

SENATE BILL NO. 740

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR EIGEL.

3990S.02I

ADRIANE D. CROUSE, Secretary

AN ACT

To repeal sections 162.083, 162.221, 162.223, 162.241, 162.261, 162.291, 162.301, 162.341, 162.431, 162.459, 162.471, 162.481, 162.492, 162.601, 162.821, 162.825, 162.865, 162.867, 162.910, 167.029, and 167.181, RSMo, and to enact in lieu thereof thirty-three new sections relating to elementary and secondary education, with effective dates.

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

Section A. Sections 162.083, 162.221, 162.223, 162.241, 162.261, 162.291, 162.301, 162.341, 162.431, 162.459, 162.471, 162.481, 162.492, 162.601, 162.821, 162.825, 162.865, 162.867, 162.910, 167.029, and 167.181, RSMo, are repealed and thirty-three new sections enacted in lieu thereof, to be known as sections 160.3100, 160.3102, 160.3104, 160.3106, 160.3108, 160.3110, 160.3112, 160.3114, 160.3116, 160.3118, 162.082, 162.083, 162.221, 162.223, 162.241, 162.261, 162.291, 162.301, 162.341, 162.431, 162.459, 162.471, 162.481, 162.492, 162.601, 162.821, 162.825, 162.865, 162.867, 162.910, 167.029, 167.181, and 167.780, to read as follows:

160.3100. Sections 160.3100 to 160.3118 shall be known and may be cited as the "Public Education Transparency Act". The purposes of the act are:

(1) To ensure the powers of the people over the internal affairs of government, that is, "the people of this state have the inherent, sole, and exclusive right to regulate the internal government and police thereof" as per

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

8 Article I, Section 3 of the Missouri Constitution are not
9 infringed;

10 (2) To ensure that the purpose of free public schools
11 is "A general diffusion of knowledge and intelligence being
12 essential to the preservation of the rights and liberties of
13 the people", as per Article IX, Section 1(a) of the Missouri
14 Constitution is preserved;

15 (3) To ensure that school boards in Missouri provide
16 transparency in the training, instruction, survey, and
17 evaluation materials used in association with professional
18 development and student instruction as provided in section
19 170.231 and section 610.011, and comply with the federal
20 Protection of Pupil Rights Amendment as appropriate, and
21 give parents, students, and school employees' reasonable
22 access to review and opt out of such materials that violate
23 their rights and liberties before they are presented;

24 (4) To ensure that public schools and their employees
25 apply the protections of the U.S. Constitution, federal
26 civil rights laws regarding desegregation, employment, and
27 due process to a free and appropriate education consistently
28 with respect to sex, race, ethnicity, religion, skin color,
29 or national origin of individuals, and prohibit Missouri's
30 public schools from teaching or implementing ideas and
31 concepts that are contrary to this aim;

32 (5) To ensure that public schools do not compel
33 students to engage in political or social activism or
34 advocacy as a component of any school assignment or extra-
35 curricular activity;

36 (6) To ensure the state's duty to protect to the
37 fullest degree intellectual freedom and free expression and
38 prevent government entities and actors from compelling
39 students, teachers, administrators, and other employees of

40 public education settings to affirm prescribed speech or
41 beliefs;

42 (7) To affirm that parents have a fundamental right to
43 direct the upbringing and education of their children and to
44 opt their children out of instruction or activities that
45 violate their religious beliefs or freedom of conscience as
46 provided in Article I, Section 5 of the Missouri
47 Constitution.

160.3102. As used in sections 160.3100 to 160.3118,
2 the following terms shall mean:

3 (1) "Activities", any instructional task, including,
4 but not limited to, presentations, assemblies, lectures, or
5 other activities or events facilitated by the school,
6 excluding student presentations;

7 (2) "Civics", the study of the theoretical and
8 practical aspects of citizenship, its rights and duties; the
9 duties of citizens to each other as members of a civil
10 body. "Civics" includes the study of civil law and civil
11 code, and the study of government with attention to the role
12 of citizens in the operation and oversight of government;

13 (3) "Instructional materials", any material used for
14 instruction, including, but not limited to, all textbooks,
15 other reading materials, videos, digital materials,
16 websites, and other online applications;

17 (4) "Parent", any individual standing in loco parentis;

18 (5) "Public school", the same meaning as in section
19 160.011, including charter schools;

20 (6) "Standards of professional conduct", teaching from
21 primary sources, providing reference citations and
22 documentation leaving a clear trail for third party review.
23 Any changes to a primary source or published secondary work,
24 whether digital or print, should be noted;

25 (7) "Social studies", history and governments. The
26 subject area of history and government shall incorporate
27 geography and the history and governments of the United
28 States and the world, as well as economics and civics.

 160.3104. 1. The state board of education shall
2 instruct the commissioner of education that the department
3 of elementary and secondary education shall be in compliance
4 with the requirements of section 170.231 without the
5 necessity of a person seeking such material under chapter
6 610 and that all professional development materials
7 sponsored by the department be posted on the department's
8 website prior to use.

 2. The state board of education shall instruct the
9 department that it shall not contract with any vendor for
10 proprietary materials that are prohibited from public review.
11

 3. The attorney general or the prosecuting or circuit
12 attorney for the county in which an alleged violation of
13 this section occurs may initiate a suit against the local
14 school board or governing body and its individual members in
15 the circuit court in which the school district or charter
16 school is located for the purpose of complying with this
17 section.
18

 160.3106. 1. The state board of education shall
2 instruct the commissioner of education to draft for approval
3 of the state board such Missouri school improvement program
4 (MSIP) standards as necessary to evaluate:

 (1) Local school board compliance with section
5 170.231, without the necessity of a person seeking such
6 material under chapter 610, and that neither the department
7 nor the governing body of any public school shall contract
8 with any vendor for proprietary materials that are
9 prohibited from public review;
10

11 (2) Local school board approval of textbooks including
12 online texts, supplementary texts, and reference texts that
13 meet academic standards of professionalism and ethics
14 integrity with respect to reference citations;

15 (3) Local school board compliance with chapter 573;

16 (4) Local school board approval of curricular content
17 that defines "social studies" and that social studies
18 content meets standards of professional conduct.

19 2. The following information shall be posted on the
20 department and school websites in an easily accessible
21 location:

22 (1) A statement affirming that each local school board
23 shall be responsible for the approval and adoption of
24 curriculum used by the school district as provided in
25 section 160.516, and that each local school board shall be
26 responsible to provide textbooks including books formatted
27 as online text material, supplementary texts, library and
28 reference books, contractual educational television
29 services, and any other instructional supplies for all the
30 pupils of the public schools of the district. All
31 instructional materials shall be furnished as provided in
32 section 170.051;

33 (2) All professional development or training materials
34 used with staff or faculty. No school district shall use
35 proprietary materials that are protected from public review.

