163.011, plus the average sum produced per child by the
114 local tax effort above the state adequacy target of the
115 sending district.

116 (3) If costs associated with the provision of special
117 education and related disability services to the student
118 exceed the tuition to be paid under subdivision (2) of this
119 subsection, the sending district shall remain responsible
120 for paying the excess cost to the recovery high school.

121 (4) The commissioner may enter into an agreement with
122 the appropriate official or agency of another state to
123 develop a reciprocity agreement for otherwise eligible,
124 nonresident students seeking to attend a recovery high
125 school in this state. A recovery high school may enroll
126 otherwise eligible students residing in a state other than
127 this state as provided in such reciprocity agreement. Such
128 reciprocity agreement shall require the out-of-state
129 student's district of residence to pay to the recovery high
130 school an annual amount equal to one hundred five percent of
131 the tuition rate for the recovery high school established
132 under this subsection. If an otherwise eligible student
133 resides in a state that is not subject to a reciprocity
134 agreement, such student may attend a recovery high school
135 provided such student pays to the school one hundred five
136 percent of the tuition rate for the recovery high school
137 established under this subsection. No student enrolled and
138 attending a recovery high school under this subdivision
139 shall be included as a resident pupil for any state aid
140 purpose under chapter 163.

141 5. The board, in consultation with the department of
142 mental health, may promulgate rules to implement the
143 provisions of this section. Any rule or portion of a rule,
144 as that term is defined in section 536.010, that is created
145 under the authority delegated in this section shall become
146 effective only if it complies with and is subject to all of
147 the provisions of chapter 536 and, if applicable, section

148 536.028. This section and chapter 536 are nonseverable and
149 if any of the powers vested with the general assembly
150 pursuant to chapter 536 to review, to delay the effective
151 date, or to disapprove and annul a rule are subsequently
152 held unconstitutional, then the grant of rulemaking
153 authority and any rule proposed or adopted after August 28,
154 2022, shall be invalid and void.

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

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

5 (a) Upon the basis of college credit;

6 (b) Upon the basis of examination;

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

20 (3) By the state board, which shall issue the
21 professional certificate classification in both the general
22 and specialized areas most closely aligned with the current
23 areas of certification approved by the state board,
24 commensurate with the years of teaching experience of the
25 applicant, and based upon the following criteria:

26 (a) a. Recommendation of a state-approved
27 baccalaureate-level teacher preparation program;

28 b. **The department of elementary and secondary**
29 **education shall develop and maintain an eighteen hour (one**
30 **thousand eighty minutes) online teacher preparation program**
31 **related to subjects appropriate for elementary and secondary**
32 **education settings. Any charitable organization registered**
33 **in Missouri that is exempt from federal taxation under the**
34 **Internal Revenue Code of 1986, as amended, may submit a**
35 **teacher preparation program to the department of elementary**
36 **and secondary education for approval. Once approved, the**
37 **charitable organization shall be certified to develop and**
38 **maintain a teacher preparedness program. Approved teacher**
39 **preparedness programs created by a charitable organization**
40 **shall be made available by the department of elementary and**
41 **secondary education. An individual with a bachelor's degree**
42 **may complete an eighteen hour online training program,**
43 **either created by the department or by a charitable**
44 **organization, and receive a teacher certificate. Such**
45 **certificate shall not be accepted by Missouri public**
46 **schools, but shall be accepted by private schools and**
47 **private school accrediting agencies;**

48 (b) a. Successful attainment of the Missouri
49 qualifying score on the exit assessment for teachers or
50 administrators designated by the state board of education;

51 b. (i) Applicants who have not successfully achieved
52 a qualifying score on the designated examinations will be
53 issued a two-year nonrenewable provisional certificate;

54 (ii) During the two-year nonrenewable provisional
55 certification, an individual teacher may gain full
56 professional certification by:

57 i. Achieving a qualifying score on the designated
58 exam; or

59 ii. Successfully achieving an acceptable score on the
60 state-approved teacher evaluation system from seven walk-
61 through evaluations, two formative evaluations, and one
62 summative evaluation for each of the two probationary years
63 and being offered a third contract by the employing
64 district. For any applicant who has a change in job status
65 because of a reduction in the workforce or a change in life
66 circumstances, the scores required under this item may be
67 scores achieved in any school district during the two-year
68 nonrenewable provisional certification period; and

69 (iii) The employing school district shall recommend to
70 the department of elementary and secondary education that
71 the individual teacher be awarded a full professional
72 certification by the state board under rules prescribed by
73 the state board; and

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

78 (4) By the state board, under rules prescribed by it,
79 on the basis of a relevant bachelor's degree, or higher
80 degree, and a passing score for the designated exit
81 examination, for individuals whose academic degree and
82 professional experience are suitable to provide a basis for
83 instruction solely in the subject matter of banking or
84 financial responsibility, at the discretion of the state
85 board. Such certificate shall be limited to the major area
86 of study of the holder and shall be restricted to those
87 certificates established under subdivision (2) of subsection
88 3 of this section. Holders of certificates granted under

89 this subdivision shall be exempt from the teacher tenure act
90 under sections 168.102 to 168.130 and each school district
91 shall have the decision-making authority on whether to hire
92 the holders of such certificates;

93 (5) By the state board, under rules and regulations
94 prescribed by it, on the basis of certification by the
95 American Board for Certification of Teacher Excellence
96 (ABCTE) and verification of ability to work with children as
97 demonstrated by sixty contact hours in any one of the
98 following areas as validated by the school principal: sixty
99 contact hours in the classroom, of which at least forty-five
100 must be teaching; sixty contact hours as a substitute
101 teacher, with at least thirty consecutive hours in the same
102 classroom; sixty contact hours of teaching in a private
103 school; or sixty contact hours of teaching as a
104 paraprofessional, for an initial four-year ABCTE certificate
105 of license to teach, except that such certificate shall not
106 be granted for the areas of early childhood education, or
107 special education. For certification in the area of
108 elementary education, ninety contact hours in the classroom
109 shall be required, of which at least thirty shall be in an
110 elementary classroom. Upon the completion of the following
111 requirements, an applicant shall be eligible to apply for a
112 career continuous professional certificate under subdivision
113 (3) of subsection 3 of this section:

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

117 (b) Validated completion of two years of the mentoring
118 program of the American Board for Certification of Teacher
119 Excellence or a district mentoring program approved by the
120 state board of education;

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

123 (d) Participation in a beginning teacher assistance
124 program; [or]

125 (6) (a) By the state board, under rules and
126 regulations prescribed by the board, which shall issue an
127 initial visiting scholars certificate at the discretion of
128 the board, based on the following criteria:

129 a. Verification from the hiring school district that
130 the applicant will be employed as part of a business-
131 education partnership initiative designed to build career
132 pathways systems or employed as part of an initiative
133 designed to fill vacant positions in hard-to-staff public
134 schools or hard-to-fill subject areas for students in a
135 grade or grades not lower than the ninth grade for which the
136 applicant's academic degree or professional experience
137 qualifies the applicant;

138 b. Appropriate and relevant bachelor's degree or
139 higher, occupational license, or industry-recognized
140 credential;

141 c. Completion of the application for a one-year
142 visiting scholars certificate; and

143 d. Completion of a background check as prescribed
144 under section 168.133.

145 (b) The initial visiting scholars certificate shall
146 certify the holder of such certificate to teach for one
147 year. An applicant shall be eligible to renew an initial
148 visiting scholars certificate a maximum of two times, based
149 upon the completion of the requirements listed under
150 subparagraphs a., b., and d. of paragraph (a) of this
151 subdivision; completion of professional development required

152 by the school district and school; and attainment of a
153 satisfactory performance-based teacher evaluation; or

154 **(7) By the state board, which shall issue an**
155 **additional professional subject-area certification for**
156 **specific content knowledge or for a specialty area to a**
157 **certificate holder who:**

158 **(a) Applies for an additional professional subject-**
159 **area certification;**

160 **(b) Successfully achieves an acceptable score on the**
161 **state-approved teacher evaluation system from seven walk-**
162 **through evaluations, two formative evaluations, and one**
163 **summative evaluation of the applicant teaching specific**
164 **content knowledge or the specialty area for which the**
165 **additional professional subject-area certification is sought;**

166 **(c) Receives a recommendation from the applicant's**
167 **employing school district that the applicant be awarded an**
168 **additional professional subject area-certification by the**
169 **state board under rules prescribed by the state board; and**

170 **(d) Completes a background check as prescribed in**
171 **section 168.133.**

172 2. All valid teaching certificates issued pursuant to
173 law or state board policies and regulations prior to
174 September 1, 1988, shall be exempt from the professional
175 development requirements of this section and shall continue
176 in effect until they expire, are revoked or suspended, as
177 provided by law. When such certificates are required to be
178 renewed, the state board or its designee shall grant to each
179 holder of such a certificate the certificate most nearly
180 equivalent to the one so held. Anyone who holds, as of
181 August 28, 2003, a valid PC-I, PC-II, or continuous
182 professional certificate shall, upon expiration of such
183 person's current certificate, be issued the appropriate

184 level of certificate based upon the classification system
185 established pursuant to subsection 3 of this section.

186 3. (1) Certificates of license to teach in the public
187 schools of the state shall be based upon minimum
188 requirements prescribed by the state board of education
189 which shall include completion of a background check as
190 prescribed in section 168.133. The state board shall
191 provide for the following levels of professional
192 certification: an initial professional certificate and a
193 career continuous professional certificate.

194 (2) The initial professional certificate shall be
195 issued upon completion of requirements established by the
196 state board of education and shall be valid based upon
197 verification of actual teaching within a specified time
198 period established by the state board of education. The
199 state board shall require holders of the four-year initial
200 professional certificate to:

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

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

210 (c) Participate in a beginning teacher assistance
211 program.

212 (3) (a) The career continuous professional
213 certificate shall be issued upon verification of completion
214 of four years of teaching under the initial professional
215 certificate and upon verification of the completion of the

216 requirements articulated in paragraphs (a) to (c) of
217 subdivision (2) of this subsection or paragraphs (a) to (d)
218 of subdivision (5) of subsection 1 of this section.

219 (b) The career continuous professional certificate
220 shall be continuous based upon verification of actual
221 employment in an educational position as provided for in
222 state board guidelines and completion of fifteen contact
223 hours of professional development per year which may include
224 hours spent in class in an appropriate college curriculum.
225 Should the possessor of a valid career continuous
226 professional certificate fail, in any given year, to meet
227 the fifteen-hour professional development requirement, the
228 possessor may, within two years, make up the missing hours.
229 In order to make up for missing hours, the possessor shall
230 first complete the fifteen-hour requirement for the current
231 year and then may count hours in excess of the current year
232 requirement as make-up hours. Should the possessor fail to
233 make up the missing hours within two years, the certificate
234 shall become inactive. In order to reactivate the
235 certificate, the possessor shall complete twenty-four
236 contact hours of professional development which may include
237 hours spent in the classroom in an appropriate college
238 curriculum within the six months prior to or after
239 reactivating the possessor's certificate. The requirements
240 of this paragraph shall be monitored and verified by the
241 local school district which employs the holder of the career
242 continuous professional certificate.

243 (c) A holder of a career continuous professional
244 certificate shall be exempt from the professional
245 development contact hour requirements of paragraph (b) of
246 this subdivision if such teacher has a local professional

247 development plan in place within such teacher's school
248 district and meets two of the three following criteria:

249 a. Has ten years of teaching experience as defined by
250 the state board of education;

251 b. Possesses a master's degree; or

252 c. Obtains a rigorous national certification as
253 approved by the state board of education.

