

SECOND REGULAR SESSION

SENATE BILL NO. 764

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR CHAPPELLE-NADAL.

Pre-filed December 1, 2015, and ordered printed.

ADRIANE D. CROUSE, Secretary.

5018S.011

AN ACT

To repeal sections 160.011, 160.400, 160.403, 160.405, 160.410, 160.415, 160.417, 160.425, 162.081, 162.1250, 163.011, 163.018, 163.031, 163.036, 167.121, 167.131, 171.031, and 210.861, RSMo, and to enact in lieu thereof fifty-one new sections relating to elementary and secondary education, with an emergency clause.

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

Section A. Sections 160.011, 160.400, 160.403, 160.405, 160.410, 160.415, 160.417, 160.425, 162.081, 162.1250, 163.011, 163.018, 163.031, 163.036, 167.121, 167.131, 171.031, and 210.861, RSMo, are repealed and fifty-one new sections enacted in lieu thereof, to be known as sections 160.011, 160.400, 160.403, 160.405, 160.408, 160.410, 160.415, 160.417, 160.425, 161.084, 161.087, 161.238, 161.1000, 161.1005, 162.081, 162.1250, 162.1303, 162.1305, 162.1310, 162.1313, 163.011, 163.018, 163.031, 163.036, 167.121, 167.127, 167.131, 167.132, 167.642, 167.685, 167.688, 167.730, 167.825, 167.826, 167.827, 167.830, 167.833, 167.836, 167.839, 167.842, 167.845, 167.848, 167.890, 170.215, 170.320, 171.031, 177.015, 210.861, 633.420, 1, and 2, to read as follows:

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

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

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

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

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

9 include:

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

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

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

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

17 (4) "Graduation rate", the [quotient of the number of graduates in the
18 current year as of June thirtieth divided by the sum of the number of graduates
19 in the current year as of June thirtieth plus the number of twelfth graders who
20 dropped out in the current year plus the number of eleventh graders who dropped
21 out in the preceding year plus the number of tenth graders who dropped out in
22 the second preceding year plus the number of ninth graders who dropped out in
23 the third preceding year] **graduation rate determined by the annual
24 performance report required by the Missouri school improvement
25 program;**

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

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

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

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

34 (9) "School term", a minimum of one hundred seventy-four school days, as
35 that term is defined in section 160.041, for schools with a five-day school week or
36 a minimum of one hundred forty-two school days, as that term is defined in
37 section 160.041, for schools with a four-day school week, and one thousand
38 forty-four hours of actual pupil attendance as scheduled by the board pursuant
39 to section 171.031 during a twelve-month period in which the academic
40 instruction of pupils is actually and regularly carried on for a group of students
41 in the public schools of any school district. A school term may be within a school
42 year or may consist of parts of two consecutive school years, but does not include
43 summer school. A district may choose to operate two or more terms for different
44 groups of children. A school term for students participating in a school flex

45 program as established in section 160.539 may consist of a combination of actual
46 pupil attendance and attendance at college or technical career education or
47 approved employment aligned with the student's career academic plan for a total
48 of one thousand forty-four hours;

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

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

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

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

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

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

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

4 (1) In a metropolitan school district;

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

7 (3) In a school district that has been [declared] **classified as**
8 **unaccredited by the state board of education;**

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

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

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

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

34 **(6) In any school district that has most or all of its land area**
35 **located in a county with a charter form of government and with more**
36 **than six hundred thousand but fewer than seven hundred thousand**
37 **inhabitants, except for any district in such county that is accredited**
38 **without provisions by the state board of education and that has a**
39 **resident pupil enrollment of less than three thousand; or**

40 **(7) In any school district that has most or all of its land area**
41 **located in a county with a charter form of government and with more**
42 **than nine hundred fifty thousand inhabitants.**

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

45 (1) The school board of the district in any district which is sponsoring a
46 charter school as of August 27, 2012, as permitted under subdivision (1) or (2) of
47 subsection 2 of this section, the special administrative board of a metropolitan
48 school district during any time in which powers granted to the district's board of
49 education are vested in a special administrative board, or if the state board of
50 education appoints a special administrative board to retain the authority granted
51 to the board of education of an urban school district containing most or all of a
52 city with a population greater than three hundred fifty thousand inhabitants, the
53 special administrative board of such school district;

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

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

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

61 (5) Any two-year private vocational or technical school designated as a
62 501(c)(3) nonprofit organization under the Internal Revenue Code of 1986, as
63 amended, [which is a member of the North Central Association] and accredited
64 by the Higher Learning Commission, with its primary campus in Missouri; [or]

65 (6) The Missouri charter public school commission created in section
66 160.425.

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

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

74 (2) As a district transitions from provisionally accredited to full
75 accreditation, the district shall continue to fall under the requirements for a
76 provisionally accredited district until it achieves three consecutive full school
77 years of full accreditation;

78 (3) **(1)** In any school district classified as unaccredited or provisionally
79 accredited where a charter school is operating and is sponsored by an entity other
80 than the local school board, when the school district becomes classified as
81 accredited without provisions, a charter school may continue to be sponsored by
82 the entity sponsoring it prior to the classification of accredited without provisions
83 and shall not be limited to the local school board as a sponsor.

84 **(2)** A charter school operating in a school district identified in subdivision
85 (1) or (2) of subsection 2 of this section may be sponsored by any of the entities
86 identified in subsection 3 of this section, irrespective of the accreditation
87 classification of the district in which it is located. A charter school in a district
88 described in this subsection whose charter provides for the addition of grade
89 levels in subsequent years may continue to add levels until the planned
90 expansion is complete to the extent of grade levels in comparable schools of the
91 district in which the charter school is operated.

92 5. The mayor of a city not within a county may request a sponsor under
93 subdivision (2), (3), (4), (5), or (6) of subsection 3 of this section to consider
94 sponsoring a "workplace charter school", which is defined for purposes of sections
95 160.400 to 160.425 as a charter school with the ability to target prospective
96 students whose parent or parents are employed in a business district, as defined
97 in the charter, which is located in the city.

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

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

104 8. As a nonprofit corporation incorporated pursuant to chapter 355, the
105 charter school shall select the method for election of officers pursuant to section
106 355.326 based on the class of corporation selected. Meetings of the governing
107 board of the charter school shall be subject to the provisions of sections 610.010
108 to 610.030.

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

113 10. A charter school may affiliate with a four-year college or university,
114 including a private college or university, or a community college as otherwise
115 specified in subsection 3 of this section when its charter is granted by a sponsor
116 other than such college, university or community college. Affiliation status
117 recognizes a relationship between the charter school and the college or university
118 for purposes of teacher training and staff development, curriculum and
119 assessment development, use of physical facilities owned by or rented on behalf
120 of the college or university, and other similar purposes. A university, college or
121 community college may not charge or accept a fee for affiliation status.