36 3. The following information shall be displayed on
37 school websites in an easily accessible location:

38 (1) All curricula, lesson plans, and course syllabi,
39 formal and informal curricular materials in public domain
40 with an explanation of how such materials are aligned to the
41 purpose of free public education as prescribed in Article
42 IX, Section 1(a) of the Missouri Constitution;

43 (2) All formal and informal copyrighted curricular
44 materials shall be identified with the following information
45 at a minimum:

46 (a) The title, author, organization, and any website
47 associated with instructional materials or activities;

48 (b) A brief description of the instructional material
49 or activities;

50 (c) A link to open-source instructional material, or
51 if material is not publicly available on the internet,
52 information on how to request review of a copy of the
53 instructional material;

54 (d) The identity of the teacher if the instructional
55 material was created by the teacher;

56 (e) An explanation of how the material is aligned to
57 the purpose of free public education as prescribed in the
58 Article IX, Section 1(a) of the Missouri Constitution;

59 (3) Any procedures for the documentation, review, or
60 approval of the training, instructional, or curricular
61 materials used for staff and faculty training or student
62 instruction at the school, including by the principal,
63 curriculum administrators, or other teachers;

64 (4) Any procedures for parents to opt students out of
65 formal and informal instruction, including student
66 assemblies.

67 (a) Parents shall be informed in an easily assessable
68 manner and a reasonable amount of time of any lecture or
69 assembly presented in any format, including virtual
70 meetings. At a minimum, notification shall include the name
71 of the speaker or event, the objective of the lecture or
72 assembly, date, time, and information for the procedure for
73 parents to opt students out of participation.

74 (b) Opting out of participation in formal or informal
75 curricula through processes designated by the school
76 district shall not be recorded in the student's record or
77 affect student grades, class rank, or standing in any manner.

78 4. The information required by subsections 2 and 3 of
79 this section shall be displayed online prior to the first
80 instance of training or instruction and accompanied by the
81 information for opting out of such training or instruction.
82 Such information shall remain displayed on the school
83 website for at least two years. Failure to comply with this
84 subsection shall result in a fine on the district of one
85 thousand dollars per day beginning on the date the
86 instruction occurred.

87 5. The attorney general or the prosecuting or circuit
88 attorney with jurisdiction over the school district or
89 charter school in which an alleged violation of this section
90 occurs may initiate a suit against the local school board or
91 governing body and its individual members in the circuit
92 court in which the school district or charter school is
93 located for the purpose of complying with this section.

94 6. An attorney acting on behalf of a school district
95 or charter school or entity responsible for the oversight of
96 the public school may request a legal opinion of the
97 attorney general as to whether a particular piece of
98 training, instructional, or curricular material fits under
99 this section.

160.3108. 1. Each school district or charter school
2 shall make available to the public on the institution's
3 website all budgets, expenditures, vendors, and contracts.
4 The information listed on the institution's website shall
5 include:

6 (1) An annual budget that includes anticipated
7 revenues and expenditures for each school district or
8 charter school;

9 (2) A report comparing the budget with actual
10 expenditures that shows the budget, actual revenue and
11 expense transactions, revenue and expense encumbrances, and
12 budget balance information for each school district or
13 charter school;

14 (3) A budgeted salary report that shows the name,
15 title, classifications, full-time equivalent (FTE)
16 percentage, annual salary, funding sources, and percentage
17 of salary for a specified budget for full-time and part-time
18 positions;

19 (4) A transaction register that contains a complete
20 record of all funds expended, from whatever source for
21 whatever purpose.

22 (a) The register shall include for each expenditure:

23 a. The transaction amount;

24 b. The name of the payee;

25 c. The identification number of the transaction; and

26 d. A description of the expenditure, including the
27 source of funds, a category title, and an object title for
28 the expenditure.

29 (b) The register shall include all reimbursements for
30 expenses.

31 (c) The register shall include an entry for salary,
32 wages, or other compensation paid to individual employees.

33 (d) The register shall not include a Social Security
34 number.

35 (e) The register shall be accompanied by a complete
36 explanation of any codes or acronyms used to identify a
37 payee or an expenditure.

38 (5) Month-end financial statements that show the
39 current status of project budgets, expenditures,
40 commitments, and balances;

41 (6) Any information that is expressly prohibited from
42 public disclosure by federal or state law or regulation
43 shall be redacted from any posting required by this
44 subsection.

45 2. Content format and retention of information
46 required by subsection 1 of this section shall:

47 (1) Be accessible from the institution's website home
48 page by use of not more than two links;

49 (2) Be searchable by keywords and phrases; and

50 (3) Be accessible to the public without requiring
51 registration or use of a username, a password, or any other
52 user identification;

53 (4) Be updated quarterly to present expenditure data
54 for the current fiscal year;

55 (5) Retain expenditure data until ten years of
56 expenditure data are available, after which the website
57 shall retain at least ten years of expenditures.

160.3110. 1. The state board of education shall
2 require that all academic standards used to design,
3 implement, assess, and evaluate instruction in public
4 schools reflect a non-indoctrination principle, prohibiting
5 imposition of any orthodoxy of a political, religious, or
6 ideological nature.

7 2. Local school boards shall require that all formal
8 and informal instruction reflect a non-indoctrination
9 principle, prohibiting imposition of or participation in any
10 activity associated with any orthodoxy of a political,
11 religious, or ideological nature and providing that
12 instruction shall be balanced with comparisons of

13 alternative political, religious, or ideological points of
14 view in the same instructional unit. Nothing in this
15 subsection shall be construed as prohibiting objective
16 subject matter content derived from sources that meet
17 standards of professional conduct. Failure to comply with
18 this subsection shall result in removal of the violating
19 teacher's certification to teach.

20 3. The state board of education shall adopt standards
21 and rules and implement policies as necessary to comply with
22 the requirements of this section. The state board of
23 education shall report on activity of the board
24 demonstrating compliance with this section to the joint
25 committee on education no later than January 15, 2023. Any
26 rule or portion of a rule, as that term is defined in
27 section 536.010, that is created under the authority
28 delegated in this section shall become effective only if it
29 complies with and is subject to all of the provisions of
30 chapter 536 and, if applicable, section 536.028. This
31 section and chapter 536 are nonseverable and if any of the
32 powers vested with the general assembly pursuant to chapter
33 536 to review, to delay the effective date, or to disapprove
34 and annul a rule are subsequently held unconstitutional,
35 then the grant of rulemaking authority and any rule proposed
36 or adopted after the effective date of this act, shall be
37 invalid and void.

38 4. No school district, or school within a school
39 district, charter school, service provider, vendor, or any
40 affiliated non-governmental organization shall:

41 (1) Direct or otherwise compel students to personally
42 affirm, adopt, or adhere to statements that ascribe
43 character traits, values, moral or ethical codes,
44 privileges, or beliefs to a race or sex, or to an individual

45 because of the individual's race, sex, ethnicity, religion,
46 color, or national origin;

47 (2) Permit teachers or administrators to require or
48 make part of a course or award a grade or course credit,
49 including extra credit, for:

50 (a) A student's political activism, lobbying, or
51 efforts to persuade members of the legislative or executive
52 branch at the federal, state, or local level to take
53 specific actions by direct communication; or

54 (b) Participation in any internship, practicum, or
55 similar activity involving social or public-policy advocacy;

56 (3) Direct or otherwise compel a teacher,
57 administrator, or student personally to affirm, adopt, or
58 adhere to any belief or concept that violates their freedom
59 of conscience, or engage in any activity that violates their
60 freedom of speech, or mandates that they engage in any
61 activity that segregates participants into categories based
62 on race or sex, ethnicity, religion, color, or national
63 origin;

64 (4) Use public funds to contract with, hire, or
65 otherwise engage speakers, consultants, diversity trainers,
66 and other persons:

67 (a) To engage students, teachers, administrators, and
68 other employees in activities, activism or advocacy that
69 violates their freedom of religion or conscience;

70 (b) To direct or otherwise compel a teacher,
71 administrator, or student to affirm, adopt, or adhere to any
72 belief or concept described in subdivision (2) of this
73 subsection; or

74 (c) To advocate concepts that undermine the
75 constitutional purpose of public education as described in
76 the Article IX 1(a) of the Missouri Constitution unless:

77 a. The school expressly makes clear that it does not
78 sponsor, approve, or endorse such concepts or materials; and

79 b. The school affords students, teachers,
80 administrators, and other employees the opportunity to opt
81 out of any instruction, speeches by or sessions with such
82 outside contractors, as specified under this section. The
83 school shall offer alternative professional development
84 opportunities to students and personnel without cost or
85 penalty.