254 4. Policies and procedures shall be established by
255 which a teacher who was not retained due to a reduction in
256 force may retain the current level of certification. There
257 shall also be established policies and procedures allowing a
258 teacher who has not been employed in an educational position
259 for three years or more to reactivate the teacher's last
260 level of certification by completing twenty-four contact
261 hours of professional development which may include hours
262 spent in the classroom in an appropriate college curriculum
263 within the six months prior to or after reactivating the
264 teacher's certificate.

265 5. The state board shall, upon completion of a
266 background check as prescribed in section 168.133, issue a
267 professional certificate classification in the areas most
268 closely aligned with an applicant's current areas of
269 certification, commensurate with the years of teaching
270 experience of the applicant, to any person who is hired to
271 teach in a public school in this state and who possesses a
272 valid teaching certificate from another state or
273 certification under subdivision (4) of subsection 1 of this
274 section, provided that the certificate holder shall annually
275 complete the state board's requirements for such level of
276 certification, and shall establish policies by which
277 residents of states other than the state of Missouri may be
278 assessed a fee for a certificate of license to teach in the

279 public schools of Missouri. Such fee shall be in an amount
280 sufficient to recover any or all costs associated with the
281 issuing of a certificate of license to teach. The board
282 shall promulgate rules to authorize the issuance of a
283 provisional certificate of license, which shall be valid for
284 three years and shall allow the holder to assume classroom
285 duties pending the completion of a criminal background check
286 under section 168.133, for any applicant who:

287 (1) Is the spouse of a member of the Armed Forces
288 stationed in Missouri;

289 (2) Relocated from another state within one year of
290 the date of application;

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

294 (4) Otherwise qualifies under this section.

295 6. The state board may assess to holders of an initial
296 professional certificate a fee, to be deposited into the
297 excellence in education fund established pursuant to section
298 160.268, for the issuance of the career continuous
299 professional certificate. However, such fee shall not
300 exceed the combined costs of issuance and any criminal
301 background check required as a condition of issuance.
302 Applicants for the initial ABCTE certificate shall be
303 responsible for any fees associated with the program leading
304 to the issuance of the certificate, but nothing in this
305 section shall prohibit a district from developing a policy
306 that permits fee reimbursement.

307 7. Any member of the public school retirement system
308 of Missouri who entered covered employment with ten or more
309 years of educational experience in another state or states
310 and held a certificate issued by another state and

311 subsequently worked in a school district covered by the
312 public school retirement system of Missouri for ten or more
313 years who later became certificated in Missouri shall have
314 that certificate dated back to the member's original date of
315 employment in a Missouri public school.

316 8. Within thirty days of receiving an application from
317 a spouse of an active duty member of the Armed Forces of the
318 United States who has been transferred or is scheduled to be
319 transferred to the state of Missouri, or who has been
320 transferred or is scheduled to be transferred to an adjacent
321 state and is or will be domiciled in the state of Missouri,
322 or has moved to the state of Missouri on a permanent change-
323 of-station basis and has successfully completed the
324 background check described under subsection 5 of this
325 section and section 168.133, the state board shall issue to
326 such applicant a full certificate of license to teach,
327 provided that the applicant has paid all necessary fees and
328 has otherwise met all requirements to be issued such a
329 certificate.

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

3 (1) **"Hard-to-staff schools", attendance centers where**
4 **the percentage of certificated positions in the attendance**
5 **center that were left vacant or were filled with a teacher**
6 **not fully qualified in the prior academic year exceeds ten**
7 **percent as reported to the department of elementary and**
8 **secondary education;**

9 (2) **"Hard-to-staff subject areas", content areas for**
10 **which positions were left vacant or were filled with a**
11 **teacher not fully qualified in the prior academic year as**
12 **reported to the department of elementary and secondary**
13 **education.**

14 **2.** The board of education of a school district may
15 modify an indefinite contract annually on or before the
16 fifteenth day of May in the following particulars:

17 (1) Determination of the date of beginning and length
18 of the next school year;

19 (2) Fixing the amount of annual compensation for the
20 following school year as provided by the salary schedule
21 adopted by the board of education applicable to all
22 teachers.

23 **3.** The board of education of a school district may
24 include differentiated placement of teachers on the salary
25 schedule to increase compensation in order to recruit and
26 retain teachers in hard-to-staff subject areas or hard-to-
27 staff schools. The board may annually review its hard-to-
28 staff subject areas and hard-to-staff schools. No
29 modifications to the identification of hard-to-staff subject
30 areas or hard-to-staff schools, or both, for the purpose of
31 placement on the salary schedule shall result in the
32 demotion of a teacher in the salary schedule.

33 **4.** Any salary schedule that includes differentiated
34 placement of teachers on the salary schedule under
35 subsection 3 of this section for hard-to-staff subject areas
36 or hard-to-staff schools, or both, shall be set prior to
37 approval by such board of education.

38 **5.** The modifications shall be effective at the
39 beginning of the next school year. All teachers affected by
40 the modification shall be furnished written copies of the
41 modifications within thirty days after their adoption by the
42 board of education.

43 **6.** Each school district that includes differentiated
44 placement of teachers on the district salary schedule shall
45 annually provide to the department of elementary and

46 secondary education a report containing the following
47 information:

- 48 (1) The salary schedule adopted by the district;
49 (2) The number of positions filled by differentiated
50 placement of teachers for hard-to-staff subject areas;
51 (3) The number of positions filled with differentiated
52 placement of teachers for hard-to-staff schools;
53 (4) The number of steps and additional compensation
54 that teachers with differentiated placement received for the
55 school year; and
56 (5) Any other relevant information required by the
57 department.

168.400. 1. Sections 168.400 to 168.415 shall be
2 known and may be cited as the "Missouri Professional Teacher
3 and Administrator Act". This section shall become effective
4 September 1, 1988, and shall establish programs for the
5 following public school personnel:

- 6 (1) The preservice teacher or student in training;
7 (2) The beginning teacher;
8 (3) The practicing teacher; and
9 (4) The administrator.

10 2. [Preservice teacher programs established under this
11 section shall include, but need not be limited to, the
12 following provisions:

- 13 (1) A program of entry-level testing of all
14 prospective teacher education students shall be established
15 at all colleges and universities offering approved teacher
16 education programs and, with the advice of the advisory
17 council as provided in section 168.015, shall be
18 administered by the commissioner of education, who shall
19 cause the department of elementary and secondary education
20 to develop or select such tests to establish abilities

21 necessary to receive a satisfactory rating, and to establish
22 procedures for the administering of the test;

23 (2) The entry-level tests developed under this
24 subsection shall include, but need not be limited to, an
25 examination of basic oral and written communication skills
26 and of basic mathematics skills, and may include both oral
27 and written examinations;

28 (3) Each prospective teacher education student shall
29 be required to obtain a satisfactory rating prior to
30 admission into the approved teacher education program;

31 (4)] The department of elementary and secondary
32 education, with the advice of the advisory council as
33 provided in section 168.015, shall establish and monitor
34 exit requirements from approved teacher education programs
35 which shall be met by all preservice teacher education
36 students seeking certification in Missouri, and specific
37 criteria for a preservice teacher assessment that all
38 candidates for certification shall meet. The preservice
39 teacher assessment established under this [subdivision]
40 **subsection** shall include, but need not be limited to,
41 classroom achievement, practice teaching evaluation and
42 observation, successful participation in assessment centers,
43 interviews, tests and other evaluation measures. The
44 department of elementary and secondary education shall
45 promulgate rules to allow all preservice teacher education
46 students who have been employed for at least two years as
47 teacher assistants to utilize their teacher assistant
48 experience to bypass the practice teaching evaluation and
49 observation process. These rules shall allow the certified
50 teacher working with the teacher assistant to observe and
51 evaluate the teacher assistant's practice teaching. No rule
52 or portion of a rule promulgated pursuant to the authority

53 of this section shall become effective unless it has been
54 promulgated pursuant to chapter 536. The preservice teacher
55 assessment shall be reviewed by the certifying authority
56 prior to issuance of a certificate. An unsatisfactory
57 assessment shall result in the nonissuance of a
58 certificate. Persons who are aggrieved by the nonissuance
59 of a certificate may appeal such nonissuance in the manner
60 provided in section 168.071. Any costs associated with [the
61 entry-level tests or] the exit requirements established
62 under this subsection shall be borne by each institution and
63 costs defrayal included in the incidental fees charged to
64 the student.

65 3. Each approved teacher education program shall
66 require the faculty teaching preservice teacher education
67 courses to further their professional development through
68 direct personal involvement in the public schools in grades
69 kindergarten through twelve on a periodic basis. As used in
70 this subsection, the term "faculty" shall include, but need
71 not be limited to, full- and part-time classroom
72 instructors, and supervisors of practice teaching at
73 institutions offering an approved teacher education program.

74 4. Beginning teacher assistance programs established
75 under this section shall include, but need not be limited
76 to, the following provisions:

77 (1) Such programs shall require each school district
78 to provide a plan of professional development for the first
79 two years of teaching for any teacher who does not have
80 prior teaching experience. The professional development
81 plan shall include assistance from a professional
82 development committee, which is hereby established in each
83 school district, which committee shall work with beginning
84 teachers and experienced teachers in identifying

85 instructional concerns and remedies; serve as a confidential
86 consultant upon a teacher's request; assess faculty needs
87 and develop in-service opportunities for school staff; and
88 present to the proper authority faculty suggestions, ideas
89 and recommendations pertaining to classroom instruction
90 within the school district. The members of each
91 professional development committee shall be selected by the
92 teachers employed by the school district in question. The
93 professional development plan may include guidance from a
94 district-designated faculty member employed at a grade level
95 comparable to the instructional grade level of the beginning
96 teacher, and such other forms of assistance which the school
97 district may choose to offer. The professional development
98 committee may apply to the state board of education for a
99 grant, which shall be in addition to any state aid provided
100 to the committee for activities identified in this
101 subdivision. The grant thus awarded shall be used by the
102 committee to provide in-service training to the teachers of
103 the district on teaching children identified as at risk of
104 failing in school as defined in section 167.273. The
105 department of elementary and secondary education shall
106 provide resource materials and assist the committee if such
107 assistance is requested;

108 (2) Such programs shall include assistance from the
109 teacher education program which provided the teacher's
110 training if such training was provided in a Missouri college
111 or university. Such assistance from the college or
112 university may include retraining, internships, counseling,
113 and in-service training.

114 5. The practicing teacher assistance programs
115 established under this section shall include, but need not
116 be limited to, programs of professional development and

117 improvement as provided for experienced teachers by the
118 professional development committee established under
119 subsection 4 of this section, and in-service opportunities
120 as provided by the local school district for all practicing
121 teachers.

122 6. (1) The administrator assistance programs
123 established under this section shall include, but shall not
124 be limited to, programs of professional development and
125 improvement for superintendents, principals, assistant
126 principals, and other school district personnel charged with
127 administrative duties.

128 (2) Establishment of programs by local districts and
129 organizations for the training of school board members are
130 encouraged and recommended.

168.500. 1. For the purpose of providing career pay,
2 which shall be a salary supplement, for public school
3 teachers, which for the purpose of sections 168.500 to
4 168.515 shall include classroom teachers, librarians, school
5 counselors and certificated teachers who hold positions as
6 school psychological examiners, parents as teachers
7 educators, school psychologists, special education
8 diagnosticians and speech pathologists, and are on the
9 district salary schedule, there is hereby created and
10 established a career advancement program which shall be
11 known as the "Missouri Career Development and Teacher
12 Excellence Plan", hereinafter known as the "career plan or
13 program". Participation by local school districts in the
14 career advancement program established under this section
15 shall be voluntary. The career advancement program is a
16 matching fund program. The general assembly may make an
17 annual appropriation to the excellence in education fund
18 established under section 160.268 for the purpose of

19 providing the state's portion for the career advancement
20 program. The "Career Ladder Forward Funding Fund" is hereby
21 established in the state treasury. Beginning with fiscal
22 year 1998 and until the career ladder forward funding fund
23 is terminated pursuant to this subsection, the general
24 assembly may appropriate funds to the career ladder forward
25 funding fund. Notwithstanding the provisions of section
26 33.080 to the contrary, moneys in the fund shall not be
27 transferred to the credit of the general revenue fund at the
28 end of the biennium. All interest or other gain received
29 from investment of moneys in the fund shall be credited to
30 the fund. All funds deposited in the fund shall be
31 maintained in the fund until such time as the balance in the
32 fund at the end of the fiscal year is equal to or greater
33 than the appropriation for the career ladder program for the
34 following year, at which time all such revenues shall be
35 used to fund, in advance, the career ladder program for such
36 following year and the career ladder forward funding fund
37 shall thereafter be terminated.