122 11. The expenses associated with sponsorship of charter schools shall be
123 defrayed by the department of elementary and secondary education retaining one
124 and five-tenths percent of the amount of state and local funding allocated to the
125 charter school under section 160.415, not to exceed one hundred twenty-five
126 thousand dollars, adjusted for inflation. The department of elementary and
127 secondary education shall remit the retained funds for each charter school to the

128 school's sponsor, provided the sponsor remains in good standing by fulfilling its
129 sponsorship obligations under sections 160.400 to 160.425 and 167.349 with
130 regard to each charter school it sponsors, including appropriate demonstration of
131 the following:

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

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

139 (3) Negotiates contracts with charter schools that clearly articulate the
140 rights and responsibilities of each party regarding school autonomy, expected
141 outcomes, measures for evaluating success or failure, performance consequences
142 **aligned with annual performance report evaluations of public schools,**
143 and other material terms;

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

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

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

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

155 14. No sponsor shall grant a charter under sections 160.400 to 160.425
156 and 167.349 without ensuring that a criminal background check and family care
157 safety registry check are conducted for all members of the governing board of the
158 charter schools or the incorporators of the charter school if initial directors are
159 not named in the articles of incorporation, nor shall a sponsor renew a charter
160 without ensuring a criminal background check and family care **safety** registry
161 check are conducted for each member of the governing board of the charter school.

162 15. No member of the governing board of a charter school shall hold any
163 office or employment from the board or the charter school while serving as a

164 member, nor shall the member have any substantial interest, as defined in
165 section 105.450, in any entity employed by or contracting with the board. No
166 board member shall be an employee of a company that provides substantial
167 services to the charter school. All members of the governing board of the charter
168 school shall be considered decision-making public servants as defined in section
169 105.450 for the purposes of the financial disclosure requirements contained in
170 sections 105.483, 105.485, 105.487, and 105.489.

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

172 (1) The review of a charter school proposal including an application that
173 provides sufficient information for rigorous evaluation of the proposed charter and
174 provides clear documentation that the education program and academic program
175 are aligned with the state standards and grade-level expectations, and provides
176 clear documentation of effective governance and management structures, and a
177 sustainable operational plan;

178 (2) The granting of a charter;

179 (3) The performance [framework] **contract** that the sponsor will use to
180 evaluate the performance of charter schools. **Charter schools shall meet**
181 **current state academic performance standards as well as other**
182 **standards agreed upon by the sponsor and the charter school in the**
183 **performance contract;**

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

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

191 (6) Procedures to be implemented if a charter school should close,
192 consistent with the provisions of subdivision (15) of subsection 1 of section
193 160.405. The department shall provide guidance to sponsors in developing such
194 policies and procedures.

195 17. (1) A sponsor shall provide timely submission to the state board of
196 education of all data necessary to demonstrate that the sponsor is in material
197 compliance with all requirements of sections 160.400 to 160.425 and section
198 167.349. The state board of education shall ensure each sponsor is in compliance
199 with all requirements under sections 160.400 to 160.425 and 167.349 for each

200 charter school sponsored by any sponsor. The state board shall notify each
201 sponsor of the standards for sponsorship of charter schools, delineating both what
202 is mandated by statute and what best practices dictate. The state board shall
203 evaluate sponsors to determine compliance with these standards every three
204 years. The evaluation shall include a sponsor's policies and procedures in the
205 areas of charter application approval; required charter agreement terms and
206 content; sponsor performance evaluation and compliance monitoring; and charter
207 renewal, intervention, and revocation decisions. Nothing shall preclude the
208 department from undertaking an evaluation at any time for cause.

209 (2) If the department determines that a sponsor is in material
210 noncompliance with its sponsorship duties, the sponsor shall be notified and
211 given reasonable time for remediation. If remediation does not address the
212 compliance issues identified by the department, the commissioner of education
213 shall conduct a public hearing and thereafter provide notice to the charter
214 sponsor of corrective action that will be recommended to the state board of
215 education. Corrective action by the department may include withholding the
216 sponsor's funding and suspending the sponsor's authority to sponsor a school that
217 it currently sponsors or to sponsor any additional school until the sponsor is
218 reauthorized by the state board of education under section 160.403.

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

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

228 **18. If a sponsor notifies a charter school of closure under**
229 **subsection 8 of section 160.405, the department of elementary and**
230 **secondary education shall exercise its financial withholding authority**
231 **under subsection 13 of section 160.415 to assure all obligations of the**
232 **charter school shall be met. The state, charter sponsor, or resident**
233 **district shall not be liable for any outstanding liability or obligations**
234 **of the charter school.**

160.403. 1. The department of elementary and secondary education shall

2 establish an annual application and approval process for all entities eligible to
3 sponsor charters as set forth in section 160.400 which are not sponsoring a
4 charter school as of August 28, 2012, **except that the Missouri charter public**
5 **school commission shall not be required to undergo the application and**
6 **approval process.** No later than November 1, 2012, the department shall make
7 available information and guidelines for all eligible sponsors concerning the
8 opportunity to apply for sponsoring authority under this section.

9 2. The application process for sponsorship shall require each interested
10 eligible sponsor, **except for the Missouri charter public school**
11 **commission,** to submit an application by February first that includes the
12 following:

13 (1) Written notification of intent to serve as a charter school sponsor in
14 accordance with sections 160.400 to 160.425 and section 167.349;

15 (2) Evidence of the applicant sponsor's budget and personnel capacity;

16 (3) An outline of the request for proposal that the applicant sponsor
17 would, if approved as a charter sponsor, issue to solicit charter school applicants
18 consistent with sections 160.400 to 160.425 **and section 167.349;**

19 (4) The performance [framework] **contract** that the applicant sponsor
20 would, if approved as a charter sponsor, use to [guide the establishment of a
21 charter contract and for ongoing oversight and a description of how it would]
22 evaluate the charter schools it sponsors; and

23 (5) The applicant sponsor's renewal, revocation, and nonrenewal processes
24 consistent with section 160.405.

25 3. By April first of each year, the department shall decide whether to
26 grant or deny a sponsoring authority to a sponsor applicant. This decision shall
27 be made based on the applicant charter's compliance with sections 160.400 to
28 160.425 **and section 167.349** and properly promulgated rules of the department.

29 4. Within thirty days of the department's decision, the department shall
30 execute a renewable sponsoring contract with each entity it has approved as a
31 sponsor. The term of each authorizing contract shall be six years and renewable.
32 [No eligible sponsor which is not currently sponsoring a charter school as of
33 August 28, 2012, shall commence charter sponsorship without approval from the
34 state board of education and a sponsor contract with the state board of education
35 in effect.]

160.405. 1. A person, group or organization seeking to establish a charter
2 school shall submit the proposed charter, as provided in this section, to a sponsor.