86 5. No school district, public school, or governmental
87 entity responsible for the oversight of public secondary or
88 elementary schools shall require a student, teacher,
89 administrator, or other employee of a school district, or
90 public school to:

91 (1) Attend or participate in an assembly, a training,
92 seminar, continuing education, orientation, or therapy that
93 promotes any concept described in this section or any
94 combination of these concepts;

95 (2) Make part of a course, or award course grading or
96 credit including extra credit for, political activism,
97 lobbying, or efforts to persuade members of the legislative
98 or executive branch to take specific actions by direct
99 communication at the local, state, or federal level, or any
100 practicum or like activity involving social or public policy
101 advocacy;

102 (3) Assign individuals or groups of students to
103 participate in class or complete assignments based on their
104 racial identity.

105 6. Nothing in this section shall be construed as
106 prohibiting:

107 (1) Speech protected by the First Amendment of the
108 U.S. Constitution or Article I, Section 8 of the Missouri
109 Constitution;

110 (2) Voluntary attendance in a training session,
111 seminar, continuing education, orientation, or therapy,
112 provided that no mandate, inducement or coercion for such
113 attendance exists;

114 (3) Access to sources on an individual basis for the
115 purpose of research or independent study; or

116 (4) Discussion of concepts described in subsection 4
117 of this section or the assignment of materials that
118 incorporate such concepts for educational purposes, provided
119 that the public school expressly makes clear that it does
120 not sponsor, approve, or endorse such concepts or materials.

121 7. The attorney general or the prosecuting or circuit
122 attorney with jurisdiction over the school district or
123 charter school in which an alleged violation of this section
124 occurs may initiate a suit against the local school board or
125 governing body and its individual members in the circuit
126 court in which the school district or charter school is
127 located for the purpose of complying with this section.

128 8. An attorney acting on behalf of a school district
129 or charter school or entity responsible for the oversight of
130 the public school may request a legal opinion of the
131 attorney general as to whether a particular piece of
132 training, instructional, or curricular material fits under
133 this section.

160.3112. 1. The state board of education shall adopt
2 a Missouri school improvement plan standard that evaluates
3 school districts for compliance with the equal protection
4 clause of the Fourteenth Amendment to the U.S. Constitution
5 and federal civil rights laws regarding employment. The

6 standard shall require that no personnel shall be hired,
7 fired, or denied promotion on the basis of his or her sex,
8 race, ethnicity, religion, skin color, national origin, or
9 political or religious beliefs.

10 2. Local school boards shall post board-adopted hiring
11 policies compliant with the equal protection clause of the
12 Fourteenth Amendment to the U.S. Constitution and federal
13 civil rights laws regarding employment. Hiring policies
14 shall require that no personnel shall be hired, fired, or
15 denied promotion on the basis of his or her sex, race,
16 ethnicity, religion, skin color, national origin, or
17 political or religious beliefs.

18 3. The attorney general or the prosecuting or circuit
19 attorney for the school district or charter school in which
20 an alleged violation of this section occurs may initiate a
21 suit against the local school board or governing body and
22 its individual members in the circuit court in which the
23 school district or charter school is located for the purpose
24 of complying with this section.

160.3114. 1. Local school boards shall post student
2 discipline policies in compliance with and reference to
3 section 160.261.

4 2. The attorney general or the prosecuting or circuit
5 attorney with jurisdiction over the school district or
6 charter school in which an alleged violation of this section
7 occurs may initiate a suit against the local school board or
8 governing body and its individual members in the circuit
9 court in which the school district or charter school is
10 located for the purpose of complying with this section.

160.3116. 1. Placement of individual students in
2 special education settings to receive special education
3 services shall be determined only according to the process

4 and procedures of the federal Individuals with Disabilities
5 Act and without reference to that student's membership in a
6 group identified by sex, race, ethnicity, religion, skin
7 color, or national origin.

8 2. Parents may initiate a suit against the local
9 school board and local school board members in the district
10 or county court in the jurisdiction in which the school
11 district, public school, public charter school, or other
12 governmental entity responsible for the oversight of public
13 schools is located for the purpose of complying with this
14 section.

160.3118. The provisions of sections 160.3100 to
2 160.3118 are hereby declared to be severable. If any
3 provision of sections 160.3100 to 160.3118 or the
4 application of such provision to any person or circumstance
5 is declared or held to be invalid for any reason, such
6 declaration or holding shall not affect the validity of the
7 remaining portions of sections 160.3100 to 160.3118 and the
8 application of its provisions to any other persons or
9 circumstances.

162.082. 1. Every school board member election shall
2 be the first Tuesday after the first Monday in November of
3 even-numbered years, and the term of every school board
4 member elected in 2024 or thereafter shall be four years,
5 except as specifically provided in other sections.

6 2. No school board election shall be held in 2023 or
7 any other odd-numbered year. Any school board member whose
8 term expires in 2023 or any other odd-numbered year shall
9 continue to serve until the election in the following even-
10 numbered year. The term of any board member serving a term
11 as of January 1, 2023, may be lengthened in accordance with
12 this section but shall not be shortened.

13 3. In an even-numbered year, the number of school
14 board seats to be elected shall be equal to those with terms
15 that would have expired in the previous odd-numbered year
16 and those with terms expiring in such even-numbered year.
17 Except as specifically provided in other sections, the
18 candidates in each school board election receiving the
19 highest number of votes shall be elected for terms of four
20 years.

21 4. As used in this chapter, "school board member
22 election" or "school board election" means the election held
23 on the first Tuesday after the first Monday of November in
24 even-numbered years starting in 2024.

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

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

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

11 (2) The election of a successor member shall occur on
12 the [general municipal election day] **first Tuesday after the**
13 **first Monday in November of the even-numbered year**
14 immediately prior to the expiration of the final term of
15 office.

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

19 3. Nothing in this section shall be construed as
20 barring an otherwise qualified member of the special

21 administrative board from standing for an elected term on
22 the board.

23 4. On a date set by the state board of education, any
24 district operating under the governance of a special
25 administrative board shall return to local governance, and
26 continue operation as a school district as otherwise
27 authorized by law.

162.221. 1. When the voters of any one or more
2 districts as authorized in section 162.211, except those
3 districts designated in subdivision (2) thereof, desire to
4 form a seven-director district, a petition signed by at
5 least ten percent in number of those voting for school board
6 members in the last [annual] school **board** election in each
7 district or one hundred voters, whichever is the higher
8 number, shall be filed with the state board of education.
9 On receipt of the petition, a representative of the state
10 department of education, designated by the commissioner of
11 education, shall visit the districts and determine the exact
12 boundaries of the proposed seven-director district. In
13 determining these boundaries, he **or she** shall so locate the
14 boundary lines as will in his **or her** judgment form the best
15 possible seven-director district, having due regard also to
16 the welfare of adjoining districts.