38 2. The department of elementary and secondary
39 education, at the direction of the commissioner of
40 education, shall study and develop model career plans which
41 shall be made available to the local school districts.
42 These state model career plans shall:

- 43 (1) Contain three steps or stages of career
44 advancement;
- 45 (2) Contain a detailed procedure for the admission of
46 teachers to the career program;
- 47 (3) Contain specific criteria for career step
48 qualifications and attainment. These criteria shall clearly
49 describe the minimum number of professional responsibilities
50 required of the teacher at each stage of the plan and shall

51 include reference to classroom performance evaluations
52 performed pursuant to section 168.128. The criteria may
53 include, but shall not be limited to, teacher externships as
54 provided in section 168.025;

55 (4) Be consistent with the teacher certification
56 process recommended by the Missouri advisory council of
57 certification for educators and adopted by the department of
58 elementary and secondary education;

59 (5) Provide that public school teachers in Missouri
60 shall become eligible to apply for admission to the career
61 plans adopted under sections 168.500 to 168.515 after two
62 years of public school teaching in Missouri, **except that**
63 **such two-year requirement shall not apply to any member of**
64 **the Armed Forces of the United States or such member's**
65 **spouse who has teaching experience in another state and who**
66 **has transferred to this state.** All teachers seeking
67 admission to any career plan shall, as a minimum, meet the
68 requirements necessary to obtain the first renewable
69 professional certificate as provided in section 168.021;

70 (6) Provide procedures for appealing decisions made
71 under career plans established under sections 168.500 to
72 168.515.

73 3. School district career plans shall recognize
74 additional responsibilities and volunteer efforts by
75 teachers in formulating criteria for career ladder admission
76 and stage achievement. Such additional responsibilities and
77 volunteer efforts [shall be required to occur outside of
78 compensated hours and] **outside of the duties that require a**
79 **teaching certificate under section 168.021** may include, but
80 shall not be limited to:

81 (1) Serving as a coach, supervisor, or organizer for
82 any extracurricular activity for which the teacher does not
83 already receive additional compensation;

84 (2) Serving as a mentor for students **or teachers**,
85 whether in a formal or informal capacity;

86 (3) Receiving additional teacher training or
87 certification outside of that offered by the school district;

88 (4) Serving as a tutor or providing additional
89 learning opportunities to students; and

90 (5) Assisting students with postsecondary education
91 preparation including, but not limited to, teaching an ACT
92 or SAT preparation course or assisting students with
93 completing college or career school admission or financial
94 assistance applications.

95 4. The commissioner of education shall cause the
96 department of elementary and secondary education to
97 establish guidelines for all career plans established under
98 this section, and criteria that must be met by any school
99 district which seeks funding for its career plan.

100 5. A participating local school district may have the
101 option of implementing a career plan developed by the
102 department of elementary and secondary education or a local
103 plan which has been developed with advice from teachers
104 employed by the district and which has met with the approval
105 of the department of elementary and secondary education. In
106 approving local career plans, the department of elementary
107 and secondary education may consider provisions in the plan
108 of the local district for recognition of teacher mobility
109 from one district to another within this state.

110 6. The career plans of local school districts shall
111 not discriminate on the basis of race, sex, religion,
112 national origin, color, creed, or age. Participation in the

113 career plan of a local school district is optional, and any
114 teacher who declines to participate shall not be penalized
115 in any way.

116 7. In order to receive funds under this section, a
117 school district which is not subject to section 162.920 must
118 have a total levy for operating purposes which is in excess
119 of the amount allowed in Section 11(b) of Article X of the
120 Missouri Constitution; and a school district which is
121 subject to section 162.920 must have a total levy for
122 operating purposes which is equal to or in excess of twenty-
123 five cents on each hundred dollars of assessed valuation.

124 8. The commissioner of education shall cause the
125 department of elementary and secondary education to regard a
126 speech pathologist who holds both a valid certificate of
127 license to teach and a certificate of clinical competence to
128 have fulfilled the standards required to be placed on stage
129 III of the career program, provided that such speech
130 pathologist has been employed by a public school in Missouri
131 for at least two years and is approved for placement at such
132 stage III by the local school district.

133 9. Beginning in fiscal year 2012, the state portion of
134 career ladder payments shall only be made available to local
135 school districts if the general assembly makes an
136 appropriation for such program. Payments authorized under
137 sections 168.500 to 168.515 shall only be made available in
138 a year for which a state appropriation is made. Any state
139 appropriation shall be made prospectively in relation to the
140 year in which work under the program is performed.

141 10. Nothing in this section shall be construed to
142 prohibit a local school district from funding the program
143 for its teachers for work performed in years for which no
144 state appropriation is made available.

169.560. 1. Any person retired and currently
2 receiving a retirement allowance pursuant to sections
3 169.010 to 169.141[, other than for disability,] may be
4 employed in any capacity for an employer included in the
5 retirement system created by those sections on either a part-
6 time or temporary-substitute basis not to exceed a total of
7 five hundred fifty hours in any one school year, and through
8 such employment may earn up to fifty percent of the annual
9 compensation payable under the employer's salary schedule
10 for the position or positions filled by the retiree, given
11 such person's level of experience and education, without a
12 discontinuance of the person's retirement allowance. If the
13 employer does not utilize a salary schedule, or if the
14 position in question is not subject to the employer's salary
15 schedule, a retiree employed in accordance with the
16 provisions of this subsection may earn up to fifty percent
17 of the annual compensation paid to the person or persons who
18 last held such position or positions, **or may earn up to**
19 **fifty percent of the limit set for the position by the**
20 **school board of the employer which has been submitted and**
21 **approved by the board of trustees of the retirement system.**
22 If the position or positions did not previously exist, the
23 compensation limit shall be determined in accordance with
24 rules duly adopted by the board of trustees of the
25 retirement system; provided that, it shall not exceed fifty
26 percent of the annual compensation payable for the position
27 by the employer that is most comparable to the position
28 filled by the retiree. In any case where a retiree fills
29 more than one position during the school year, the fifty-
30 percent limit on permitted earning shall be based solely on
31 the annual compensation of the highest paid position
32 occupied by the retiree for at least one-fifth of the total

33 hours worked during the year. Such a person shall not
34 contribute to the retirement system or to the public
35 education employee retirement system established by sections
36 169.600 to 169.715 because of earnings during such period of
37 employment. If such a person is employed in any capacity by
38 such an employer in excess of the limitations set forth in
39 this subsection, the person shall not be eligible to receive
40 the person's retirement allowance for any month during which
41 the person is so employed **or the retirement system shall**
42 **recover the amount the person earned in excess of the**
43 **limitations, whichever is less.** In addition, such person
44 shall contribute to the retirement system if the person
45 satisfies the retirement system's membership eligibility
46 requirements. In addition to the conditions set forth
47 above, this subsection shall apply to any person retired and
48 currently receiving a retirement allowance under sections
49 169.010 to 169.141[, other than for disability,] who is
50 employed by a third party or is performing work as an
51 independent contractor, if such person is performing work
52 for an employer included in the retirement system as a
53 temporary or long-term substitute teacher or in any other
54 position that would normally require that person to be duly
55 certificated under the laws governing the certification of
56 teachers in Missouri if such person was employed by the
57 district. The retirement system may require the employer,
58 the third-party employer, the independent contractor, and
59 the retiree subject to this subsection to provide
60 documentation showing compliance with this subsection. If
61 such documentation is not provided, the retirement system
62 may deem the retiree to have exceeded the limitations
63 provided in this subsection.

64 2. Notwithstanding any other provision of this
65 section, any person retired and currently receiving a
66 retirement allowance in accordance with sections 169.010 to
67 169.141[, other than for disability,] may be employed by an
68 employer included in the retirement system created by those
69 sections in a position that does not normally require a
70 person employed in that position to be duly certificated
71 under the laws governing the certification of teachers in
72 Missouri, and through such employment may earn, beginning on
73 August 28, 2023, and ending on June 30, 2028, up to one
74 hundred thirty-three percent of the annual earnings
75 exemption amount applicable to a Social Security recipient
76 before the calendar year of attainment of full retirement
77 age under 20 CFR 404.430, and, after June 30, 2028, up to
78 the annual earnings exemption amount applicable to a Social
79 Security recipient before the calendar year of attainment of
80 full retirement age under 20 CFR 404.430, without a
81 discontinuance of the person's retirement allowance from the
82 retirement system. The Social Security annual earnings
83 exemption amount applied shall be the exemption amount in
84 effect for the calendar year in which the school year
85 begins. Such person shall not contribute to the retirement
86 system or to the public education employee retirement system
87 established by sections 169.600 to 169.715 because of
88 earnings during such period of employment, and such person
89 shall not earn membership service for such employment. The
90 employer's contribution rate shall be paid by the hiring
91 employer into the public education employee retirement
92 system established by sections 169.600 to 169.715. If such
93 a person is employed in any capacity by an employer in
94 excess of the limitations set forth in this subsection, the
95 person shall not be eligible to receive the person's

96 retirement allowance for any month during which the person
97 is so employed **or the retirement system shall recover the**
98 **amount the person earned in excess of the limitations,**
99 **whichever is less.** In addition, such person shall become a
100 member of and contribute to any retirement system described
101 in this subsection if the person satisfies the retirement
102 system's membership eligibility requirements. The
103 provisions of this subsection shall not apply to any person
104 retired and currently receiving a retirement allowance in
105 accordance with sections 169.010 to 169.141 employed by a
106 public community college or employer under subsection 4 of
107 section 169.130.

169.660. 1. On and after the first day of July next
2 following the operative date, any member who is sixty or
3 more years of age and who has at least five years of
4 creditable service, or who has attained age fifty-five and
5 has at least twenty-five years of creditable service, or who
6 has at least thirty years of creditable service regardless
7 of age may retire and receive the full retirement benefits
8 based on the member's creditable service. A member whose
9 creditable service at retirement is less than five years
10 shall not be entitled to a retirement allowance but shall be
11 entitled to receive the member's contributions.

12 2. Any person retired and currently receiving a
13 retirement allowance pursuant to sections 169.600 to
14 169.715[, other than for disability,] may be employed on
15 either a part-time or temporary-substitute basis by a
16 district included in the retirement system not to exceed a
17 total of five hundred fifty hours in any one school year,
18 without a discontinuance of the person's retirement
19 allowance. Such a person shall not contribute to the
20 retirement system, or to the public school retirement system

21 established by sections 169.010 to 169.141, because of
22 earnings during such period of employment. If such a person
23 is employed in any capacity by such a district on a regular,
24 full-time basis, or the person's part-time or temporary-
25 substitute service in any capacity exceeds five hundred
26 fifty hours in any one school year, the person shall not be
27 eligible to receive the person's retirement allowance for
28 any month during which the person is so employed **or the**
29 **retirement system shall recover the amount the person earned**
30 **in excess of the limitations, whichever is less.**

31 3. The system shall pay a monthly retirement allowance
32 for the month in which a retired member or beneficiary
33 receiving a retirement allowance dies.