3 If the sponsor is not a school board, the applicant shall give a copy of its
4 application to the school board of the district in which the charter school is to be
5 located and to the state board of education, within five business days of the date
6 the application is filed with the proposed sponsor. The school board may file
7 objections with the proposed sponsor, and, if a charter is granted, the school
8 board may file objections with the state board of education. The charter shall
9 **[be] include** a legally binding performance contract that describes the
10 obligations and responsibilities of the school and the sponsor as outlined in
11 sections 160.400 to 160.425 and section 167.349 and shall **[also include] address**
12 **the following:**

- 13 (1) A mission and vision statement for the charter school;
- 14 (2) A description of the charter school's organizational structure and
15 bylaws of the governing body, which will be responsible for the policy, financial
16 management, and operational decisions of the charter school, including the nature
17 and extent of parental, professional educator, and community involvement in the
18 governance and operation of the charter school;
- 19 (3) A financial plan for the first three years of operation of the charter
20 school including provisions for annual audits;
- 21 (4) A description of the charter school's policy for securing personnel
22 services, its personnel policies, personnel qualifications, and professional
23 development plan;
- 24 (5) A description of the grades or ages of students being served;
- 25 (6) The school's calendar of operation, which shall include at least the
26 equivalent of a full school term as defined in section 160.011;
- 27 (7) A description of the charter school's pupil performance standards and
28 academic program performance standards, which shall meet the requirements of
29 subdivision (6) of subsection 4 of this section. The charter school program shall
30 be designed to enable each pupil to achieve such standards and shall contain a
31 complete set of indicators, measures, metrics, and targets for academic program
32 performance, including specific goals on graduation rates and standardized test
33 performance and academic growth;
- 34 (8) A description of the charter school's educational program and
35 curriculum;
- 36 (9) The term of the charter, which shall be five years and **[shall] may** be
37 **[renewable] renewed;**
- 38 (10) Procedures, consistent with the Missouri financial accounting

39 manual, for monitoring the financial accountability of the charter, which shall
40 meet the requirements of subdivision (4) of subsection 4 of this section;

41 (11) Preopening requirements for applications that require that charter
42 schools meet all health, safety, and other legal requirements prior to opening;

43 (12) A description of the charter school's policies on student discipline and
44 student admission, which shall include a statement, where applicable, of the
45 validity of attendance of students who do not reside in the district but who may
46 be eligible to attend under the terms of judicial settlements and procedures that
47 ensure admission of students with disabilities in a nondiscriminatory manner;

48 (13) A description of the charter school's grievance procedure for parents
49 or guardians;

50 (14) A description of the agreement **and time frame for**
51 **implementation** between the charter school and the sponsor as to when a
52 sponsor shall intervene in a charter school, when a sponsor shall revoke a charter
53 for failure to comply with subsection 8 of this section, and when a sponsor will
54 not renew a charter under subsection 9 of this section;

55 (15) Procedures to be implemented if the charter school should close, as
56 provided in subdivision (6) of subsection 16 of section 160.400 including:

57 (a) Orderly transition of student records to new schools and archival of
58 student records;

59 (b) Archival of business operation and transfer or repository of personnel
60 records;

61 (c) Submission of final financial reports;

62 (d) Resolution of any remaining financial obligations; [and]

63 (e) Disposition of the charter school's assets upon closure; **and**

64 (f) A notification plan to inform parents or guardians of students, the local
65 school district, the retirement system in which the charter school's employees
66 participate, and the state board of education within thirty days of the decision to
67 close;

68 (16) A description of the special education and related services that shall
69 be available to meet the needs of students with disabilities; and

70 (17) For all new or revised charters, procedures to be used upon closure
71 of the charter school requiring that unobligated assets of the charter school be
72 returned to the department of elementary and secondary education for their
73 disposition, which upon receipt of such assets shall return them to the local
74 school district in which the school was located, the state, or any other entity to

75 which they would belong.

76 Charter schools operating on August 27, 2012, shall have until August 28, 2015,
77 to meet the requirements of this subsection.

78 2. Proposed charters shall be subject to the following requirements:

79 (1) A charter shall be submitted to the sponsor, and follow the sponsor's
80 policies and procedures for review and granting of a charter approval, and be
81 approved by the state board of education by [December first of the year] **January**
82 **thirty-first** prior to **the school year** of the proposed opening date of the
83 charter school;

84 (2) A charter may be approved when the sponsor determines that the
85 requirements of this section are met, determines that the applicant is sufficiently
86 qualified to operate a charter school, and that the proposed charter is consistent
87 with the sponsor's charter sponsorship goals and capacity. The sponsor's decision
88 of approval or denial shall be made within ninety days of the filing of the
89 proposed charter;

90 (3) If the charter is denied, the proposed sponsor shall notify the applicant
91 in writing as to the reasons for its denial and forward a copy to the state board
92 of education within five business days following the denial;

93 (4) If a proposed charter is denied by a sponsor, the proposed charter may
94 be submitted to the state board of education, along with the sponsor's written
95 reasons for its denial. If the state board determines that the applicant meets the
96 requirements of this section, that the applicant is sufficiently qualified to operate
97 the charter school, and that granting a charter to the applicant would be likely
98 to provide educational benefit to the children of the district, the state board may
99 grant a charter and act as sponsor of the charter school. The state board shall
100 review the proposed charter and make a determination of whether to deny or
101 grant the proposed charter within sixty days of receipt of the proposed charter,
102 provided that any charter to be considered by the state board of education under
103 this subdivision shall be submitted no later than March first prior to the school
104 year in which the charter school intends to begin operations. The state board of
105 education shall notify the applicant in writing as the reasons for its denial, if
106 applicable; and

107 (5) The sponsor of a charter school shall give priority to charter school
108 applicants that propose a school oriented to high-risk students and to the reentry
109 of dropouts into the school system. If a sponsor grants three or more charters,
110 at least one-third of the charters granted by the sponsor shall be to schools that

111 actively recruit dropouts or high-risk students as their student body and address
112 the needs of dropouts or high-risk students through their proposed mission,
113 curriculum, teaching methods, and services. For purposes of this subsection, a
114 "high-risk" student is one who is at least one year behind in satisfactory
115 completion of course work or obtaining high school credits for graduation, has
116 dropped out of school, is at risk of dropping out of school, needs drug and alcohol
117 treatment, has severe behavioral problems, has been suspended from school three
118 or more times, has a history of severe truancy, is a pregnant or parenting teen,
119 has been referred for enrollment by the judicial system, is exiting incarceration,
120 is a refugee, is homeless or has been homeless sometime within the preceding six
121 months, has been referred by an area school district for enrollment in an
122 alternative program, or qualifies as high risk under department of elementary
123 and secondary education guidelines. "Dropout" shall be defined through the
124 guidelines of the school core data report. The provisions of this subsection do not
125 apply to charters sponsored by the state board of education.

126 3. If a charter is approved by a sponsor, the charter application shall be
127 submitted to the state board of education, along with a statement of finding **by**
128 **the sponsor** that the application meets the requirements of sections 160.400 to
129 160.425 and section 167.349 and a monitoring plan under which the charter
130 sponsor shall evaluate the academic performance, **including annual**
131 **performance reports**, of students enrolled in the charter school. The state
132 board of education [may, within sixty days, disapprove the granting of the
133 charter] **shall approve or deny a charter application within sixty days**
134 **of receipt of the application.** The state board of education may [disapprove]
135 **deny** a charter on grounds that the application fails to meet the requirements of
136 sections 160.400 to 160.425 and section 167.349 or that a charter sponsor
137 previously failed to meet the statutory responsibilities of a charter sponsor. **Any**
138 **denial of a charter application made by the state board of education**
139 **shall be in writing and shall identify the specific failures of the**
140 **application to meet the requirements of sections 160.400 to 160.425 and**
141 **section 167.349, and the written denial shall be provided within ten**
142 **business days to the sponsor.**

143 4. A charter school shall, as provided in its charter:

144 (1) Be nonsectarian in its programs, admission policies, employment
145 practices, and all other operations;

146 (2) Comply with laws and regulations of the state, county, or city relating

147 to health, safety, and state minimum educational standards, as specified by the
148 state board of education, including the requirements relating to student discipline
149 under sections 160.261, 167.161, 167.164, and 167.171, notification of criminal
150 conduct to law enforcement authorities under sections 167.115 to 167.117,
151 academic assessment under section 160.518, transmittal of school records under
152 section 167.020, the minimum [number of school days and hours] **amount of**
153 **school time** required under section 160.041, and the employee criminal history
154 background check and the family care safety registry check under section 168.133;