17 2. Within sixty days after the receipt of the
18 petition, the commissioner of education shall submit the
19 question to the voters of the proposed district. The notice
20 shall include a statement of the purpose together with a
21 plat of the proposed district. The state commissioner shall
22 file a copy of the petition and of the plat with the county
23 clerk. The election shall be conducted in the manner
24 provided in section 162.191.

162.223. 1. When the voters in any two or more
2 adjacent districts without limitation as to size or
3 enrollment desire to consolidate and form a new district, a
4 petition asking for an election upon the question of
5 consolidation shall be filed with the boards of education of
6 the affected districts; provided, however, that such
7 petition shall be signed by ten percent of those in each
8 district who voted for school directors at the last election
9 in which such directors were elected, or one hundred voters,
10 whichever is the higher number.

11 2. As an alternative to the procedure in subsection 1
12 of this section, two or more adjacent districts may, by a
13 majority vote of each board of education, call for an
14 election upon the question of consolidation.

15 3. The question shall be submitted in substantially
16 the following form:

17 Shall the _____ school district and the _____
18 school district (and the _____ school district)
19 form a new district with a tax rate ceiling of
20 _____ per one hundred dollars of assessed
21 valuation? If this proposition is approved, the
22 adjusted operating levy of the new school
23 district is estimated to be _____ (amount) per
24 one hundred dollars of assessed valuation.

25 4. The board of directors of each affected district
26 shall cause the question to be included on the ballot to be
27 submitted to the voters in each such district at the next
28 election day. A plat of the proposed new district shall be
29 published and posted with the notices of election.

30 5. The results of the voting on the proposal in each
31 district affected shall be certified to the state
32 commissioner of education by the secretary of each board of

33 education of each district or by such other person or body
34 charged with conducting such elections and, should the
35 majority of the votes cast in each affected district be in
36 favor of the proposal, the state commissioner shall declare
37 the new district formed as of July first following the
38 submission of the question.

39 6. If the commissioner of education declares, before
40 the closing date for filing for the election of board
41 members [on the municipal election date], that the new
42 district is to be formed as of July first, no candidates
43 shall be certified by the districts involved in the
44 consolidation and the board members whose terms would
45 otherwise have expired on that date shall remain as board
46 members until July first. In consolidation cases where
47 there is insufficient time from the date the commissioner of
48 education declares that the new district shall be formed as
49 of July first and July first to hold an election of board
50 members, seven board members from the boards of the
51 consolidating districts shall be drawn by lot to serve until
52 the next election at which the new board of education can be
53 elected. The number of board members selected from one
54 district shall not exceed the quotient resulting from seven
55 divided by the number of districts consolidating rounded
56 down to the nearest whole number plus one. The commissioner
57 of education or a designee shall supervise the drawing, by
58 lot, of the board members which shall be approved by the
59 state board of education.

 162.241. If a proposal to form a district pursuant to
2 the provisions of sections 162.171 to 162.191, 162.211 and
3 162.221, or section 162.223 receives the required majority
4 of the votes cast on the proposition, the state board of
5 education or the county commission, in the case of a

6 district formed pursuant to the provisions of sections
7 162.171 to 162.191 or 162.211 and 162.221, shall order an
8 election in the district to be held. This election shall be
9 for the purpose of electing seven members to serve on the
10 school board of the district. Such election shall be held
11 on the [next election day as provided under section 115.123]
12 **first Tuesday after the first Monday in November of an even-**
13 **numbered year.** The election shall be conducted in the
14 manner provided by section 162.371. A letter from the
15 commissioner of education, delivered by certified mail to
16 the presiding commissioner of the county commission of the
17 county to which the district formed by provisions of section
18 162.223 is assigned shall be the authority for the county
19 commission to proceed with election procedures in the same
20 manner as they would be performed by the district board of
21 education were it in existence; but the costs of the
22 election shall be paid from the incidental fund of the new
23 district. [Two] **Three** directors shall be elected to serve
24 [until the next municipal election] **two-year terms**, two to
25 serve [until the second municipal election] **four-year terms**,
26 and two to serve [until the third municipal election. The
27 seventh board member shall be elected to serve until the
28 municipal election during which the majority of school
29 districts elect three board members] **six-year terms.** **Any**
30 **director elected after this initial election shall serve a**
31 **four-year term.**

162.261. 1. The government and control of a seven-
2 director school district, other than an urban district, is
3 vested in a board of education of seven members, who hold
4 their office for [three] **four** years, except as provided in
5 section 162.241, and until their successors are duly elected
6 and qualified. Any vacancy occurring in the board shall be

7 filled by the remaining members of the board; except that if
8 there are more than two vacancies at any one time, the
9 county commission upon receiving written notice of the
10 vacancies shall fill the vacancies by appointment. If there
11 are more than two vacancies at any one time in a county
12 without a county commission, the county executive upon
13 receiving written notice of the vacancies shall fill the
14 vacancies, with the advice and consent of the county
15 council, by appointment. The person appointed shall hold
16 office until the next [municipal] election, when a director
17 shall be elected for the unexpired term.

18 2. No seven-director, urban, or metropolitan school
19 district board of education shall hire a spouse of any
20 member of such board for a vacant or newly created position
21 unless the position has been advertised pursuant to board
22 policy and the superintendent of schools submits a written
23 recommendation for the employment of the spouse to the board
24 of education. The names of all applicants as well as the
25 name of the applicant hired for the position are to be
26 included in the board minutes.

27 3. The provisions of Article VII, Section 6 of the
28 Missouri Constitution apply to school districts.

162.291. The voters of each seven-director district
2 other than urban districts shall, [at municipal elections]
3 **on the first Tuesday after the first Monday in November of**
4 **even-numbered years**, elect [two] directors, who are citizens
5 of the United States and resident taxpayers of the district,
6 [who] **in accordance with the provisions of section 162.082.**
7 **Such directors shall** have resided in this state for one year
8 next preceding their election or appointment, and [who are]
9 **be** at least twenty-four years of age.

162.301. 1. Within fourteen days after the election
2 of the first school board in each seven-director district,
3 other than an urban district, and within fourteen days after
4 each [annual] election, the board shall meet. The newly
5 elected members shall qualify by taking the oath of office
6 prescribed by Article VII, Section 11, of the Constitution
7 of Missouri.

8 2. The board shall organize by the election of a
9 president and vice president, and the board shall, on or
10 before the fifteenth day of [July of each year] **January in**
11 **odd-numbered years**, elect a secretary and a treasurer, who
12 shall enter upon their respective duties on the fifteenth
13 day of [July] **January**. The secretary and treasurer may be
14 or may not be members of the board. No compensation shall
15 be granted to either the secretary or the treasurer until
16 his **or her** report and settlement are made and filed or
17 published as the law directs.

18 3. A majority of the board constitutes a quorum for
19 the transaction of business, but no contract shall be let,
20 person employed, bill approved or warrant ordered unless a
21 majority of the whole board votes therefor.

162.341. The [annual] **school board member** election in
2 seven-director districts[, except urban districts,] shall be
3 held on [municipal election days] **the first Tuesday after**
4 **the first Monday in November of even-numbered years**.