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

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

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

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

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

12 3. By July 1, 2017, the department of elementary and
13 secondary education shall develop a model policy that
14 districts may adopt. When developing the model policy, the
15 department shall cooperate, consult with, and seek input
16 from organizations that have expertise in youth suicide
17 awareness and prevention. By July 1, 2021, and at least
18 every three years thereafter, the department shall request
19 information and seek feedback from districts on their

20 experience with the policy for youth suicide awareness and
21 prevention. The department shall review this information
22 and may use it to adapt the department's model policy. The
23 department shall post any information on its website that it
24 has received from districts that it deems relevant. The
25 department shall not post any confidential information or
26 any information that personally identifies any student or
27 school employee.

28 4. (1) Beginning July 1, [2023] 2025, a public school
29 or charter school that serves any pupils in grades seven to
30 twelve and that issues pupil identification cards shall have
31 printed on either side of the cards:

32 (a) The three-digit dialing code that directs calls
33 and routes text messages to the Suicide and Crisis Lifeline,
34 988; and

35 (b) The nonemergency telephone number of the local
36 police department; and

37 (c) May have printed on either side of the cards:

38 a. The six-digit dialing code that routes text
39 messages to the Crisis Text Line, 741741; and

40 b. The telephone number of a local suicide prevention
41 hotline, if such hotline is available.

42 (2) If, on July 1, [2023] 2025, a public school or
43 charter school subject to the requirements of this
44 subsection has a supply of unissued pupil identification
45 cards that do not comply with the requirements of
46 subdivision (1) of this subsection, the school shall issue
47 those cards until that supply is depleted.

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

171.028. 1. The school board of a school district
2 that is located wholly or partially in a county with a
3 charter form of government, or located wholly or partially
4 in a city with more than thirty thousand inhabitants, may
5 establish a four-day school week in lieu of a five-day
6 school week for the 2026-2027 school year and all subsequent
7 school years only as permitted pursuant to the provisions of
8 this section. Nothing in this section shall be construed to
9 apply to any district other than a school district that is
10 located wholly or partially in a county with a charter form
11 of government or a school district located wholly or
12 partially in a city with more than thirty thousand
13 inhabitants.

2. (1) A school board may adopt the provisions of
15 subsection 1 of this section by referring to the qualified
16 voters of the school district a ballot measure authorizing
17 the same. Such proposal shall be referred to the qualified
18 voters of the school district upon a majority vote of the
19 members elected to the school board. Upon such adoption by
20 the school board, the measure shall be submitted to the
21 qualified voters at the next date available for public
22 elections pursuant to chapter 115 and by July first of the
23 school year in which the four-day school week is proposed to
24 commence. If a majority of the votes cast on the question
25 by the qualified voters voting thereon are in favor of the
26 measure, then the provisions of subsection 1 of this section
27 shall become effective. If a majority of the votes cast on
28 the question by the qualified voters voting thereon are
29 opposed to the measure, then the board shall not adopt the
30 provisions of subsection 1 of this section unless and until
31 the measure is resubmitted pursuant to this subsection to

32 the qualified voters and such question is approved by a
33 majority of the qualified voters voting on the measure.

34 (2) The question submitted by the school board
35 pursuant to this subsection shall be in substantially the
36 following form:

37 "Shall the school board of adopt the
38 provisions of Section 171.028, RSMo, establishing
39 a four-day school week for the next ten years in
40 the district of ...?"

41 YES NO

42 3. Upon adoption of a four-day school week, any school
43 district that adopts a four-day school week shall file a
44 calendar with the department of elementary and secondary
45 education in accordance with section 171.031. Such calendar
46 shall include, but not be limited to, a minimum term of one
47 hundred forty-two school days, as the term "school days" is
48 defined in section 160.041, and a minimum of one thousand
49 forty-four hours of actual pupil attendance hours during a
50 twelve-month period in which the academic instruction of
51 pupils is actually and regularly carried on for a group of
52 students in the public schools of any school district,
53 pursuant to the provisions of section 171.031.

171.031. 1. Each school board shall prepare annually
2 a calendar for the school term, specifying the opening date,
3 days of planned attendance, and providing a minimum term of
4 at least [one hundred seventy-four days for schools with a
5 five-day school week or one hundred forty-two days for
6 schools with a four-day school week, and] one thousand forty-
7 four hours of actual pupil attendance[. In school year 2019-
8 20 and subsequent years, one thousand forty-four hours of
9 actual pupil attendance shall be required for the school

10 term with no minimum number of school days], and, for a
11 school district that is located wholly or partially in a
12 county with a charter form of government or a school
13 district that is located wholly or partially in a city with
14 more than thirty thousand inhabitants, a minimum of one
15 hundred and sixty-nine school days, unless the district has
16 adopted a four-day school week as provided in section
17 171.028, in which case the district school term shall have a
18 minimum of one hundred forty-two school days. In addition,
19 such calendar shall include six make-up days for possible
20 loss of attendance due to inclement weather as defined in
21 subsection 1 of section 171.033. In school year 2019-20 and
22 subsequent years, such calendar shall include thirty-six
23 make-up hours for possible loss of attendance due to
24 inclement weather, as defined in subsection 1 of section
25 171.033, with no minimum number of make-up days.

26 2. Each local school district may set its opening date
27 each year, which date shall be no earlier than fourteen
28 calendar days prior to the first Monday in September. No
29 public school district shall select an earlier start date
30 unless, for calendars for school years before school year
31 2020-21, the district follows the procedure set forth in
32 subsection 3 of this section. The procedure set forth in
33 subsection 3 of this section shall be unavailable to school
34 districts in preparing their calendars for school year 2020-
35 21 and for subsequent years.

36 3. For calendars for school years before school year
37 2020-21, a district may set an opening date that is more
38 than fourteen calendar days prior to the first Monday in
39 September only if the local school board first gives public
40 notice of a public meeting to discuss the proposal of
41 opening school on a date more than fourteen days prior to

42 the first Monday in September, and the local school board
43 holds said meeting and, at the same public meeting, a
44 majority of the board votes to allow an earlier opening
45 date. If all of the previous conditions are met, the
46 district may set its opening date more than fourteen
47 calendar days prior to the first Monday in September. The
48 condition provided in this subsection must be satisfied by
49 the local school board each year that the board proposes an
50 opening date more than fourteen days before the first Monday
51 in September.

52 4. If any local district violates the provisions of
53 this section, the department of elementary and secondary
54 education shall withhold an amount equal to one quarter of
55 the state funding the district generated under section
56 163.031 for each date the district was in violation of this
57 section.

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

61 6. The state board of education may grant an exemption
62 from this section to a school district that demonstrates
63 highly unusual and extenuating circumstances justifying
64 exemption from the provisions of subsections 2 to 4 of this
65 section. Any exemption granted by the state board of
66 education shall be valid for one academic year only.

171.033. 1. "Inclement weather", for purposes of this
2 section, shall be defined as ice, snow, extreme cold,
3 excessive heat, flooding, or a tornado.

4 2. (1) A district shall be required to make up the
5 first six days of school lost or cancelled due to inclement
6 weather and half the number of days lost or cancelled in
7 excess of six days if the makeup of the days is necessary to

8 ensure that the district's students will attend a minimum
9 [of one hundred forty-two days and a minimum of one thousand
10 forty-four hours for the school year] **school term as**
11 **provided in section 171.031** except as otherwise provided in
12 this section. Schools with a four-day school week may
13 schedule such make-up days on Fridays.

14 (2) Notwithstanding subdivision (1) of this
15 subsection, in school year 2019-20 and subsequent years, a
16 district shall be required to make up the first thirty-six
17 hours of school lost or cancelled due to inclement weather
18 and half the number of hours lost or cancelled in excess of
19 thirty-six if the makeup of the hours is necessary to ensure
20 that the district's students attend a minimum of one
21 thousand forty-four hours for the school year, except as
22 otherwise provided under subsections 3 and 4 of this section.

23 3. (1) In the 2009-10 school year and subsequent
24 years, a school district may be exempt from the requirement
25 to make up days of school lost or cancelled due to inclement
26 weather in the school district when the school district has
27 made up the six days required under subsection 2 of this
28 section and half the number of additional lost or cancelled
29 days up to eight days, resulting in no more than ten total
30 make-up days required by this section.

31 (2) In school year 2019-20 and subsequent years, a
32 school district may be exempt from the requirement to make
33 up school lost or cancelled due to inclement weather in the
34 school district when the school district has made up the
35 thirty-six hours required under subsection 2 of this section
36 and half the number of additional lost or cancelled hours up
37 to forty-eight, resulting in no more than sixty total make-
38 up hours required by this section.

39 4. The commissioner of education may provide, for any
40 school district that cannot meet the minimum school calendar
41 requirement [of at least one hundred seventy-four days for
42 schools with a five-day school week or one hundred forty-two
43 days for schools with a four-day school week and one
44 thousand forty-four hours of actual pupil attendance or, in
45 school year 2019-20 and subsequent years, one thousand forty-
46 four hours of actual pupil attendance,] **as provided in**
47 **section 171.031**, upon request, a waiver to be excused from
48 such requirement. This waiver shall be requested from the
49 commissioner of education and may be granted if the school
50 was closed due to circumstances beyond school district
51 control, including inclement weather or fire.

52 5. (1) Except as otherwise provided in this
53 subsection, in school year 2020-21 and subsequent years, a
54 district shall not be required to make up any hours of
55 school lost or cancelled due to exceptional or emergency
56 circumstances during a school year if the district has an
57 alternative methods of instruction plan approved by the
58 department of elementary and secondary education for such
59 school year. Exceptional or emergency circumstances shall
60 include, but not be limited to, inclement weather, a utility
61 outage, or an outbreak of a contagious disease. The
62 department of elementary and secondary education shall not
63 approve any such plan unless the district demonstrates that
64 the plan will not negatively impact teaching and learning in
65 the district.

66 (2) If school is closed due to exceptional or
67 emergency circumstances and the district has an approved
68 alternative methods of instruction plan, the district shall
69 notify students and parents on each day of the closure
70 whether the alternative methods of instruction plan is to be

71 implemented for that day. If the plan is to be implemented
72 on any day of the closure, the district shall ensure that
73 each student receives assignments for that day in hard copy
74 form or receives instruction through virtual learning or
75 another method of instruction.

76 (3) A district with an approved alternative methods of
77 instruction plan shall not use alternative methods of
78 instruction as provided for in the plan for more than thirty-
79 six hours during a school year. A district that has used
80 such alternative methods of instruction for thirty-six hours
81 during a school year shall be required, notwithstanding
82 subsections 2 and 3 of this section, to make up any
83 subsequent hours of school lost or cancelled due to
84 exceptional or emergency circumstances during such school
85 year.

86 (4) The department of elementary and secondary
87 education shall give districts with approved alternative
88 methods of instruction plans credit for the hours in which
89 they use alternative methods of instruction by considering
90 such hours as hours in which school was actually in session.

91 (5) Any district wishing to use alternative methods of
92 instruction under this subsection shall submit an
93 application to the department of elementary and secondary
94 education. The application shall describe:

95 (a) The manner in which the district intends to
96 strengthen and reinforce instructional content while
97 supporting student learning outside the classroom
98 environment;

99 (b) The process the district intends to use to
100 communicate to students and parents the decision to
101 implement alternative methods of instruction on any day of a
102 closure;

103 (c) The manner in which the district intends to
104 communicate the purpose and expectations for a day in which
105 alternative methods of instruction will be implemented to
106 students and parents;

107 (d) The assignments and materials to be used within
108 the district for days in which alternative methods of
109 instruction will be implemented to effectively facilitate
110 teaching and support learning for the benefit of the
111 students;

112 (e) The manner in which student attendance will be
113 determined for a day in which alternative methods of
114 instruction will be implemented. The method chosen shall be
115 linked to completion of lessons and activities;

116 (f) The instructional methods, which shall include
117 instruction through electronic means and instruction through
118 other means for students who have no access to internet
119 services or a computer;

120 (g) Instructional plans for students with
121 individualized education programs; and

122 (h) The role and responsibility of certified personnel
123 to be available to communicate with students.