155 (3) Except as provided in sections 160.400 to 160.425 **and as specifically**
156 **provided in other sections**, be exempt from all laws and rules relating to
157 schools, governing boards and school districts;

158 (4) Be financially accountable, use practices consistent with the Missouri
159 financial accounting manual, provide for an annual audit by a certified public
160 accountant, publish audit reports and annual financial reports as provided in
161 chapter 165, provided that the annual financial report may be published on the
162 department of elementary and secondary education's internet website in addition
163 to other publishing requirements, and provide liability insurance to indemnify the
164 school, its board, staff and teachers against tort claims. A charter school that
165 receives local educational agency status under subsection 6 of this section shall
166 meet the requirements imposed by the Elementary and Secondary Education Act
167 for audits of such agencies and comply with all federal audit requirements for
168 charters with local [education] **educational** agency status. For purposes of an
169 audit by petition under section 29.230, a charter school shall be treated as a
170 political subdivision on the same terms and conditions as the school district in
171 which it is located. For the purposes of securing such insurance, a charter school
172 shall be eligible for the Missouri public entity risk management fund pursuant
173 to section 537.700. A charter school that incurs debt shall include a repayment
174 plan in its financial plan;

175 (5) Provide a comprehensive program of instruction for at least one grade
176 or age group from [kindergarten] **early childhood** through grade twelve, [which
177 may include early childhood education if funding for such programs is established
178 by statute,] as specified in its charter;

179 (6) (a) Design a method to measure pupil progress toward the pupil
180 academic standards adopted by the state board of education pursuant to section
181 160.514, establish baseline student performance in accordance with the
182 performance contract during the first year of operation, collect student

183 performance data as defined by the annual performance report throughout the
184 duration of the charter to annually monitor student academic performance, and
185 to the extent applicable based upon grade levels offered by the charter school,
186 participate in the statewide system of assessments, comprised of the essential
187 skills tests and the nationally standardized norm-referenced achievement tests,
188 as designated by the state board pursuant to section 160.518, complete and
189 distribute an annual report card as prescribed in section 160.522, which shall also
190 include a statement that background checks have been completed on the charter
191 school's board members, report to its sponsor, the local school district, and the
192 state board of education as to its teaching methods and any educational
193 innovations and the results thereof, and provide data required for the study of
194 charter schools pursuant to subsection 4 of section 160.410. No charter school
195 shall be considered in the Missouri school improvement program review of the
196 district in which it is located for the resource or process standards of the
197 program.

198 (b) For proposed [high risk] **high-risk** or alternative charter schools,
199 sponsors shall approve performance measures based on mission, curriculum,
200 teaching methods, and services. Sponsors shall also approve comprehensive
201 academic and behavioral measures to determine whether students are meeting
202 performance standards on a different time frame as specified in that school's
203 charter. Student performance shall be assessed comprehensively to determine
204 whether a [high risk] **high-risk** or alternative charter school has documented
205 adequate student progress. Student performance shall be based on
206 sponsor-approved comprehensive measures as well as standardized public school
207 measures. Annual presentation of charter school report card data to the
208 department of elementary and secondary education, the state board, and the
209 public shall include comprehensive measures of student progress.

210 (c) Nothing in this subdivision shall be construed as permitting a charter
211 school to be held to lower performance standards than other public schools within
212 a district; however, the charter of a charter school may permit students to meet
213 performance standards on a different time frame as specified in its charter. The
214 performance standards for alternative and special purpose charter schools that
215 target high-risk students as defined in subdivision (5) of subsection 2 of this
216 section shall be based on measures defined in the school's performance contract
217 with its sponsors;

218 (7) Comply with all applicable federal and state laws and regulations

219 regarding students with disabilities, including sections 162.670 to 162.710, the
220 Individuals with Disabilities Education Act (20 U.S.C. Section 1400) and Section
221 504 of the Rehabilitation Act of 1973 (29 U.S.C. Section 794) or successor
222 legislation;

223 (8) Provide along with any request for review by the state board of
224 education the following:

225 (a) Documentation that the applicant has provided a copy of the
226 application to the school board of the district in which the charter school is to be
227 located, except in those circumstances where the school district is the sponsor of
228 the charter school; and

229 (b) A statement outlining the reasons for approval or [disapproval] **denial**
230 by the sponsor, specifically addressing the requirements of sections 160.400 to
231 160.425 and 167.349.

232 5. (1) Proposed or existing high-risk or alternative charter schools may
233 include alternative arrangements for students to obtain credit for satisfying
234 graduation requirements in the school's charter application and
235 charter. Alternative arrangements may include, but not be limited to, credit for
236 off-campus instruction, embedded credit, work experience through an internship
237 arranged through the school, and independent studies. When the state board of
238 education approves the charter, any such alternative arrangements shall be
239 approved at such time.

240 (2) The department of elementary and secondary education shall conduct
241 a study of any charter school granted alternative arrangements for students to
242 obtain credit under this subsection after three years of operation to assess
243 student performance, graduation rates, educational outcomes, and entry into the
244 workforce or higher education.

245 6. The charter of a charter school may be amended at the request of the
246 governing body of the charter school and on the approval of the sponsor. The
247 sponsor and the governing board and staff of the charter school shall jointly
248 review the school's performance, management and operations during the first year
249 of operation and then every other year after the most recent review or at any
250 point where the operation or management of the charter school is changed or
251 transferred to another entity, either public or private. The governing board of a
252 charter school may amend the charter, if the sponsor approves such amendment,
253 or the sponsor and the governing board may reach an agreement in writing to
254 reflect the charter school's decision to become a local educational agency. In such

255 case the sponsor shall give the department of elementary and secondary
256 education written notice no later than March first of any year, with the
257 agreement to become effective July first. The department may waive the March
258 first notice date in its discretion. The department shall identify and furnish a list
259 of its regulations that pertain to local educational agencies to such schools within
260 thirty days of receiving such notice.

261 7. Sponsors shall annually review the charter school's compliance with
262 statutory standards including:

263 (1) Participation in the statewide system of assessments, as designated
264 by the state board of education under section 160.518;

265 (2) Assurances for the completion and distribution of an annual report
266 card as prescribed in section 160.522;

267 (3) The collection of baseline data during the first three years of operation
268 to determine the longitudinal success of the charter school;

269 (4) A method to measure pupil progress toward the pupil academic
270 standards adopted by the state board of education under section 160.514; and

271 (5) Publication of each charter school's annual performance report.

272 8. (1) (a) A sponsor's [intervention] policies shall give schools clear,
273 adequate, evidence-based, and timely notice of contract violations or performance
274 deficiencies and mandate intervention based upon findings of the state board of
275 education of the following:

276 a. The charter school provides a high school program which fails to
277 maintain a graduation rate of at least seventy percent in three of the last four
278 school years unless the school has dropout recovery as its mission;

279 b. The charter school's annual performance report results are below the
280 district's annual performance report results based on the performance standards
281 that are applicable to the grade level configuration of both the charter school and
282 the district in which the charter school is located in three of the last four school
283 years; and

284 c. The charter school is identified as a persistently lowest achieving school
285 by the department of elementary and secondary education.