162.431. 1. When it is necessary to change the
2 boundary lines between seven-director school districts, in
3 each district affected, ten percent of the voters by number
4 of those voting for school board members in the last
5 [annual] school **board** election in each district may petition
6 the district boards of education in the districts affected,
7 regardless of county lines, for a change in boundaries. The

8 question shall be submitted at the next election, as the
9 term election is referenced and defined in section 115.123.

10 2. The voters shall decide the question by a majority
11 vote of those who vote upon the question. If assent to the
12 change is given by each of the various districts voting,
13 each voting separately, the boundaries are changed from that
14 date.

15 3. If one of the districts votes against the change
16 and the other votes for the change, the matter may be
17 appealed to the state board of education, in writing, within
18 fifteen days of the submission of the question by either one
19 of the districts affected, or in the above event by a
20 majority of the signers of the petition requesting a vote on
21 the proposal. At the first meeting of the state board
22 following the appeal, a board of arbitration composed of
23 three members, none of whom shall be a resident of any
24 district affected, shall be appointed. In determining
25 whether it is necessary to change the boundary line between
26 seven-director districts, the board of arbitration shall
27 base its decision upon the following:

28 (1) The presence of school-aged children in the
29 affected area;

30 (2) The presence of actual educational harm to school-
31 aged children, either due to a significant difference in the
32 time involved in transporting students or educational
33 deficiencies in the district which would have its boundary
34 adversely affected; and

35 (3) The presence of an educational necessity, not of a
36 commercial benefit to landowners or to the district
37 benefitting for the proposed boundary adjustment.

38 For purposes of subdivision (2) of this subsection,
39 "significant difference in the time involved in transporting
40 students" shall mean a difference of forty-five minutes or
41 more per trip in travel time. "Travel time" is the period
42 of time required to transport a pupil from the pupil's place
43 of residence or other designated pick-up point to the site
44 of the pupil's educational placement.

45 4. Within twenty days after notification of
46 appointment, the board of arbitration shall meet and
47 consider the necessity for the proposed changes and shall
48 decide whether the boundaries shall be changed as requested
49 in the petition or be left unchanged, which decision shall
50 be final. The decision by the board of arbitration shall be
51 rendered not more than thirty days after the matter is
52 referred to the board. The [chairman] **chair** of the board of
53 arbitration shall transmit the decision to the secretary of
54 each district affected who shall enter the same upon the
55 records of his **or her** district and the boundaries shall
56 thereafter be in accordance with the decision of the board
57 of arbitration. The members of the board of arbitration
58 shall be allowed a fee of fifty dollars each, to be paid at
59 the time the appeal is made by the district taking the
60 appeal or by the petitioners should they institute the
61 appeal.

62 5. If the board of arbitration decides that the
63 boundaries shall be left unchanged, no new petition for the
64 same, or substantially the same, boundary change between the
65 same districts shall be filed until after the expiration of
66 two years from the date of the municipal election at which
67 the question was submitted to the voters of the districts.

162.459. 1. Notwithstanding other provisions of law
2 to the contrary, the school board of each school district

3 designated in the statutes as a seven-director or urban
4 school district shall consist of seven members. [At the
5 first election for members of the school board in each of
6 such districts after January 1, 1993, and each three years
7 thereafter, three members of the school board shall be
8 elected; except, no school district composed of seven
9 members as of January 1, 1993, shall be required to modify
10 its schedule of electing board members] **For all board
11 members serving terms as of January 1, 2023, their terms
12 shall be modified in accordance with the provisions of
13 section 162.082. The term of every board member elected in
14 2024 or thereafter shall be four years.**

15 2. Provisions of law applicable to seven-director and
16 urban school districts, except those which conflict with the
17 provisions of this section, shall apply to and govern the
18 school districts designated in subsection 1 of this section.

162.471. The government and control of an urban school
2 district is vested in a board of seven directors. Each
3 director shall be a voter of the district who has resided
4 within this state for one year next preceding his **or her**
5 election or appointment and who is at least twenty-four
6 years of age. All directors **elected in 2024 or thereafter,**
7 except as otherwise provided in section 162.481 and section
8 162.492, hold their offices for [~~six~~] **four** years and until
9 their successors are duly elected and qualified. **The term
10 of any board member serving a six-year term on January 1,
11 2023, shall be modified in accordance with the provisions of
12 section 162.082.** All vacancies occurring in the board,
13 except as provided in section 162.492, shall be filled by
14 appointment by the board as soon as practicable, and the
15 person appointed shall hold his **or her** office until the next
16 school board election, when his **or her** successor shall be

17 elected for the remainder of the unexpired term. The power
18 of the board to perform any official duty during the
19 existence of a vacancy continues unimpaired thereby.

162.481. 1. Except as otherwise provided in [this
2 section and in] section 162.492, all elections of school
3 directors in urban school districts shall be held biennially
4 [at the same times and places as municipal elections] **on the**
5 **first Tuesday after the first Monday in November of even-**
6 **numbered years.**

7 2. Except as otherwise provided in [subsections]
8 **subsection 3** [, 4, and 5] of this section, hereafter when a
9 seven-director district becomes an urban school district,
10 the directors of the prior seven-director district shall
11 continue as directors of the urban school district until the
12 expiration of the terms for which they were elected and
13 until their successors are elected as provided in this
14 subsection. The first biennial school election for
15 directors shall be held in the urban school district at the
16 time provided in subsection 1 **of this section** which is on
17 the date of or subsequent to the expiration of the terms of
18 the directors of the prior district which are first to
19 expire, and directors shall be elected to succeed the
20 directors of the prior district whose terms have expired.
21 If the terms of two directors only have expired, the
22 directors elected at the first biennial school election in
23 the urban school district shall be elected for terms of six
24 years. If the terms of four directors have expired, two
25 directors shall be elected for terms of six years and two
26 shall be elected for terms of four years. At the next
27 succeeding biennial election held in the urban school
28 district, successors for the remaining directors of the
29 prior seven-director district shall be elected. If only two

30 directors are to be elected they shall be elected for terms
31 of six years each. If four directors are to be elected, two
32 shall be elected for terms of six years and two shall be
33 elected for terms of two years. After seven directors of
34 the urban school district have been elected under this
35 subsection, their successors shall be elected for terms of
36 ~~[six]~~ **four** years.

37 3. ~~[In any school district in which a majority of the~~
38 ~~district is located in any home rule city with more than one~~
39 ~~hundred fifty-five thousand but fewer than two hundred~~
40 ~~thousand inhabitants, elections shall be held annually at~~
41 ~~the same times and places as general municipal elections for~~
42 ~~all years where one or more terms expire, and the terms~~
43 ~~shall be for three years and until their successors are duly~~
44 ~~elected and qualified for all directors elected on and after~~
45 ~~August 28, 1998.~~

46 4.] For any school district which becomes an urban
47 school district by reason of the ~~[2000]~~ **2020** federal
48 decennial census, elections shall be held ~~[annually at the~~
49 ~~same times and places as general municipal elections for all~~
50 ~~years where one or more terms expire]~~ **on the first Tuesday**
51 **after the first Monday in November of even-numbered years,**
52 and the terms shall be for ~~[three]~~ **four** years and until
53 their successors are duly elected and qualified for all
54 directors elected on and after ~~[August 28, 2001]~~ **November 8,**
55 **2024.**

56 [5. In any school district in any county with a
57 charter form of government and with more than three hundred
58 thousand but fewer than four hundred fifty thousand
59 inhabitants which becomes an urban school district by reason
60 of the 2010 federal decennial census, elections shall be
61 held annually at the same times and places as general

62 municipal elections for all years where one or more terms
63 expire, and the terms shall be for three years and until
64 their successors are duly elected and qualified for all
65 directors elected on and after April 2, 2012.