124 6. In the 2022-23 school year and subsequent years, a
125 school district's one-half-day education programs shall be
126 subject to the following provisions in proportions
127 appropriate for a one-half-day education program, as
128 applicable:

129 (1) Requirements in subsection 2 of this section to
130 make up days or hours of school lost or cancelled because of
131 inclement weather;

132 (2) Exemptions in subsection 3 of this section;

133 (3) Waiver provisions in subsection 4 of this section;

134 and

135 (4) Approved alternative methods of instruction
136 provisions in subsection 5 of this section.

173.232. 1. There is hereby established the "[Urban
2 Flight and Rural Needs] **Teacher Recruitment and Retention**
3 **State** Scholarship Program", which shall be administered by
4 the department of elementary and secondary education. The
5 program shall, upon appropriation, provide scholarships,
6 subject to the eligibility criteria enumerated in this
7 section, for eligible students who enter a teacher education
8 program and make a commitment to teach as a condition of
9 receiving such scholarship.

10 2. Subject to appropriation, each year the department
11 of elementary and secondary education shall make available
12 to eligible students [up to one hundred four-year urban
13 flight and rural needs] scholarships **for up to two years** in
14 an amount that encompasses **up to** one hundred percent of the
15 total cost of eligible students' tuition [and fees] **costs**
16 **related to teacher preparation** at a four-year college or
17 university located in Missouri, **except that no amount**
18 **granted for tuition shall exceed the amount of tuition**
19 **charged a Missouri resident at the University of Missouri-**
20 **Columbia for attendance.** Such amount shall be paid by funds
21 appropriated to the department. **The maximum number of**
22 **scholarships made available or the maximum amount awarded**
23 **annually under this section shall be as follows:**

24 (1) For academic years ending before July 1, 2025, two
25 hundred scholarships or a maximum awarded amount of one
26 million two hundred thousand dollars;

27 (2) For the 2025-26 academic year, four hundred
28 scholarships or a maximum awarded amount of two million four
29 hundred thousand dollars;

30 (3) For the 2026-27 academic year, four hundred forty
31 scholarships or a maximum awarded amount of two million six
32 hundred thousand dollars;

33 (4) For the 2027-28 academic year, four hundred eighty
34 scholarships or a maximum awarded amount of two million
35 eight hundred thousand dollars;

36 (5) For the 2028-29 academic year, five hundred twenty
37 scholarships or a maximum awarded amount of three million
38 dollars;

39 (6) For the 2029-30 academic year, five hundred sixty
40 scholarships or a maximum awarded amount of three million
41 two hundred thousand dollars; and

42 (7) For the 2030-31 academic year and all subsequent
43 academic years, six hundred scholarships or a maximum
44 awarded amount of three million four hundred thousand
45 dollars.

46 3. As used in this section, the [term] following terms
47 mean:

48 (1) "Eligible student" [shall mean], an individual who:

49 [(1)] (a) Is a United States citizen and a Missouri
50 resident [who attended a Missouri high school];

51 [(2)] (b) Enters and makes a commitment to pursue a
52 teacher education program approved by the department of
53 elementary and secondary education and offered by a four-
54 year college or university located in Missouri;

55 [(3)] (c) Signs an agreement with the department of
56 elementary and secondary education in which the recipient
57 agrees to teach in a Missouri public school[, the population
58 of which includes a higher-than-average "at-risk student
59 population", as such term shall be defined by the department
60 of elementary and secondary education,] that is a hard-to-
61 staff school or to teach at least one hard-to-staff subject

62 **area in a Missouri public school that offers classes in hard-**
63 **to-staff subject areas, or both,** for two years for every one
64 year the recipient received the [urban flight and rural
65 needs] scholarship;

66 [(4) Has graduated from high school with a cumulative
67 grade point average of at least two and one-half on a four-
68 point scale or equivalent;

69 (5)] (d) Maintains a cumulative grade point average of
70 at least two and one-half on a four-point scale or
71 equivalent; **and**

72 (e) **For scholarships awarded for any academic year**
73 **beginning after June 30, 2025, has made a good faith effort**
74 **to first secure all available federal sources of grant**
75 **funding that could be applied to the total cost of such**
76 **student's eligible tuition and fees as described in**
77 **subsection 2 of this section;**

78 (2) "Hard-to-staff schools", attendance centers where
79 the percentage of certificated positions in the attendance
80 center that were left vacant or were filled with a teacher
81 not fully qualified in the prior academic year exceeds ten
82 percent as reported to the department of elementary and
83 secondary education;

84 (3) "Hard-to-staff subject areas", content areas for
85 which positions were left vacant or were filled with a
86 teacher not fully qualified in the prior academic year as
87 reported to the department of elementary and secondary
88 education.

89 4. If the number of applicants exceeds the number of
90 scholarships or revenues available, the department of
91 elementary and secondary education may consider the
92 financial needs of the applicant.

93 5. The scholarships provided in this section shall be
94 available to [otherwise] eligible students who [either] **meet**
95 **at least one of the following:**

96 (1) [Are currently enrolled in a community college and
97 make a commitment to pursue a teacher education program
98 approved by the department of elementary and secondary
99 education and offered by a four-year college or university
100 located in Missouri; or] **Have successfully completed two**
101 **years at a community college with a minimum of forty-eight**
102 **credit hours and a grade point average of at least two and**
103 **one-half on a four-point scale or the equivalent;**

104 (2) **Have been awarded an associate degree or the**
105 **equivalent;**

106 (3) **Have successfully completed five semesters at a**
107 **four-year college or university with a minimum of sixty**
108 **credit hours and a grade point average of at least two and**
109 **one-half on a four-point scale or the equivalent; or**

110 (4) Have completed their baccalaureate degree [and
111 agree to enter a teacher education program and make a
112 commitment to pursue a teacher education program approved by
113 the department of elementary and secondary education and
114 offered by a four-year college or university located in
115 Missouri].

116 6. (1) Every eligible student receiving scholarships
117 under this section shall teach in an elementary or secondary
118 public school in Missouri as provided in **paragraph (c) of**
119 subdivision [(3)] (1) of subsection 3 of this section. The
120 student shall teach for a period of two years for every one
121 year [he or she] **such student** received [an urban flight and
122 rural needs] **a scholarship under this section;** otherwise,
123 the scholarship shall be treated as a loan to the eligible
124 student[, and interest at the rate of nine and one-half

125 percent per year]. **Interest** shall be charged on the unpaid
126 balance of the amount received from the date the eligible
127 student ceases to teach until the amount received is paid
128 back to the state. **The interest rate shall be adjusted**
129 **annually and shall be equal to one percentage point over the**
130 **prevailing United States prime rate in effect on January**
131 **first of such year.**

132 (2) In order to provide for the servicing of such
133 loans, the department of elementary and secondary education
134 may sell such loans to the higher education loan authority
135 of the state of Missouri created pursuant to sections
136 173.350 to 173.445. For each year the student teaches, up
137 to eight years, one-eighth of the amount received pursuant
138 to this section shall be applied against the total amount
139 received and shall not be subject to the repayment
140 requirement of this section; provided that twenty-five
141 percent of such amount, not subject to repayment, shall be
142 repaid by the local school district to the department.

143 (3) The department of elementary and secondary
144 education shall have the power to and shall defer interest
145 and principal payments under certain circumstances, which
146 shall include, but need not be limited to, the enrollment in
147 a graduate program or service in any branch of the Armed
148 Forces of the United States.

149 7. There is hereby established in the state treasury a
150 fund to be known as the "[Urban Flight and Rural Needs]
151 **Teacher Recruitment and Retention State** Scholarship Program
152 Fund", which shall consist of all moneys that may be
153 appropriated to it by the general assembly, and in addition
154 may include any gifts, contributions, grants, or bequests
155 received from federal, state, private, or other sources.
156 The fund shall be administered by the department of

157 elementary and secondary education. Notwithstanding the
158 provisions of section 33.080 to the contrary, moneys in the
159 fund shall not be transferred to the credit of the general
160 revenue fund at the end of the biennium. Interest and
161 moneys earned on the fund shall be credited to the fund.
162 Moneys in the fund shall be used solely for the purpose of
163 awarding scholarships under the provisions of this section.

164 **8. An individual who has qualified as an eligible**
165 **student under this section shall continue to qualify as an**
166 **eligible student for purposes of paragraph (c) of**
167 **subdivision (1) of subsection 3 of this section as long as**
168 **such individual remains employed by the school district in**
169 **which such individual agrees to teach regardless of whether**
170 **such individual's employing school no longer qualifies as a**
171 **hard-to-staff school, such class taught by such individual**
172 **no longer qualifies as a hard-to-staff subject area, or such**
173 **individual's position within the school district changes.**

210.167. If an investigation conducted by the
2 children's division under section 210.145 reveals that the
3 only basis for action involves a question of an alleged
4 violation of section 167.031, then the local office of the
5 division shall send the report to the school district in
6 which the child resides. The school district shall
7 immediately refer all private, parochial, parish [or], home
8 school, **or FPE school** matters to the prosecuting attorney of
9 the county wherein the child legally resides. The school
10 district may refer public school violations of section
11 167.031 to the prosecuting attorney.

210.211. 1. It shall be unlawful for any person to
2 establish, maintain or operate a child-care facility for
3 children, or to advertise or hold himself or herself out as
4 being able to perform any of the services as defined in

5 section 210.201, without having in effect a written license
6 granted by the department of elementary and secondary
7 education; except that nothing in sections 210.203 to
8 210.245 shall apply to:

9 (1) Any person who is caring for six or fewer
10 children, including a maximum of three children under the
11 age of two, at the same physical address. For purposes of
12 this subdivision, children who live in the caregiver's home
13 and who are eligible for enrollment in a public
14 kindergarten, elementary, or high school shall not be
15 considered in the total number of children being cared for;

16 (2) Any person who receives free of charge, and not as
17 a business, for periods not exceeding ninety consecutive
18 days, as bona fide, occasional and personal guests the child
19 or children of personal friends of such person, and who
20 receives custody of no other unrelated child or children;

21 (3) Any graded boarding school that is conducted in
22 good faith primarily to provide education;

23 (4) Any summer or day camp that is conducted in good
24 faith primarily to provide recreation;

25 (5) Any hospital, sanitarium, or home that is
26 conducted in good faith primarily to provide medical
27 treatment or nursing or convalescent care for children;

28 (6) Any residential facility or day program licensed
29 by the department of mental health under sections 630.705 to
30 630.760 that provides care, treatment, and habilitation
31 exclusively to children who have a primary diagnosis of
32 mental disorder, mental illness, intellectual disability, or
33 developmental disability, as those terms are defined in
34 section 630.005;

35 (7) Any school system as defined in section 210.201;

- 36 (8) Any Montessori school as defined in section
37 210.201;
- 38 (9) Any business that operates a child care program
39 for the convenience of its customers or its employees if the
40 following conditions are met:
- 41 (a) The business provides child care for customers' or
42 employees' children for no more than four hours per day; and
- 43 (b) Customers or employees remain on site while their
44 children are being cared for by the business establishment;
- 45 (10) Any home school [as defined in section 167.031];
- 46 (11) Any religious organization academic preschool or
47 kindergarten for four- and five-year-old children;
- 48 (12) Any weekly Sunday or Sabbath school, a vacation
49 bible school, or child care made available while the parents
50 or guardians are attending worship services or other
51 meetings and activities conducted or sponsored by a
52 religious organization;
- 53 (13) Any neighborhood youth development program under
54 section 210.278;
- 55 (14) Any religious organization elementary or
56 secondary school;
- 57 (15) Any private organization elementary or secondary
58 school system providing child care to children younger than
59 school age. If a facility or program is exempt from
60 licensure based upon this exception, such facility or
61 program shall submit documentation annually to the
62 department to verify its licensure-exempt status;
- 63 (16) Any nursery school as defined in section 210.201;
64 [and]
- 65 (17) Any child care facility maintained or operated
66 under the exclusive control of a religious organization. If
67 a nonreligious organization having as its principal purpose

68 the provision of child care services enters into an
69 arrangement with a religious organization for the
70 maintenance or operation of a child care facility, the
71 facility is not under the exclusive control of the religious
72 organization; **and**

73 **(18) Any FPE school.**

74 2. Notwithstanding the provisions of subsection 1 of
75 this section, no child-care facility shall be exempt from
76 licensure if such facility receives any state or federal
77 funds for providing care for children, except for federal
78 funds for those programs which meet the requirements for
79 participation in the Child and Adult Care Food Program
80 pursuant to 42 U.S.C. Section 1766. Grants to parents for
81 child care pursuant to sections 210.201 to 210.257 shall not
82 be construed to be funds received by a person or facility
83 listed in [subdivisions (1) and (17) of] subsection 1 of
84 this section.