286 (b) A sponsor shall have a policy to revoke a charter during the charter
287 term if there is:

288 a. Clear evidence of underperformance as demonstrated in the charter
289 school's annual performance report in three of the last four school years; or

290 b. A violation of the law or the public trust that imperils students or

291 public funds.

292 (c) A sponsor shall revoke a charter or take other appropriate remedial
293 action, which may include placing the charter school on probationary status for
294 no more than [twelve] **twenty-four** months, provided that no more than one
295 designation of probationary status shall be allowed for the duration of the charter
296 contract, at any time if the charter school commits a serious breach of one or
297 more provisions of its charter or on any of the following grounds: failure to meet
298 the performance contract as set forth in its charter, failure to meet generally
299 accepted standards of fiscal management, failure to provide information necessary
300 to confirm compliance with all provisions of the charter and sections 160.400 to
301 160.425 and 167.349 within forty-five days following receipt of written notice
302 requesting such information, or violation of law.

303 (2) The sponsor may place the charter school on probationary status to
304 allow the implementation of a remedial plan, which may require a change of
305 methodology, a change in leadership, or both, after which, if such plan is
306 unsuccessful, the charter may be revoked.

307 (3) At least sixty days before acting to revoke a charter, the sponsor shall
308 notify the governing board of the charter school of the proposed action in
309 writing. The notice shall state the grounds for the proposed action. The school's
310 governing board may request in writing a hearing before the sponsor within two
311 weeks of receiving the notice.

312 (4) The sponsor of a charter school shall establish procedures to conduct
313 administrative hearings upon determination by the sponsor that grounds exist to
314 revoke a charter. Final decisions of a sponsor from hearings conducted pursuant
315 to this subsection are subject to an appeal to the state board of education, which
316 shall determine whether the charter shall be revoked.

317 (5) A termination shall be effective only at the conclusion of the school
318 year, unless the sponsor determines that continued operation of the school
319 presents a clear and immediate threat to the health and safety of the children.

320 (6) A charter sponsor shall make available the school accountability report
321 card information as provided under section 160.522 and the results of the
322 academic monitoring required under subsection 3 of this section.

323 9. (1) A sponsor shall take all reasonable steps necessary to confirm that
324 each charter school sponsored by such sponsor is in material compliance and
325 remains in material compliance with all material provisions of the charter and
326 sections 160.400 to 160.425 and 167.349. Every charter school shall provide all

327 information necessary to confirm ongoing compliance with all provisions of its
328 charter and sections 160.400 to 160.425 and 167.349 in a timely manner to its
329 sponsor.

330 (2) The sponsor's renewal process of the charter school shall be based on
331 the thorough analysis of a comprehensive body of objective evidence and consider
332 if:

333 (a) The charter school has maintained results on its annual performance
334 report that meet or exceed the district in which the charter school is located
335 based on the performance standards that are applicable to the grade-level
336 configuration of both the charter school and the district in which the charter
337 school is located in three of the last four school years;

338 (b) The charter school is organizationally and fiscally viable determining
339 at a minimum that the school does not have:

340 a. A negative balance in its operating funds;

341 b. A combined balance of less than three percent of the amount expended
342 for such funds during the previous fiscal year; or

343 c. Expenditures that exceed receipts for the most recently completed fiscal
344 year;

345 (c) The charter is in compliance with its legally binding performance
346 contract and sections 160.400 to 160.425 and section 167.349; **and**

347 **(d) The charter school has an annual performance report**
348 **consistent with a classification of accredited for three of the last four**
349 **years and is fiscally viable as described in paragraph (b) of subdivision**
350 **(2) of this subsection. If such is the case, the charter school may have**
351 **an expedited renewal process as defined by rule of the department of**
352 **elementary and secondary education.**

353 (3) (a) Beginning August first during the year in which a charter is
354 considered for renewal, a charter school sponsor shall demonstrate to the state
355 board of education that the charter school is in compliance with federal and state
356 law as provided in sections 160.400 to 160.425 and section 167.349 and the
357 school's performance contract including but not limited to those requirements
358 specific to academic performance.

359 (b) Along with data reflecting the academic performance standards
360 indicated in paragraph (a) of this subdivision, the sponsor shall submit a revised
361 charter application to the state board of education for review.

362 (c) Using the data requested and the revised charter application under

363 paragraphs (a) and (b) of this subdivision, the state board of education shall
364 determine if compliance with all standards enumerated in this subdivision has
365 been achieved. The state board of education at its next regularly scheduled
366 meeting shall vote on the revised charter application.

367 (d) If a charter school sponsor demonstrates the objectives identified in
368 this subdivision, the state board of education shall renew the school's charter.

369 10. A school district may enter into a lease with a charter school for
370 physical facilities.

371 11. A governing board or a school district employee who has control over
372 personnel actions shall not take unlawful reprisal against another employee at
373 the school district because the employee is directly or indirectly involved in an
374 application to establish a charter school. A governing board or a school district
375 employee shall not take unlawful reprisal against an educational program of the
376 school or the school district because an application to establish a charter school
377 proposes the conversion of all or a portion of the educational program to a charter
378 school. As used in this subsection, "unlawful reprisal" means an action that is
379 taken by a governing board or a school district employee as a direct result of a
380 lawful application to establish a charter school and that is adverse to another
381 employee or an educational program.

382 12. Charter school board members shall be subject to the same liability
383 for acts while in office as if they were regularly and duly elected members of
384 school boards in any other public school district in this state. The governing
385 board of a charter school may participate, to the same extent as a school board,
386 in the Missouri public entity risk management fund in the manner provided
387 under sections 537.700 to 537.756.

388 13. Any entity, either public or private, operating, administering, or
389 otherwise managing a charter school shall be considered a quasi-public
390 governmental body and subject to the provisions of sections 610.010 to 610.035.

391 14. The chief financial officer of a charter school shall maintain:

392 (1) A surety bond in an amount determined by the sponsor to be adequate
393 based on the cash flow of the school; or

394 (2) An insurance policy issued by an insurance company licensed to do
395 business in Missouri on all employees in the amount of five hundred thousand
396 dollars or more that provides coverage in the event of employee theft.

397 **15. The department of elementary and secondary education shall**
398 **calculate an annual performance report for each charter school and**

399 shall publish it in the same manner as annual performance reports are
400 calculated and published for districts and attendance centers.

401 16. The department of elementary and secondary education shall
402 create a committee to investigate facility access and affordability for
403 charter schools. The committee shall be comprised of equal numbers
404 of the charter school sector and the public school sector and shall
405 report its findings to the general assembly by December 31, 2016.

160.408. 1. For purposes of this section, “high-quality local
2 educational agency” means a charter school operating in the state of
3 Missouri that meets the following requirements:

4 (1) Receives eighty percent or more of the total points on the
5 annual performance report for three out of the last four school years
6 by comparing points earned to the points possible on the annual
7 performance report for three of the last four school years;

8 (2) Maintains a graduation rate of at least eighty percent for
9 three of the last four school years, if the charter school provides a high
10 school program;

11 (3) Is in material compliance with its legally binding
12 performance contract and sections 160.400 to 160.425 and section
13 167.349; and

14 (4) Is organizationally and fiscally viable as described in
15 paragraph (b) of subdivision (2) of subsection 9 of section 160.405.