66 6. In any urban school district in a county of the
67 first classification with more than eighty-three thousand
68 but fewer than ninety-two thousand inhabitants and with a
69 home rule city with more than seventy-six thousand but fewer
70 than ninety-one thousand inhabitants as the county seat,
71 elections shall be held annually at the same times and
72 places as general municipal elections for all years where
73 one or more terms expire, and upon expiration of any term
74 after August 28, 2015, the term of office shall be for three
75 years and until their successors are duly elected and
76 qualified.]

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 **board** elections for the election of
19 directors shall be held on municipal election days in 2014
20 and 2016. At the election in 2014, directors shall be
21 elected to hold office until 2019 and until their successors
22 are elected and qualified. At the election in 2016,
23 directors shall be elected until 2019 and until their
24 successors are elected and qualified. Beginning in [2019]
25 **2024**, school **board member** elections for the election of
26 directors shall be held on the [local election date as
27 specified in the charter of a home rule city with more than
28 four hundred thousand inhabitants and located in more than
29 one county] **first Tuesday after the first Monday in November**
30 **of even-numbered years. The terms of board members**
31 **described in this subsection shall be modified in accordance**
32 **with the provisions of section 162.082.** Beginning at the
33 election for school directors in 2019, the number of
34 directors on the board shall be reduced from nine to seven.
35 Two directors shall be at-large directors and five directors
36 shall represent the subdistricts, with one director from
37 each of the subdistricts. At the 2019 election, one of the
38 at-large directors and the directors from subdistricts one,
39 three, and five shall be elected for a two-year term, and
40 the other at-large director and the directors from
41 subdistricts two and four shall be elected for a four-year
42 term. Thereafter, all seven directors shall serve a four-
43 year term. Directors shall serve until the next election
44 and until their successors, then elected, are duly qualified
45 as provided in this section. In addition to other
46 qualifications prescribed by law, each member elected from a
47 subdistrict shall be a resident of the subdistrict from
48 which he or she is elected. The subdistricts shall be
49 numbered from one to five.

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

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

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

80 6. The provisions of all sections relating to seven-
81 director school districts shall also apply to and govern

82 urban districts in cities of more than three hundred
83 thousand inhabitants, to the extent applicable and not in
84 conflict with the provisions of those sections specifically
85 relating to such urban districts.

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

162.601. 1. [Elected members of the board in office
2 on August 28, 1998, shall hold office for the length of term
3 for which they were elected, and any members appointed
4 pursuant to section 162.611 to fill vacancies left by
5 elected members in office on August 28, 1998, shall serve
6 for the remainder of the term to which the replaced member
7 was elected.

8 2. No board members shall be elected at the first
9 municipal election in an odd-numbered year next following
10 August 28, 1998.

11 3. Three board members shall be elected at the second
12 municipal election in an odd-numbered year next following
13 August 28, 1998, to serve four-year terms.

14 4. Four board members shall be elected at the third
15 municipal election in an odd-numbered year next following
16 August 28, 1998, and two of such members shall be elected to
17 four-year terms and two of such members shall be elected to
18 three-year terms. For the two members elected at the
19 municipal election in 2006, the terms of such members shall
20 expire after their successors are elected and qualified
21 pursuant to subsection 6 of this section.

22 5. Beginning with the fourth municipal election in an
23 odd-numbered year next following August 28, 1998, and at
24 each succeeding municipal election in a year during which
25 board member terms expire, there shall be elected members of
26 the board of education, who shall assume the duties of their
27 office at the first regular meeting of the board of
28 education after their election, and who shall hold office
29 for four years, and until their successors are elected and
30 qualified.

31 6. For the two board members who are elected at the
32 municipal election in 2006, their successors thereafter
33 shall be elected at the general election in the year in
34 which their terms expire] **All board members shall be elected**
35 **at elections held on the first Tuesday after the first**
36 **Monday in November of even-numbered years. For all board**
37 **members serving terms as of January 1, 2023, their terms**
38 **shall be modified in accordance with the provisions of**
39 **section 162.082. The term of every board member elected in**
40 **2024 or thereafter shall be four years.**

41 [7.] 2. Members of the board of directors shall be
42 elected to represent seven subdistricts. The subdistricts

43 shall be established by the state board of education to be
44 compact, contiguous and as nearly equal in population as
45 practicable. The subdistricts shall be revised by the state
46 board of education after each decennial census and at any
47 other time the state board determines that the district's
48 demographics have changed sufficiently to warrant
49 redistricting.

50 [8.] 3. A member shall reside in and be elected in the
51 subdistrict which the member is elected to represent.

52 Subdistrict 1 shall be comprised of wards 1, 2, 22 and 27.

53 Subdistrict 2 shall be comprised of wards 3, 4, 5 and 21.

54 Subdistrict 3 shall be comprised of wards 18, 19, 20 and

55 26. Subdistrict 4 shall be comprised of wards 6, 7, 17 and

56 28. Subdistrict 5 shall be comprised of wards 9, 10, 11 and

57 12. Subdistrict 6 shall be comprised of wards 13, 14, 16

58 and 25. Subdistrict 7 shall be comprised of wards 8, 15, 23

59 and 24.

162.821. The district secretary shall keep a record of
2 the proceedings of all [annual and special] elections of the
3 voters of the district and of the proceedings of the board
4 of education. He **or she** shall make copies of the election
5 notices, contracts with teachers, certificates and all other
6 papers relating to the business of the district, and
7 securely keep the same. He **or she** shall maintain a correct
8 plat of the district and shall promptly notify the
9 department of elementary and secondary education and the
10 county clerk of each county affected of all changes in the
11 boundaries of the district. He **or she** shall transmit to the
12 county commission and to the state department of elementary
13 and secondary education, on or before the fifteenth day of
14 August in each year, a report embracing the following items:

- 15 (1) The number of children, male and female, attending
16 the public schools during the year;
- 17 (2) Total number of days' attendance by all such
18 children;
- 19 (3) The number of days the public schools of the
20 district have been maintained during the school year;
- 21 (4) The number of teachers employed, male and female,
22 and the wages per month of each;
- 23 (5) Estimated value of school property owned and
24 managed by the district;
- 25 (6) Assessed valuation of the district;
- 26 (7) Rate of school tax on the assessed valuation of
27 the district;
- 28 (8) Cash on hand at the beginning of the year;
- 29 (9) Tuition fees received and credited to the
30 teachers' fund of the district;
- 31 (10) Public funds received by county treasurer;
- 32 (11) District tax received by county (or township)
33 treasurer;
- 34 (12) Amount paid on teachers' wages;
- 35 (13) Amount paid for incidental expenses;
- 36 (14) Amount expended for purchasing site, erecting
37 schoolhouses, rent and repairs;
- 38 (15) Amount expended in cancelling bonded indebtedness
39 and paying interest on same;
- 40 (16) Amount expended for library;
- 41 (17) Cash on hand at the end of the year; **and**
- 42 (18) Such other information as may be required by the
43 state board of education.