85 3. Every child care facility shall disclose the
86 licensure status of the facility to the parents or guardians
87 of children for which the facility provides care. No child
88 care facility exempt from licensure shall represent to any
89 parent or guardian of children for which the facility
90 provides care that the facility is licensed when such
91 facility is in fact not licensed. A parent or guardian
92 utilizing an unlicensed child care facility shall sign a
93 written notice indicating he or she is aware of the
94 unlicensed status of the facility. The facility shall keep
95 a copy of this signed written notice on file. All child
96 care facilities shall provide the parent or guardian
97 enrolling a child in the facility with a written explanation
98 of the disciplinary philosophy and policies of the child
99 care facility.

100 4. Up to two children who are five years of age or
101 older and who are related within the third degree of
102 consanguinity or affinity to, adopted by, or under court
103 appointed guardianship or legal custody of a child care
104 provider who is responsible for the daily operation of a
105 licensed family child care home that is organized as a
106 corporation, association, firm, partnership, limited
107 liability company, sole proprietorship, or any other type of
108 business entity in this state shall not be included in the
109 number of children counted toward the maximum number of
110 children for which the family child care home is licensed
111 under section 210.221. If more than one member of the
112 corporation, association, firm, partnership, limited
113 liability company, or other business entity is responsible
114 for the daily operation of the licensed family child care
115 home, then the related children of only one such member
116 shall be excluded. A family child care home caring for
117 children not counted in the maximum number of children, as
118 permitted under this subsection, shall disclose this to
119 parents or guardians on the written notice required under
120 subsection 3 of this section. If a family child care home
121 begins caring for children not counted in the maximum number
122 of children after a parent or guardian has signed the
123 written notice required under subsection 3 of this section,
124 the family child care home shall provide a separate notice
125 to the parent or guardian that the family child care home is
126 caring for children not counted in the maximum number of
127 children for which the family child care home is licensed
128 and shall keep a copy of the signed notice on file.

129 5. Nothing in this section shall prevent the
130 department from enforcing licensing regulations promulgated
131 under this chapter, including, but not limited to,

132 supervision requirements and capacity limitations based on
133 the amount of child care space available.

211.031. 1. Except as otherwise provided in this
2 chapter, the juvenile court or the family court in circuits
3 that have a family court as provided in chapter 487 shall
4 have exclusive original jurisdiction in proceedings:

5 (1) Involving any child who may be a resident of or
6 found within the county and who is alleged to be in need of
7 care and treatment because:

8 (a) The parents, or other persons legally responsible
9 for the care and support of the child, neglect or refuse to
10 provide proper support, education which is required by law,
11 medical, surgical or other care necessary for his or her
12 well-being; except that reliance by a parent, guardian or
13 custodian upon remedial treatment other than medical or
14 surgical treatment for a child shall not be construed as
15 neglect when the treatment is recognized or permitted
16 pursuant to the laws of this state;

17 (b) The child is otherwise without proper care,
18 custody or support;

19 (c) The child was living in a room, building or other
20 structure at the time such dwelling was found by a court of
21 competent jurisdiction to be a public nuisance pursuant to
22 section 195.130; or

23 (d) The child is in need of mental health services and
24 the parent, guardian or custodian is unable to afford or
25 access appropriate mental health treatment or care for the
26 child;

27 (2) Involving any child who may be a resident of or
28 found within the county and who is alleged to be in need of
29 care and treatment because:

30 (a) The child while subject to compulsory school
31 attendance is repeatedly and without justification absent
32 from school;

33 (b) The child disobeys the reasonable and lawful
34 directions of his or her parents or other custodian and is
35 beyond their control;

36 (c) The child is habitually absent from his or her
37 home without sufficient cause, permission, or justification;

38 (d) The behavior or associations of the child are
39 otherwise injurious to his or her welfare or to the welfare
40 of others; or

41 (e) The child is charged with an offense not
42 classified as criminal, or with an offense applicable only
43 to children; except that, the juvenile court shall not have
44 jurisdiction over any child fifteen years of age who is
45 alleged to have violated a state or municipal traffic
46 ordinance or regulation, the violation of which does not
47 constitute a felony, or any child who is alleged to have
48 violated a state or municipal ordinance or regulation
49 prohibiting possession or use of any tobacco product;

50 (3) Involving any child who is alleged to have
51 violated a state law or municipal ordinance, or any person
52 who is alleged to have violated a state law or municipal
53 ordinance prior to attaining the age of eighteen years, in
54 which cases jurisdiction may be taken by the court of the
55 circuit in which the child or person resides or may be found
56 or in which the violation is alleged to have occurred;
57 except that, the juvenile court shall not have jurisdiction
58 over any child fifteen years of age who is alleged to have
59 violated a state or municipal traffic ordinance or
60 regulation, the violation of which does not constitute a
61 felony, and except that the juvenile court shall have

62 concurrent jurisdiction with the municipal court over any
63 child who is alleged to have violated a municipal curfew
64 ordinance, and except that the juvenile court shall have
65 concurrent jurisdiction with the circuit court on any child
66 who is alleged to have violated a state or municipal
67 ordinance or regulation prohibiting possession or use of any
68 tobacco product;

69 (4) For the adoption of a person;

70 (5) For the commitment of a child to the guardianship
71 of the department of social services as provided by law;

72 (6) Involving an order of protection pursuant to
73 chapter 455 when the respondent is less than eighteen years
74 of age; and

75 (7) Involving a child who has been a victim of sex
76 trafficking or sexual exploitation.

77 2. Transfer of a matter, proceeding, jurisdiction or
78 supervision for a child who resides in a county of this
79 state shall be made as follows:

80 (1) Prior to the filing of a petition and upon request
81 of any party or at the discretion of the juvenile officer,
82 the matter in the interest of a child may be transferred by
83 the juvenile officer, with the prior consent of the juvenile
84 officer of the receiving court, to the county of the child's
85 residence or the residence of the person eighteen years of
86 age for future action;

87 (2) Upon the motion of any party or on its own motion
88 prior to final disposition on the pending matter, the court
89 in which a proceeding is commenced may transfer the
90 proceeding of a child to the court located in the county of
91 the child's residence, or the county in which the offense
92 pursuant to subdivision (3) of subsection 1 of this section
93 is alleged to have occurred for further action;

94 (3) Upon motion of any party or on its own motion, the
95 court in which jurisdiction has been taken pursuant to
96 subsection 1 of this section may at any time thereafter
97 transfer jurisdiction of a child to the court located in the
98 county of the child's residence for further action with the
99 prior consent of the receiving court;

100 (4) Upon motion of any party or upon its own motion at
101 any time following a judgment of disposition or treatment
102 pursuant to section 211.181, the court having jurisdiction
103 of the cause may place the child under the supervision of
104 another juvenile court within or without the state pursuant
105 to section 210.570 with the consent of the receiving court;

106 (5) Upon motion of any child or his or her parent, the
107 court having jurisdiction shall grant one change of judge
108 pursuant to Missouri supreme court rules;

109 (6) Upon the transfer of any matter, proceeding,
110 jurisdiction or supervision of a child, certified copies of
111 all legal and social documents and records pertaining to the
112 case on file with the clerk of the transferring juvenile
113 court shall accompany the transfer.

114 3. In any proceeding involving any child taken into
115 custody in a county other than the county of the child's
116 residence, the juvenile court of the county of the child's
117 residence shall be notified of such taking into custody
118 within seventy-two hours.

119 4. When an investigation by a juvenile officer
120 pursuant to this section reveals that the only basis for
121 action involves an alleged violation of section 167.031
122 involving a child who alleges to be [home schooled]
123 **receiving instruction at a home school or an FPE school**, the
124 juvenile officer shall contact a parent or parents of such
125 child to verify that the child is [being home schooled]

126 **receiving instruction at such school** and not in violation of
127 section 167.031 before making a report of such a violation.
128 Any report of a violation of section 167.031 made by a
129 juvenile officer regarding a child who is [being home
130 schooled] **receiving instruction at a home school or an FPE**
131 **school** shall be made to the prosecuting attorney of the
132 county where the child legally resides.

133 5. The disability or disease of a parent shall not
134 constitute a basis for a determination that a child is a
135 child in need of care or for the removal of custody of a
136 child from the parent without a specific showing that there
137 is a causal relation between the disability or disease and
138 harm to the child.

452.375. 1. As used in this chapter, unless the
2 context clearly indicates otherwise:

3 (1) "Custody" means joint legal custody, sole legal
4 custody, joint physical custody or sole physical custody or
5 any combination thereof;

6 (2) "Joint legal custody" means that the parents share
7 the decision-making rights, responsibilities, and authority
8 relating to the health, education and welfare of the child,
9 and, unless allocated, apportioned, or decreed, the parents
10 shall confer with one another in the exercise of decision-
11 making rights, responsibilities, and authority;

12 (3) "Joint physical custody" means an order awarding
13 each of the parents significant, but not necessarily equal,
14 periods of time during which a child resides with or is
15 under the care and supervision of each of the parents.
16 Joint physical custody shall be shared by the parents in
17 such a way as to assure the child of frequent, continuing
18 and meaningful contact with both parents;

19 (4) "Third-party custody" means a third party
20 designated as a legal and physical custodian pursuant to
21 subdivision (5) of subsection 5 of this section.

22 2. The court shall determine custody in accordance
23 with the best interests of the child. There shall be a
24 rebuttable presumption that an award of equal or
25 approximately equal parenting time to each parent is in the
26 best interests of the child. Such presumption is rebuttable
27 only by a preponderance of the evidence in accordance with
28 all relevant factors, including, but not limited to, the
29 factors contained in subdivisions (1) to (8) of this
30 subsection. The presumption may be rebutted if the court
31 finds that the parents have reached an agreement on all
32 issues related to custody, or if the court finds that a
33 pattern of domestic violence has occurred as set out in
34 subdivision (6) of this subsection. When the parties have
35 not reached an agreement on all issues related to custody,
36 the court shall consider all relevant factors and enter
37 written findings of fact and conclusions of law, including,
38 but not limited to, the following:

39 (1) The wishes of the child's parents as to custody
40 and the proposed parenting plan submitted by both parties;

41 (2) The needs of the child for a frequent, continuing
42 and meaningful relationship with both parents and the
43 ability and willingness of parents to actively perform their
44 functions as mother and father for the needs of the child;

45 (3) The interaction and interrelationship of the child
46 with parents, siblings, and any other person who may
47 significantly affect the child's best interests;

48 (4) Which parent is more likely to allow the child
49 frequent, continuing and meaningful contact with the other
50 parent;

51 (5) The child's adjustment to the child's home,
52 school, and community. The fact that a parent sends his or
53 her child or children to a home school[, as defined in
54 section 167.031,] or **FPE school** shall not be the sole factor
55 that a court considers in determining custody of such child
56 or children;

57 (6) The mental and physical health of all individuals
58 involved, including any history of abuse of any individuals
59 involved. If the court finds that a pattern of domestic
60 violence as defined in section 455.010 has occurred, and, if
61 the court also finds that awarding custody to the abusive
62 parent is in the best interest of the child, then the court
63 shall enter written findings of fact and conclusions of
64 law. Custody and visitation rights shall be ordered in a
65 manner that best protects the child and any other child or
66 children for whom the parent has custodial or visitation
67 rights, and the parent or other family or household member
68 who is the victim of domestic violence from any further harm;

69 (7) The intention of either parent to relocate the
70 principal residence of the child; and

71 (8) The unobstructed input of a child, free of
72 coercion and manipulation, as to the child's custodial
73 arrangement.