16 2. Notwithstanding any other provision of law, high-quality local
17 educational agencies shall be provided expedited opportunities to
18 replicate and expand into unaccredited districts; provisionally
19 accredited districts; a metropolitan school district; an urban school
20 district containing most or all of a city with a population greater than
21 three hundred fifty thousand inhabitants; a school district that has
22 most or all of its land area located in a county with a charter form of
23 government and with more than nine hundred fifty thousand
24 inhabitants; and a school district that has most or all of its land area
25 located in a county with a charter form of government and with more
26 than six hundred thousand but fewer than seven hundred thousand
27 inhabitants, except for any district in such county that is accredited
28 without provisions by the state board of education and that has a
29 resident pupil enrollment of less than three thousand. Such replication
30 and expansion shall be subject to the following:

31 **(1) The school seeking to replicate or expand shall submit its**
32 **proposed charter to a proposed sponsor. The charter shall include a**
33 **legally binding performance contract that meets the requirements of**
34 **sections 160.400 to 160.425 and section 167.349;**

35 **(2) The sponsor's decision to approve or deny shall be made**
36 **within sixty days of the filing of the proposed charter with the**
37 **proposed sponsor; and**

38 **(3) If a charter is approved by a sponsor, the charter application**
39 **shall be filed with the state board of education with a statement of**
40 **finding from the sponsor that the application meets the requirements**
41 **of sections 160.400 to 160.425 and section 167.349 and a monitoring plan**
42 **under which the sponsor shall evaluate the academic performance of**
43 **students enrolled in the charter school. Such filing shall be made by**
44 **January thirty-first prior to the school year in which the charter school**
45 **intends to begin operations.**

46 **3. The term of the charter for schools operating under this**
47 **section shall be five years, and the charter may be renewed for terms**
48 **of up to ten years. Renewal shall be subject to the provisions of**
49 **paragraphs (a) to (d) of subdivision (3) of subsection 9 of section**
50 **160.405.**

160.410. 1. A charter school shall enroll:

2 **(1) All pupils resident in the district in which it operates;**

3 **(2) Nonresident pupils eligible to attend a district's school under an urban**
4 **voluntary transfer program;**

5 **(3) Nonresident pupils who are residents of Missouri and have at**
6 **least one parent employed by the charter school at which the**
7 **nonresident pupil is seeking enrollment unless the pupil's enrollment**
8 **will cause a resident student to be denied enrollment;**

9 **(4) Nonresident pupils from the same or an adjoining county who**
10 **were enrolled in and attended an unaccredited school for at least one**
11 **semester immediately prior to requesting the transfer and who were**
12 **unable to transfer to an accredited school within their district of**
13 **residence as provided in section 167.826, provided the school is an**
14 **approved charter school, as defined in section 167.848, and subject to**
15 **all other provisions of section 167.826;**

16 **(5) In the case of a charter school whose mission includes student**
17 **drop-out prevention or recovery, any nonresident pupil from the same or an**

18 adjacent county who resides in a residential care facility, a transitional living
19 group home, or an independent living program whose last school of enrollment is
20 in the school district where the charter school is established, who submits a
21 timely application; and

22 [(4)] **(6)** In the case of a workplace charter school, any student eligible
23 to attend under subdivision (1) or (2) of this subsection whose parent is employed
24 in the business district, who submits a timely application, unless the number of
25 applications exceeds the capacity of a program, class, grade level or building. The
26 configuration of a business district shall be set forth in the charter and shall not
27 be construed to create an undue advantage for a single employer or small number
28 of employers.

29 2. If capacity is insufficient to enroll all pupils who submit a timely
30 application, the charter school shall have an admissions process that assures all
31 applicants of an equal chance of gaining admission **and does not discriminate**
32 **based on parents' ability to pay fees or tuition** except that:

33 (1) A charter school may establish a geographical area around the school
34 whose residents will receive a preference for enrolling in the school, provided that
35 such preferences do not result in the establishment of racially or
36 socioeconomically isolated schools and provided such preferences conform to
37 policies and guidelines established by the state board of education;

38 (2) A charter school may also give a preference for admission of children
39 whose siblings attend the school, **for admission of children residing in the**
40 **district in which it operates and [or]** whose parents are employed at the
41 school, or, in the case of a workplace charter school, **for admission of a child**
42 whose parent is employed in the business district or at the business site of such
43 school; and

44 (3) Charter alternative and special purpose schools may also give a
45 preference for admission to high-risk students, as defined in subdivision (5) of
46 subsection 2 of section 160.405, when the school targets these students through
47 its proposed mission, curriculum, teaching methods, and services.

48 3. A charter school shall not limit admission based on race, ethnicity,
49 national origin, disability, income level, proficiency in the English language or
50 athletic ability, but may limit admission to pupils within a given age group or
51 grade level. Charter schools may limit admission based on gender only when the
52 school is a single-gender school. Students of a charter school [that are present
53 for the January membership count as defined in section 163.011] **who have**

54 **been enrolled for a full academic year** shall be counted in the performance
55 of the charter school on the statewide assessments in that calendar year, unless
56 otherwise exempted as English language learners. **For purposes of this**
57 **subsection, "full academic year" means the last Wednesday in September**
58 **through the administration of the Missouri assessment program test**
59 **without transferring out of the school and re-enrolling.**

60 4. The department of elementary and secondary education shall
61 commission a study of the performance of students at each charter school in
62 comparison with an equivalent group of district students representing an
63 equivalent demographic and geographic population and a study of the impact of
64 charter schools upon the constituents they serve in the districts in which they are
65 located, to be conducted by the joint committee on education. The charter school
66 study shall include analysis of the administrative and instructional practices of
67 each charter school and shall include findings on innovative programs that
68 illustrate best practices and lend themselves to replication or incorporation in
69 other schools. The joint committee on education shall coordinate with individuals
70 representing charter schools and the districts in which charter schools are located
71 in conducting the study. The study of a charter school's student performance in
72 relation to a comparable group shall be designed to provide information that
73 would allow parents and educators to make valid comparisons of academic
74 performance between the charter school's students and an equivalent group of
75 district students representing an equivalent demographic and geographic
76 population. The student performance assessment and comparison shall include,
77 but may not be limited to:

- 78 (1) Missouri assessment program test performance and aggregate growth
79 over several years;
- 80 (2) Student reenrollment rates;
- 81 (3) Educator, parent, and student satisfaction data;
- 82 (4) Graduation rates in secondary programs; and
- 83 (5) Performance of students enrolled in the same public school for three
84 or more consecutive years. The impact study shall be undertaken every two years
85 to determine the impact of charter schools on the constituents they serve in the
86 districts where charter schools are operated. The impact study shall include, but
87 is not limited to, determining if changes have been made in district policy or
88 procedures attributable to the charter school and to perceived changes in
89 attitudes and expectations on the part of district personnel, school board

90 members, parents, students, the business community and other education
91 stakeholders. The department of elementary and secondary education shall make
92 the results of the studies public and shall deliver copies to the governing boards
93 of the charter schools, the sponsors of the charter schools, the school board and
94 superintendent of the districts in which the charter schools are operated.