162.825. Whenever there is presented to the state
2 board of education a petition signed by voters in each
3 district in the proposed special district equal in number in

4 each district to five percent of the number of votes cast
5 for school board members in the last [annual] school **board**
6 election praying (a) that a special school district
7 embracing the entire area described in the petition be
8 organized for the education and training of handicapped and
9 severely handicapped children and for vocational education
10 purposes; and (b) that a proposal be submitted to the voters
11 of the proposed district for the organization of the special
12 school district, the state board of education, unless
13 section 162.835 applies, shall, within thirty days of the
14 receipt of said petition, direct the board of education of
15 each school district comprising the proposed special
16 district to cause the proposal to be submitted to the voters
17 in each such district at the next [municipal] **school board**
18 **member** election or, if the next [annual] school **board member**
19 election is more than sixty days away, cause the proposal to
20 be submitted to the voters in each such district at a
21 special election called in accordance with law on a date set
22 by the state board of education. The election shall be
23 conducted in each school district comprising the proposed
24 special district in the manner provided by law for the
25 conducting of school district elections generally in
26 sections 162.351 and 162.601, unless a different procedure
27 is specifically provided in sections 162.670 to [162.995]
28 **162.974.**

162.865. The board members of a special school
2 district with a population of not more than one hundred
3 thousand persons shall be elected at large. The seven
4 receiving the largest number of votes shall be elected and
5 the three receiving the highest number of votes cast shall
6 be elected for terms of [three] **six** years each; the two
7 receiving the next highest number of votes cast shall be

8 elected for terms of [two] **four** years each; and the two
9 receiving the next highest number of votes cast shall be
10 elected for terms of [one year] **two years** each. [That part
11 of the year between the date of the election of board
12 members and the municipal election day of the following year
13 is considered a full year in the terms of the members
14 elected.] All board members shall serve until their
15 successors are elected and qualified and the state board of
16 education shall issue certificates of election to the board
17 members elected.

162.867. 1. Board of education members of a special
2 school district with a population of more than one hundred
3 thousand persons in office on August 28, 1999, shall serve
4 the remainder of their terms and shall serve until their
5 successors are duly elected and qualified pursuant to this
6 section.

7 2. On and after August 28, 1999, each new member of a
8 board of education of a special school district with a
9 population of more than one hundred thousand persons shall
10 be elected pursuant to this section by the governing council
11 established pursuant to section 162.856.

12 3. Pursuant to this section, each qualified candidate
13 for the board of education of a special school district with
14 a population of more than one hundred thousand persons shall:

15 (1) Be a voter of the district who has resided within
16 the state for one year next preceding selection to the board
17 and is resident in the subdistrict in which the candidate
18 files; **and**

19 (2) Be at least twenty-four years of age.

20 4. No member of the board of education of a special
21 school district with a population of more than one hundred
22 thousand persons shall:

23 (1) Vote on, solicit, transact, offer, or accept any
24 contract between the special school district and any
25 corporation, partnership, association, or other organization
26 in which that member of the board of education has a
27 financial interest, unless otherwise provided herein,
28 excluding interests owned prior to such member's election;

29 (2) Hold any office or employment of profit from the
30 board of education of the special school district while
31 serving. However, nothing in this section shall be
32 construed to preclude a person from being elected to or
33 serving on the board of education of the special school
34 district on the basis that the person is related to a pupil
35 of the special school district or to a pupil of any school
36 district all or a portion of which is contained within the
37 special school district; or

38 (3) Vote on, solicit, transact, offer, or accept any
39 contract or procurement in which that board member shall
40 have a direct or indirect beneficial interest, unless:

41 (a) The material facts as to such member's
42 relationship or interest and as to the contract or
43 transaction are disclosed in writing and are known to the
44 board and governing council, and such governing council and
45 board, in good faith, authorize the contract or transaction
46 by the affirmative vote of the majority of the disinterested
47 members; and

48 (b) Such member's relationship or interest in such
49 contract or transaction shall not be voted upon by such
50 interested member.

51 5. [Beginning in April, 1997, and every third year
52 thereafter, two members shall be elected. Beginning in
53 April, 1998, and every third year thereafter, two members
54 shall be elected. Beginning in April, 1999, and every third

55 year thereafter, three members shall be elected] **For all**
56 **board members serving terms as of January 1, 2023, their**
57 **terms shall be modified in accordance with the provisions of**
58 **section 162.082. The term of every board member elected in**
59 **2024 or thereafter shall be four years.** A member shall be
60 elected to fill each open seat on the board of education.

61 6. Board members **elected in 2024 or thereafter** shall
62 serve [~~three-year~~] **four-year** terms and shall serve until
63 their successors are duly elected and qualified.

64 7. The board of education shall, upon formation and
65 each decade within ninety days following the publication of
66 the final decennial census figures thereafter, adopt a
67 resolution calling for the formation of a redistricting
68 committee. Upon adoption of such resolution, the secretary
69 of the board of education shall forward a certified copy
70 thereof to the state board of education. The redistricting
71 committee shall consist of three residents within the
72 district, appointed by the board of education of the special
73 school district, plus three additional persons resident
74 within the special school district, appointed by the state
75 board of education. Thereafter, the redistricting committee
76 shall meet, organize itself with a [~~chairman~~] **chair** and
77 secretary, and proceed with the adoption of a redistricting
78 plan. Any plan proposed to be adopted must receive approval
79 of a majority of the whole redistricting committee. Upon
80 adoption, the redistricting committee shall forward a copy
81 of the plan certified by the secretary of the redistricting
82 committee to the state board of education for its approval
83 or disapproval. The state board of education shall approve
84 any redistricting plan which divides the special district
85 into seven subdistricts of equal population, taking into
86 account insofar as possible existing school district

87 boundary lines. Upon approval by the state board of
88 education, the redistricting plan shall become effective and
89 all board members selected thereafter shall be selected from
90 subdistricts in which they are resident. If the plan is not
91 approved, then it shall be returned to the redistricting
92 committee for revision and resubmission. If a redistricting
93 plan has not been adopted within one year after the
94 publication of the decennial census figures, the state board
95 of education shall provide the redistricting plan. No
96 member of the redistricting committee shall serve on the
97 board of education for a period of six years following such
98 service on the redistricting committee.

99 8. The structure of the board of education and the
100 selection of members of the board of education of a special
101 school district with a population of more than one hundred
102 thousand persons shall be as established pursuant to this
103 section, except as may be otherwise approved by the voters
104 of the special school district under section 162.858.

162.910. At the elections conducted pursuant to
2 section 162.865, the voters of a special district with a
3 population of not more than one hundred thousand persons
4 shall elect, by ballot, two board members to succeed those
5 whose terms have expired and the board members so elected
6 shall hold office for terms of [~~three~~] **four** years and until
7 their successors have been elected and qualified and shall
8 assume the duties of their offices at the first regular
9 meeting of the board of education held after their
10 election. Candidates shall file their declarations of
11 candidacy for office of board member with the secretary of
12 the board of education of the special school district. A
13 majority of the then qualified members of the board of
14 education of the special school district shall certify the

15 candidates receiving the greatest number of votes for terms
16 of [three] **four** years each and until their successors shall
17 have been elected and qualified, and shall declare and
18 certify the results of the vote cast on any question
19 presented at the election.

167.029. **1.** A public school district may require
2 students to wear a school uniform or restrict student dress
3 to a particular style in accordance with the law. The
4 school district may determine the style and color of the
5 school uniform.