74 3. (1) In any court proceedings relating to custody
75 of a child, the court shall not award custody or
76 unsupervised visitation of a child to a parent if such
77 parent or any person residing with such parent has been
78 found guilty of, or pled guilty to, any of the following
79 offenses when a child was the victim:

80 (a) A felony violation of section 566.030, 566.031,
81 566.032, 566.060, 566.061, 566.062, 566.064, 566.067,

82 566.068, 566.083, 566.100, 566.101, 566.111, 566.151,
83 566.203, 566.206, 566.209, 566.211, or 566.215;

84 (b) A violation of section 568.020;

85 (c) A violation of subdivision (2) of subsection 1 of
86 section 568.060;

87 (d) A violation of section 568.065;

88 (e) A violation of section 573.200;

89 (f) A violation of section 573.205; or

90 (g) A violation of section 568.175.

91 (2) For all other violations of offenses in chapters
92 566 and 568 not specifically listed in subdivision (1) of
93 this subsection or for a violation of an offense committed
94 in another state when a child is the victim that would be a
95 violation of chapter 566 or 568 if committed in Missouri,
96 the court may exercise its discretion in awarding custody or
97 visitation of a child to a parent if such parent or any
98 person residing with such parent has been found guilty of,
99 or pled guilty to, any such offense.

100 4. The general assembly finds and declares that it is
101 the public policy of this state that frequent, continuing
102 and meaningful contact with both parents after the parents
103 have separated or dissolved their marriage is in the best
104 interest of the child, except for cases where the court
105 specifically finds that such contact is not in the best
106 interest of the child, and that it is the public policy of
107 this state to encourage parents to participate in decisions
108 affecting the health, education and welfare of their
109 children, and to resolve disputes involving their children
110 amicably through alternative dispute resolution. In order
111 to effectuate these policies, the general assembly
112 encourages the court to enter a temporary parenting plan as
113 early as practicable in a proceeding under this chapter,

114 consistent with the provisions of subsection 2 of this
115 section, and, in so doing, the court shall determine the
116 custody arrangement which will best assure both parents
117 participate in such decisions and have frequent, continuing
118 and meaningful contact with their children so long as it is
119 in the best interests of the child.

120 5. Prior to awarding the appropriate custody
121 arrangement in the best interest of the child, the court
122 shall consider each of the following as follows:

123 (1) Joint physical and joint legal custody to both
124 parents, which shall not be denied solely for the reason
125 that one parent opposes a joint physical and joint legal
126 custody award. The residence of one of the parents shall be
127 designated as the address of the child for mailing and
128 educational purposes;

129 (2) Joint physical custody with one party granted sole
130 legal custody. The residence of one of the parents shall be
131 designated as the address of the child for mailing and
132 educational purposes;

133 (3) Joint legal custody with one party granted sole
134 physical custody;

135 (4) Sole custody to either parent; or

136 (5) Third-party custody or visitation:

137 (a) When the court finds that each parent is unfit,
138 unsuitable, or unable to be a custodian, or the welfare of
139 the child requires, and it is in the best interests of the
140 child, then custody, temporary custody or visitation may be
141 awarded to a person related by consanguinity or affinity to
142 the child. If no person related to the child by
143 consanguinity or affinity is willing to accept custody, then
144 the court may award custody to any other person or persons
145 deemed by the court to be suitable and able to provide an

146 adequate and stable environment for the child. Before the
147 court awards custody, temporary custody or visitation to a
148 third person under this subdivision, the court shall make
149 that person a party to the action;

150 (b) Under the provisions of this subsection, any
151 person may petition the court to intervene as a party in
152 interest at any time as provided by supreme court rule.

153 6. If the parties have not agreed to a custodial
154 arrangement, or the court determines such arrangement is not
155 in the best interest of the child, the court shall include a
156 written finding in the judgment or order based on the public
157 policy in subsection 4 of this section and each of the
158 factors listed in subdivisions (1) to (8) of subsection 2 of
159 this section detailing the specific relevant factors that
160 made a particular arrangement in the best interest of the
161 child. If a proposed custodial arrangement is rejected by
162 the court, the court shall include a written finding in the
163 judgment or order detailing the specific relevant factors
164 resulting in the rejection of such arrangement.

165 7. Upon a finding by the court that either parent has
166 refused to exchange information with the other parent, which
167 shall include but not be limited to information concerning
168 the health, education and welfare of the child, the court
169 shall order the parent to comply immediately and to pay the
170 prevailing party a sum equal to the prevailing party's cost
171 associated with obtaining the requested information, which
172 shall include but not be limited to reasonable attorney's
173 fees and court costs.

174 8. As between the parents of a child, no preference
175 may be given to either parent in the awarding of custody
176 because of that parent's age, sex, or financial status, nor
177 because of the age or sex of the child. The court shall not

178 presume that a parent, solely because of his or her sex, is
179 more qualified than the other parent to act as a joint or
180 sole legal or physical custodian for the child.

181 9. Any judgment providing for custody shall include a
182 specific written parenting plan setting forth the terms of
183 such parenting plan arrangements specified in subsection 8
184 of section 452.310. Such plan may be a parenting plan
185 submitted by the parties pursuant to section 452.310 or, in
186 the absence thereof, a plan determined by the court, but in
187 all cases, the custody plan approved and ordered by the
188 court shall be in the court's discretion and shall be in the
189 best interest of the child.

190 10. After August 28, 2016, every court order
191 establishing or modifying custody or visitation shall
192 include the following language: "In the event of
193 noncompliance with this order, the aggrieved party may file
194 a verified motion for contempt. If custody, visitation, or
195 third-party custody is denied or interfered with by a parent
196 or third party without good cause, the aggrieved person may
197 file a family access motion with the court stating the
198 specific facts that constitute a violation of the custody
199 provisions of the judgment of dissolution, legal separation,
200 or judgment of paternity. The circuit clerk will provide
201 the aggrieved party with an explanation of the procedures
202 for filing a family access motion and a simple form for use
203 in filing the family access motion. A family access motion
204 does not require the assistance of legal counsel to prepare
205 and file."

206 11. No court shall adopt any local rule, form, or
207 practice requiring a standardized or default parenting plan
208 for interim, temporary, or permanent orders or judgments.
209 Notwithstanding any other provision of law to the contrary,

210 a court may enter an interim order in a proceeding under
211 this chapter, provided that the interim order shall not
212 contain any provisions about child custody or a parenting
213 schedule or plan without first providing the parties with
214 notice and a hearing, unless the parties otherwise agree.

215 12. Unless a parent has been denied custody rights
216 pursuant to this section or visitation rights under section
217 452.400, both parents shall have access to records and
218 information pertaining to a minor child including, but not
219 limited to, medical, dental, and school records. If the
220 parent without custody has been granted restricted or
221 supervised visitation because the court has found that the
222 parent with custody or any child has been the victim of
223 domestic violence, as defined in section 455.010, by the
224 parent without custody, the court may order that the reports
225 and records made available pursuant to this subsection not
226 include the address of the parent with custody or the
227 child. A court shall order that the reports and records
228 made available under this subsection not include the address
229 of the parent with custody if the parent with custody is a
230 participant in the address confidentiality program under
231 section 589.663. Unless a parent has been denied custody
232 rights pursuant to this section or visitation rights under
233 section 452.400, any judgment of dissolution or other
234 applicable court order shall specifically allow both parents
235 access to such records and reports.

236 13. Except as otherwise precluded by state or federal
237 law, if any individual, professional, public or private
238 institution or organization denies access or fails to
239 provide or disclose any and all records and information,
240 including, but not limited to, past and present dental,
241 medical and school records pertaining to a minor child, to

242 either parent upon the written request of such parent, the
243 court shall, upon its finding that the individual,
244 professional, public or private institution or organization
245 denied such request without good cause, order that party to
246 comply immediately with such request and to pay to the
247 prevailing party all costs incurred, including, but not
248 limited to, attorney's fees and court costs associated with
249 obtaining the requested information.

250 14. An award of joint custody does not preclude an
251 award of child support pursuant to section 452.340 and
252 applicable supreme court rules. The court shall consider
253 the factors contained in section 452.340 and applicable
254 supreme court rules in determining an amount reasonable or
255 necessary for the support of the child.

256 15. If the court finds that domestic violence or abuse
257 as defined in section 455.010 has occurred, the court shall
258 make specific findings of fact to show that the custody or
259 visitation arrangement ordered by the court best protects
260 the child and the parent or other family or household member
261 who is the victim of domestic violence, as defined in
262 section 455.010, and any other children for whom such parent
263 has custodial or visitation rights from any further harm.

595.209. 1. The following rights shall automatically
2 be afforded to victims of dangerous felonies, as defined in
3 section 556.061, victims of murder in the first degree, as
4 defined in section 565.020, victims of voluntary
5 manslaughter, as defined in section 565.023, victims of any
6 offense under chapter 566, victims of an attempt to commit
7 one of the preceding crimes, as defined in section 562.012,
8 and victims of domestic assault, as defined in sections
9 565.072 to 565.076; and, upon written request, the following

10 rights shall be afforded to victims of all other crimes and
11 witnesses of crimes:

12 (1) For victims, the right to be present at all
13 criminal justice proceedings at which the defendant has such
14 right, including juvenile proceedings where the offense
15 would have been a felony if committed by an adult, even if
16 the victim is called to testify or may be called to testify
17 as a witness in the case;

18 (2) For victims, the right to information about the
19 crime, as provided for in subdivision (5) of this subsection;

20 (3) For victims and witnesses, to be informed, in a
21 timely manner, by the prosecutor's office of the filing of
22 charges, preliminary hearing dates, trial dates,
23 continuances and the final disposition of the case. Final
24 disposition information shall be provided within five days;

25 (4) For victims, the right to confer with and to be
26 informed by the prosecutor regarding bail hearings, guilty
27 pleas, pleas under chapter 552 or its successors, hearings,
28 sentencing and probation revocation hearings and the right
29 to be heard at such hearings, including juvenile
30 proceedings, unless in the determination of the court the
31 interests of justice require otherwise;

32 (5) The right to be informed by local law enforcement
33 agencies, the appropriate juvenile authorities or the
34 custodial authority of the following:

35 (a) The status of any case concerning a crime against
36 the victim, including juvenile offenses;

37 (b) The right to be informed by local law enforcement
38 agencies or the appropriate juvenile authorities of the
39 availability of victim compensation assistance, assistance
40 in obtaining documentation of the victim's losses,
41 including, but not limited to and subject to existing law

42 concerning protected information or closed records, access
43 to copies of complete, unaltered, unedited investigation
44 reports of motor vehicle, pedestrian, and other similar
45 accidents upon request to the appropriate law enforcement
46 agency by the victim or the victim's representative, and
47 emergency crisis intervention services available in the
48 community;

49 (c) Any release of such person on bond or for any
50 other reason;