95 5. A charter school shall make available for public inspection, and provide
96 upon request, to the parent, guardian, or other custodian of any school-age pupil
97 resident in the district in which the school is located the following information:

98 (1) The school's charter;

99 (2) The school's most recent annual report card published according to
100 section 160.522;

101 (3) The results of background checks on the charter school's board
102 members; and

103 (4) If a charter school is operated by a management company, a copy of
104 the written contract between the governing board of the charter school and the
105 educational management organization or the charter management organization
106 for services. The charter school may charge reasonable fees, not to exceed the
107 rate specified in section 610.026 for furnishing copies of documents under this
108 subsection.

109 6. When a student attending a charter school who is a resident of the
110 school district in which the charter school is located moves out of the boundaries
111 of such school district, the student may complete the current semester and shall
112 be considered a resident student. The student's parent or legal guardian shall
113 be responsible for the student's transportation to and from the charter school.

114 7. If a change in school district boundary lines occurs under section
115 162.223, 162.431, 162.441, or 162.451, or by action of the state board of education
116 under section 162.081, including attachment of a school district's territory to
117 another district or dissolution, such that a student attending a charter school
118 prior to such change no longer resides in a school district in which the charter
119 school is located, then the student may complete the current academic year at the
120 charter school. The student shall be considered a resident student. The student's
121 parent or legal guardian shall be responsible for the student's transportation to
122 and from the charter school.

123 8. The provisions of sections 167.018 and 167.019 concerning foster
124 children's educational rights are applicable to charter schools.

160.415. 1. For the purposes of calculation and distribution of state

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

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

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

23 (2) The district of residence of a pupil attending a charter school shall also
24 pay to the charter school any other federal or state aid that the district receives
25 on account of such child.

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

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

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

37 3. A workplace charter school shall receive payment for each eligible pupil

38 as provided under subsection 2 of this section, except that if the student is not a
39 resident of the district and is participating in a voluntary interdistrict transfer
40 program, the payment for such pupils shall be the same as provided under section
41 162.1060.

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

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

70 6. **For purposes of calculation and distribution of state school aid**
71 **to charter schools under this section, a charter school's weighted**
72 **average daily attendance shall include any nonresident pupil who is a**
73 **resident of Missouri, who attends the charter school, and whose parent**

74 is employed at the charter school.

75 7. The charter school and a local school board may agree by contract for
76 services to be provided by the school district to the charter school. The charter
77 school may contract with any other entity for services. Such services may include
78 but are not limited to food service, custodial service, maintenance, management
79 assistance, curriculum assistance, media services and libraries and shall be
80 subject to negotiation between the charter school and the local school board or
81 other entity. Documented actual costs of such services shall be paid for by the
82 charter school.

83 [7.] **8.** In the case of a proposed charter school that intends to contract
84 with an education service provider for substantial educational services[,] **or**
85 management services, the request for proposals shall additionally require the
86 charter school applicant to:

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

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

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

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

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

105 (6) Provide a process to ensure that the expenditures that the
106 [educational] **education** service provider intends to bill to the charter school
107 shall receive prior approval of the governing board or its designee.

108 [8.] **9.** A charter school may enter into contracts with community
109 partnerships and state agencies acting in collaboration with such partnerships

110 that provide services to children and their families linked to the school.

111 [9.] 10. A charter school shall be eligible for transportation state aid
112 pursuant to section 163.161 and shall be free to contract with the local district,
113 or any other entity, for the provision of transportation to the students of the
114 charter school.

115 [10.] 11. (1) The proportionate share of state and federal resources
116 generated by students with disabilities or staff serving them shall be paid in full
117 to charter schools enrolling those students by their school district where such
118 enrollment is through a contract for services described in this section. The
119 proportionate share of money generated under other federal or state categorical
120 aid programs shall be directed to charter schools serving such students eligible
121 for that aid.

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

125 [11.] 12. A charter school may not charge tuition[, nor may it] or impose
126 fees that a school district is prohibited from **charging or imposing except that**
127 **a charter school may receive tuition payments from districts in the**
128 **same or an adjoining county for nonresident students who transfer to**
129 **a charter school from an unaccredited school under section 167.826.**

130 [12.] 13. A charter school is authorized to incur debt in anticipation of
131 receipt of funds. A charter school may also borrow to finance facilities and other
132 capital items. A school district may incur bonded indebtedness or take other
133 measures to provide for physical facilities and other capital items for charter
134 schools that it sponsors or contracts with. **Except as otherwise specifically**
135 **provided in sections 160.400 to 160.425**, upon the dissolution of a charter
136 school, any liabilities of the corporation will be satisfied through the procedures
137 of chapter 355. The department of elementary and secondary education may
138 withhold funding at a level the department determines to be adequate during a
139 school's last year of operation until the department determines that school
140 records, liabilities, and reporting requirements, including a full audit, are
141 satisfied.

142 [13.] 14. Charter schools shall not have the power to acquire property by
143 eminent domain.

144 [14.] 15. The governing body of a charter school is authorized to accept
145 grants, gifts or donations of any kind and to expend or use such grants, gifts or

146 donations. A grant, gift or donation may not be accepted by the governing body
147 if it is subject to any condition contrary to law applicable to the charter school or
148 other public schools, or contrary to the terms of the charter.

160.417. 1. By October 1, 2012, and by each October first thereafter, the
2 sponsor of each charter school shall review the information submitted on the
3 report required by section 162.821 to identify charter schools experiencing
4 financial stress. The department of elementary and secondary education shall be
5 authorized to obtain such additional information from a charter school as may be
6 necessary to determine the financial condition of the charter school. Annually,
7 a listing of charter schools identified as experiencing financial stress according
8 to the provisions of this section shall be provided to the governor, speaker of the
9 house of representatives, and president pro tempore of the senate by the
10 department of elementary and secondary education.

11 2. For the purposes of this section, a charter school shall be identified as
12 experiencing financial stress if it:

13 (1) At the end of its most recently completed fiscal year:

14 (a) Has a negative balance in its operating funds; or

15 (b) Has a combined balance of less than three percent of the amount
16 expended from such funds during the previous fiscal year; or

17 (2) For the most recently completed fiscal year expenditures, exceeded
18 receipts for any of its funds because of recurring costs.

19 3. The sponsor shall notify by November first the governing board of the
20 charter school identified as experiencing financial stress. Upon receiving the
21 notification, the governing board shall develop, or cause to have developed, and
22 shall approve a budget and education plan on forms provided by the sponsor. The
23 budget and education plan shall be submitted to the sponsor, signed by the
24 officers of the charter school, within forty-five calendar days of notification that
25 the charter school has been identified as experiencing financial
26 stress. Minimally, the budget and education plan shall:

27 (1) Give assurances that adequate educational services to students of the
28 charter school shall continue uninterrupted for the remainder of the current
29 school year and that the charter school can provide the minimum [number of
30 school days and hours] **amount of school time** required by section 160.041;

31 (2) Outline a procedure to be followed by the charter school to report to
32 charter school patrons about the financial condition of the charter school; and

33 (3) Detail the expenditure reduction measures, revenue increases, or other

34 actions to be taken by the charter school to address its condition of financial
35 stress.

36 4. Upon receipt and following review of any budget and education plan,
37 the sponsor may make suggestions to improve the plan. Nothing in sections
38 160.400 to 160.425 or section 167.349 shall exempt a charter school from
39 submitting a budget and education plan to the sponsor according to the provisions
40 of this section following each such notification that a charter school has been
41 identified as experiencing financial stress, except that the sponsor may permit a
42 charter school's governing board to make amendments to or update a budget and
43 education plan previously submitted to the sponsor.