6 **2. No public or charter school shall implement or**
7 **enforce any student dress requirements that include a mask**
8 **or other face covering or respirator; provided, that nothing**
9 **in this subsection shall be interpreted to prohibit students**
10 **from wearing a mask, face covering, or respirator if doing**
11 **so is in accordance with the provisions of subsection 1 of**
12 **this section or for medical reasons.**

13 **3. No public or charter school or statewide school**
14 **activities association shall require a student to wear a**
15 **face mask or other face covering or respirator as a**
16 **condition of attendance or participation in classroom**
17 **instruction or school-sponsored extracurricular activities.**

167.181. **1.** The department of health and senior
2 services, after consultation with the department of
3 elementary and secondary education, shall promulgate rules
4 and regulations governing the immunization against
5 poliomyelitis, rubella, rubeola, mumps, tetanus, pertussis,
6 diphtheria, and hepatitis B, to be required of children
7 attending public, private, parochial or parish schools.
8 Such rules and regulations may modify the immunizations that
9 are required of children in this subsection. The
10 immunizations required and the manner and frequency of their

11 administration shall conform to recognized standards of
12 medical practice. The department of health and senior
13 services shall supervise and secure the enforcement of the
14 required immunization program.

15 2. It is unlawful for any student to attend school
16 unless he has been immunized as required under the rules and
17 regulations of the department of health and senior services,
18 and can provide satisfactory evidence of such immunization;
19 except that if he produces satisfactory evidence of having
20 begun the process of immunization, he may continue to attend
21 school as long as the immunization process is being
22 accomplished in the prescribed manner. It is unlawful for
23 any parent or guardian to refuse or neglect to have his
24 child immunized as required by this section, unless the
25 child is properly exempted.

26 3. This section shall not apply to any child if one
27 parent or guardian objects in writing to his school
28 administrator against the immunization of the child, because
29 of religious beliefs or medical contraindications. In cases
30 where any such objection is for reasons of medical
31 contraindications, a statement from a duly licensed
32 physician must also be provided to the school administrator.

33 4. Each school superintendent, whether of a public,
34 private, parochial or parish school, shall cause to be
35 prepared a record showing the immunization status of every
36 child enrolled in or attending a school under his
37 jurisdiction. The name of any parent or guardian who
38 neglects or refuses to permit a nonexempted child to be
39 immunized against diseases as required by the rules and
40 regulations promulgated pursuant to the provisions of this
41 section shall be reported by the school superintendent to
42 the department of health and senior services.

43 5. The immunization required may be done by any duly
44 licensed physician or by someone under his direction. If
45 the parent or guardian is unable to pay, the child shall be
46 immunized at public expense by a physician or nurse at or
47 from the county, district, city public health center or a
48 school nurse or by a nurse or physician in the private
49 office or clinic of the child's personal physician with the
50 costs of immunization paid through the state Medicaid
51 program, private insurance or in a manner to be determined
52 by the department of health and senior services subject to
53 state and federal appropriations, and after consultation
54 with the school superintendent and the advisory committee
55 established in section 192.630. When a child receives his
56 or her immunization, the treating physician may also
57 administer the appropriate fluoride treatment to the child's
58 teeth.

59 6. Funds for the administration of this section and
60 for the purchase of vaccines for children of families unable
61 to afford them shall be appropriated to the department of
62 health and senior services from general revenue or from
63 federal funds if available.

64 **7. No student shall be required, as a condition of**
65 **school attendance or participation in school-sponsored**
66 **extracurricular activities, to be immunized against COVID-**
67 **19. No school shall require students to undergo COVID-19**
68 **diagnostic testing as an alternative to receiving a COVID-19**
69 **vaccination; provided, that nothing in this subsection shall**
70 **be interpreted to preclude a school from requiring a student**
71 **who has been in close contact with a source of COVID-19 to**
72 **be tested as a condition for school attendance or**
73 **participation in school-sponsored extracurricular activities.**

74 8. No rule or portion of a rule promulgated under the
75 authority of this section shall become effective unless it
76 has been promulgated pursuant to the provisions of chapter
77 536. Any rule or portion of a rule, as that term is defined
78 in section 536.010, that is created under the authority
79 delegated in this section shall become effective only if it
80 complies with and is subject to all of the provisions of
81 chapter 536 and, if applicable, section 536.028. This
82 section and chapter 536 are nonseverable and if any of the
83 powers vested with the general assembly pursuant to chapter
84 536 to review, to delay the effective date or to disapprove
85 and annul a rule are subsequently held unconstitutional,
86 then the grant of rulemaking authority and any rule proposed
87 or adopted after August 28, 2001, shall be invalid and void.

167.780. 1. An interscholastic or intramural athletic
2 **team or sport that is sponsored by a public school or a**
3 **private middle school or high school, the students or teams**
4 **of which compete against a public middle school or public**
5 **high school shall be expressly designated as one of the**
6 **following based on the biological sex assigned at birth:**

- 7 (1) "Males", "men", or "boys";
8 (2) "Females", "women", or "girls"; or
9 (3) "Coeducational", "coed", or "mixed".

10 2. No athletic team or sport designated for females,
11 women, or girls shall be open to students of the male sex as
12 assigned at birth.

13 3. No governmental entity, licensing or accrediting
14 organization, or athletic association or organization shall
15 entertain a complaint, open an investigation, or take any
16 other adverse action against a school or institution for
17 maintaining separate interscholastic or intramural athletic

18 teams or sports for students of the female sex as assigned
19 at birth.

20 4. A student who is deprived of an athletic
21 opportunity or suffers direct or indirect harm as a result
22 of a violation of this section shall have a cause of action
23 for injunctive relief, damages, and other relief available
24 under law against the school.

25 5. A student who is subject to retaliation or other
26 adverse action by a school or athletic association or
27 organization as a result of reporting a violation of this
28 section to an employee or representative of the school or
29 athletic association or organization, or to a state or
30 federal agency with oversight of schools in the state, has a
31 cause of action for injunctive relief, damages, and other
32 relief available under law against the school or athletic
33 association or organization.

34 6. A school that suffers direct or indirect harm as a
35 result of a violation of this section has a private cause of
36 action for injunctive relief, damages, and other relief
37 available under law against the governmental entity,
38 licensing or accrediting organization, or athletic
39 association or organization.

40 7. A civil action brought pursuant to this section
41 shall be initiated within two years after the harm has
42 occurred. A person or entity that prevails on a claim
43 brought pursuant to this section is entitled to:

44 (1) Monetary damages, including for psychological,
45 emotional, and physical harm suffered;

46 (2) Reasonable attorneys' fees and costs; and

47 (3) Any other relief considered appropriate by the
48 court.

Section B. The enactment of section 162.082 and the
2 repeal and reenactment of sections 162.083, 162.221,
3 162.223, 162.241, 162.261, 162.291, 162.301, 162.341,
4 162.431, 162.459, 162.471, 162.481, 162.492, 162.601,
5 162.821, 162.825, 162.865, 162.867, and 162.910 of this act
6 shall become effective on January 1, 2023.

Section C. The enactment of sections 160.3100,
2 160.3102, 160.3104, 160.3106, 160.3108, 160.3110, 160.3112,
3 160.3114, 160.3116, and 160.3118, shall become effective on
4 August 28, 2023.