51 (d) Within twenty-four hours, any escape by such
52 person from a municipal detention facility, county jail, a
53 correctional facility operated by the department of
54 corrections, mental health facility, or the division of
55 youth services or any agency thereof, and any subsequent
56 recapture of such person;

57 (6) For victims, the right to be informed by
58 appropriate juvenile authorities of probation revocation
59 hearings initiated by the juvenile authority and the right
60 to be heard at such hearings or to offer a written
61 statement, video or audio tape, counsel or a representative
62 designated by the victim in lieu of a personal appearance,
63 the right to be informed by the board of probation and
64 parole of probation revocation hearings initiated by the
65 board and of parole hearings, the right to be present at
66 each and every phase of parole hearings, the right to be
67 heard at probation revocation and parole hearings or to
68 offer a written statement, video or audio tape, counsel or a
69 representative designated by the victim in lieu of a
70 personal appearance, and the right to have, upon written
71 request of the victim, a partition set up in the probation
72 or parole hearing room in such a way that the victim is
73 shielded from the view of the probationer or parolee, and

74 the right to be informed by the custodial mental health
75 facility or agency thereof of any hearings for the release
76 of a person committed pursuant to the provisions of chapter
77 552, the right to be present at such hearings, the right to
78 be heard at such hearings or to offer a written statement,
79 video or audio tape, counsel or a representative designated
80 by the victim in lieu of personal appearance;

81 (7) For victims and witnesses, upon their written
82 request, the right to be informed by the appropriate
83 custodial authority, including any municipal detention
84 facility, juvenile detention facility, county jail,
85 correctional facility operated by the department of
86 corrections, mental health facility, division of youth
87 services or agency thereof if the offense would have been a
88 felony if committed by an adult, postconviction or
89 commitment pursuant to the provisions of chapter 552 of the
90 following:

91 (a) The projected date of such person's release from
92 confinement;

93 (b) Any release of such person on bond;

94 (c) Any release of such person on furlough, work
95 release, trial release, electronic monitoring program, or to
96 a community correctional facility or program or release for
97 any other reason, in advance of such release;

98 (d) Any scheduled parole or release hearings,
99 including hearings under section 217.362, regarding such
100 person and any changes in the scheduling of such hearings.
101 No such hearing shall be conducted without thirty days'
102 advance notice;

103 (e) Within twenty-four hours, any escape by such
104 person from a municipal detention facility, county jail, a
105 correctional facility operated by the department of

106 corrections, mental health facility, or the division of
107 youth services or any agency thereof, and any subsequent
108 recapture of such person;

109 (f) Any decision by a parole board, by a juvenile
110 releasing authority or by a circuit court presiding over
111 releases pursuant to the provisions of chapter 552, or by a
112 circuit court presiding over releases under section 217.362,
113 to release such person or any decision by the governor to
114 commute the sentence of such person or pardon such person;

115 (g) Notification within thirty days of the death of
116 such person;

117 (8) For witnesses who have been summoned by the
118 prosecuting attorney and for victims, to be notified by the
119 prosecuting attorney in a timely manner when a court
120 proceeding will not go on as scheduled;

121 (9) For victims and witnesses, the right to reasonable
122 protection from the defendant or any person acting on behalf
123 of the defendant from harm and threats of harm arising out
124 of their cooperation with law enforcement and prosecution
125 efforts;

126 (10) For victims and witnesses, on charged cases or
127 submitted cases where no charge decision has yet been made,
128 to be informed by the prosecuting attorney of the status of
129 the case and of the availability of victim compensation
130 assistance and of financial assistance and emergency and
131 crisis intervention services available within the community
132 and information relative to applying for such assistance or
133 services, and of any final decision by the prosecuting
134 attorney not to file charges;

135 (11) For victims, to be informed by the prosecuting
136 attorney of the right to restitution which shall be

137 enforceable in the same manner as any other cause of action
138 as otherwise provided by law;

139 (12) For victims and witnesses, to be informed by the
140 court and the prosecuting attorney of procedures to be
141 followed in order to apply for and receive any witness fee
142 to which they are entitled;

143 (13) When a victim's property is no longer needed for
144 evidentiary reasons or needs to be retained pending an
145 appeal, the prosecuting attorney or any law enforcement
146 agency having possession of the property shall, upon request
147 of the victim, return such property to the victim within
148 five working days unless the property is contraband or
149 subject to forfeiture proceedings, or provide written
150 explanation of the reason why such property shall not be
151 returned;

152 (14) An employer may not discharge or discipline any
153 witness, victim or member of a victim's immediate family for
154 honoring a subpoena to testify in a criminal proceeding,
155 attending a criminal proceeding, or for participating in the
156 preparation of a criminal proceeding, or require any
157 witness, victim, or member of a victim's immediate family to
158 use vacation time, personal time, or sick leave for honoring
159 a subpoena to testify in a criminal proceeding, attending a
160 criminal proceeding, or participating in the preparation of
161 a criminal proceeding. **A public school district, public
162 school, or charter school shall not discipline a child for
163 failure to comply with the district's or school's attendance
164 policy, and the parent or legal guardian shall not be deemed
165 to be in violation of the provisions of section 167.061, and
166 the district or school shall not otherwise discipline a
167 child, based on such child's honoring a subpoena to testify
168 in a criminal proceeding, attending a criminal proceeding,**

169 **or for participating in the preparation of a criminal**
170 **proceeding;**

171 (15) For victims, to be provided with creditor
172 intercession services by the prosecuting attorney if the
173 victim is unable, as a result of the crime, temporarily to
174 meet financial obligations;

175 (16) For victims and witnesses, the right to speedy
176 disposition of their cases, and for victims, the right to
177 speedy appellate review of their cases, provided that
178 nothing in this subdivision shall prevent the defendant from
179 having sufficient time to prepare such defendant's defense.
180 The attorney general shall provide victims, upon their
181 written request, case status information throughout the
182 appellate process of their cases. The provisions of this
183 subdivision shall apply only to proceedings involving the
184 particular case to which the person is a victim or witness;

185 (17) For victims and witnesses, to be provided by the
186 court, a secure waiting area during court proceedings and to
187 receive notification of the date, time and location of any
188 hearing conducted by the court for reconsideration of any
189 sentence imposed, modification of such sentence or recall
190 and release of any defendant from incarceration;

191 (18) For victims, the right to receive upon request
192 from the department of corrections a photograph taken of the
193 defendant prior to release from incarceration.

194 2. The provisions of subsection 1 of this section
195 shall not be construed to imply any victim who is
196 incarcerated by the department of corrections or any local
197 law enforcement agency has a right to be released to attend
198 any hearing or that the department of corrections or the
199 local law enforcement agency has any duty to transport such
200 incarcerated victim to any hearing.

201 3. Those persons entitled to notice of events pursuant
202 to the provisions of subsection 1 of this section shall
203 provide the appropriate person or agency with their current
204 addresses, electronic mail addresses, and telephone numbers
205 or the addresses, electronic mail addresses, or telephone
206 numbers at which they wish notification to be given.

207 4. Notification by the appropriate person or agency
208 utilizing the statewide automated crime victim notification
209 system as established in section 650.310 shall constitute
210 compliance with the victim notification requirement of this
211 section. If notification utilizing the statewide automated
212 crime victim notification system cannot be used, then
213 written notification shall be sent by certified mail or
214 electronic mail to the most current address or electronic
215 mail address provided by the victim.

216 5. Victims' rights as established in Section 32 of
217 Article I of the Missouri Constitution or the laws of this
218 state pertaining to the rights of victims of crime shall be
219 granted and enforced regardless of the desires of a
220 defendant and no privileges of confidentiality shall exist
221 in favor of the defendant to exclude victims or prevent
222 their full participation in each and every phase of parole
223 hearings or probation revocation hearings. The rights of
224 the victims granted in this section are absolute and the
225 policy of this state is that the victim's rights are
226 paramount to the defendant's rights. The victim has an
227 absolute right to be present at any hearing in which the
228 defendant is present before a probation and parole hearing
229 officer.

**Section 1. 1. Notwithstanding any provision of law to
2 the contrary, in addition to all funds distributed to school
3 districts pursuant to the provisions of section 163.031, the**

4 department of elementary and secondary education shall,
5 after rendering all calculations required pursuant to the
6 provisions of such section, remit an amount equal to one
7 percent for fiscal years 2026 and 2027, or two percent for
8 fiscal year 2028 and all subsequent fiscal years, of each
9 district's preceding year's annual state aid entitlement as
10 calculated in June in accordance with the provisions of such
11 section for any district with a preceding year school term
12 that provided for one hundred and sixty-nine school days or
13 more. For districts in which one or more charter schools
14 operate, and for all charter schools located therein, the
15 department shall, after rendering all calculations required
16 pursuant to the provisions of section 163.031 and section
17 160.415, remit an amount equal to one percent for fiscal
18 years 2026 and 2027, or two percent for fiscal year 2028 and
19 all subsequent fiscal years, of each district's and charter
20 school's preceding year's annual state aid entitlement as
21 calculated in June, prior to any required adjustment
22 pursuant to subsections 4 and 15 of Section 160.415, for any
23 district or charter school with a preceding year school term
24 that provided for one hundred and sixty-nine school days or
25 more.

26 2. Any funds received as provided in this section
27 shall be used by school districts and charter schools
28 exclusively to increase teacher salaries. Any school
29 district or charter school that receives funds as provided
30 in this section but fails to utilize such funds solely to
31 increase teacher salaries shall have an amount equal to the
32 amount of such funds received withheld from such district's
33 or charter school's state aid payments pursuant to the
34 provisions of section 163.031 or 160.415.

2 [167.071. 1. In school districts having
3 seven or more directors the school board may
4 appoint and remove at pleasure one or more
5 school attendance officers and shall pay them
6 from the public school funds.

7 2. Each attendance officer has the powers
8 of a deputy sheriff in the performance of his
9 duties. He shall investigate the claims of
10 children for exemptions under section 167.031,
11 and report his findings to the person authorized
12 by that section to grant the exemption sought.
13 He shall refer all cases involving an alleged
14 violation of section 167.031 involving a public
15 school to the superintendent of the public
16 school of the district where the child legally
17 resides and all cases involving an alleged
18 violation of section 167.031 involving a
19 private, parochial, parish or home school to the
20 prosecuting attorney of the county wherein the
21 child legally resides. When reasonable doubt
22 exists as to the age of any such child he may
23 require a properly attested birth certificate or
24 an affidavit stating the child's age, date of
25 birth, physical characteristics and bearing the
26 signature of the child. He may visit and enter
27 any mine, office, factory, workshop, business
28 house, place of amusement, or other place in
29 which children are employed or engaged in any
30 kind of service, or any place or building in
31 which children loiter or idle during school
32 hours; may require a properly attested
33 certificate of the attendance of any child at
34 school; may arrest, without warrant, any truant,
35 or nonattendants or other juvenile disorderly
36 persons, and place them in some school or take
37 them to their homes, or take them to any place
38 of detention provided for neglected children in
39 the county or school district. He shall serve
40 in the cases which he prosecutes without
41 additional fee or compensation. Each attendance
42 officer appointed by a school board shall carry
43 into effect the regulations lawfully prescribed
by the board by which he was appointed.

44 3. In any urban school district, any
45 metropolitan school district and in school
46 districts having seven or more directors and
47 which are located in a first class county having
48 a charter form of government, any duly
49 commissioned city or county police officer shall
50 be ex officio school attendance officers. Any
51 police officer exercising duties of ex officio
52 school attendance officer need not refer any
53 child apprehended pursuant to the provisions of
54 this section to juvenile court or a juvenile
55 officer, but nothing in this subsection shall be
56 construed to limit the police officer's regular
57 powers and duties as a peace officer.]

Section B. The repeal and reenactment of sections
2 160.011, 160.041, 163.021, 171.031, and 171.033 of this act
3 shall become effective July 1, 2026.

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