44 5. The department may withhold any payment of financial aid otherwise
45 due to the charter school until such time as the sponsor and the charter school
46 have fully complied with this section.

160.425. 1. The "Missouri Charter Public School Commission" is hereby
2 created with the authority to sponsor [high quality] **high-quality** charter schools
3 throughout the state of Missouri **as specified in section 160.400.**

4 2. The commission shall consist of nine members appointed by the
5 governor, by and with the advice and consent of the senate. No more than five
6 of the members shall be of the same political party. No more than two members
7 shall be from the same congressional district. The term of office of each member
8 shall be four years, except those of the members first appointed, of which three
9 shall be appointed for a term of one year, two for a term of two years, two for a
10 term of three years, and two for a term of four years. At the expiration of the
11 term of each member, the governor, by and with the advice and consent of the
12 senate, shall appoint a successor.

13 3. The appointees to the commission shall be selected as follows:

14 (1) One member selected by the governor from a slate of three
15 recommended by the commissioner of education;

16 (2) One member selected by the governor from a slate of three
17 recommended by the commissioner of higher education;

18 (3) One member selected by the governor from a slate of three
19 recommended by the president pro tempore of the senate;

20 (4) One member selected by the governor from a slate of three
21 recommended by the speaker of the house of representatives; and

22 (5) Five additional members appointed by the governor, one of whom shall
23 be selected from a slate of three nominees recommended by the Missouri School

24 Boards Association.

25 4. Members appointed to the commission shall collectively possess strong
26 experience and expertise in governance, management and finance, school
27 leadership, assessment, curriculum and instruction, and education law. All
28 members of the commission shall have demonstrated understanding of and
29 commitment to charter schooling as a strategy for strengthening public education.

30 5. The commission shall annually elect a chairperson and vice
31 chairperson, who shall act as chairperson in his or her absence. The commission
32 shall meet at the call of the chairperson. The chairperson may call meetings at
33 such times as he or she deems advisable and shall call a meeting when requested
34 to do so by three or more members of the commission. Members of the
35 commission are not eligible to receive compensation.

36 6. The commission may approve proposed charters for its sponsorship
37 under sections 160.400 to 160.425 and shall:

38 (1) Comply with all of the requirements applicable to sponsors under
39 sections 160.400 to 160.425;

40 (2) Exercise sponsorship over charters approved by the commission under
41 sections 160.400 to 160.425, including receipt of sponsorship funding under
42 subsection 11 of section 160.400.

43 7. Charter schools sponsored by the commission shall comply with all of
44 the requirements applicable to charter schools under sections 160.400 to 160.425.

45 8. The commission shall conduct its business in accordance with chapter
46 610.

47 9. The department of elementary and secondary education shall provide
48 start-up funding for the commission to operate. The commission shall reimburse
49 the department's costs from any funds it receives as sponsor under section
50 160.400.

51 10. The commission is authorized to receive and expend gifts, grants, and
52 donations of any kind from any public or private entity to carry out the purposes
53 of sections 160.400 to 160.425, subject to the terms and conditions under which
54 they are given, provided that all such terms and conditions are permissible under
55 law.

56 **11. The commission may employ staff including, but not limited**
57 **to, an executive director as needed to carry out its duties. The**
58 **commission may establish personnel, payroll, benefit, and other such**
59 **systems as needed and may provide death and disability**

60 benefits. Commission employees shall be considered state employees
61 for the purposes of membership in the Missouri state employees'
62 retirement system and the Missouri consolidated health care
63 plan. Compensation paid by the commission shall constitute pay from
64 a state department for purposes of accruing benefits under the
65 Missouri state employees' retirement system.

66 12. There is hereby created in the state treasury the "Missouri
67 Charter Public School Commission Revolving Fund", which shall consist
68 of money collected under this section. The state treasurer shall be
69 custodian of the fund. In accordance with sections 30.170 and 30.180,
70 the state treasurer may approve disbursements. The fund shall be a
71 dedicated fund, and moneys in the fund shall be used solely by the
72 Missouri charter public school commission for purposes of sections
73 160.400 to 160.425 and section 167.349. Notwithstanding the provisions
74 of section 33.080 to the contrary, any moneys remaining in the fund at
75 the end of the biennium shall not revert to the credit of the general
76 revenue fund. The state treasurer shall invest moneys in the fund in
77 the same manner as other funds are invested. Any interest and moneys
78 earned on such investments shall be credited to the fund.

161.084. When classifying the public schools of the state under
2 section 161.092, if there is no state board of education member who is
3 a resident of the congressional district in which such school district
4 under consideration is located, the state board of education shall assign
5 such school district a classification designation of unaccredited or
6 change a district's classification designation from accredited to
7 provisionally accredited only after notifying the governor of its intent
8 to change the classification of the district. The governor shall make the
9 appointment under section 161.052 within thirty days of notification.

161.087. 1. When assigning classification designations to school
2 districts pursuant to its authority to classify the public schools of the
3 state under section 161.092, the state board of education shall use only
4 the following classification designations:

- 5 (1) Unaccredited;
- 6 (2) Provisionally accredited;
- 7 (3) Accredited; and
- 8 (4) Accredited with distinction.

9 2. The state board of education shall develop and implement a

10 process to provide assistance teams to borderline districts, as defined
11 in section 167.848, as determined by the department of elementary and
12 secondary education and to underperforming districts, as defined in
13 section 167.848, upon assignment of a classification designation of
14 unaccredited or provisionally accredited or determination made by the
15 state board of education. The composition and size of the team may
16 vary, based on academic, demographic, and financial circumstances of
17 the district, but in no case will the team have fewer than ten members,
18 two of whom shall be active classroom teachers in the district, two of
19 whom shall be principals, and one of whom shall be a parent of a
20 student in the district. The department staff member assigned to the
21 region in which the district is located may be included in the assistance
22 team's activities but shall not be formally assigned to the team. The
23 team shall provide recommendations for improvement based on the
24 needs of the community and the district and analysis of, at a minimum,
25 the assessment data, classroom practices, and communication processes
26 within attendance centers, within the district, and with the larger
27 community. Separate teams may be used to provide analysis and
28 recommendations at the discretion of the state board. Beginning with
29 school year 2016-17, the team shall provide its recommendations no
30 later than June 30, 2017, for underperforming districts and borderline
31 districts. The state board shall prioritize the assignment of teams so
32 that the districts with the lower annual performance report scores are
33 addressed first. The assistance team's suggestions for improvement
34 shall be mandatory for underperforming districts but shall not be
35 mandatory for borderline districts. If an underperforming district
36 disagrees with any suggestion of the assistance team, the district shall
37 propose a different method of accomplishing the goal of the assistance
38 team's suggestion and the state board of education shall be the final
39 arbiter of the matter.

161.238. 1. Notwithstanding any provision of chapter 536 and
2 subdivisions (9) and (14) of section 161.092 to the contrary, the state
3 board of education shall adopt a policy to classify individual
4 attendance centers. Attendance centers that do not offer classes above
5 the second grade level are exempt from classification under this
6 subsection. The policy shall require that an attendance center's
7 classification be based solely on a three-year average of the attendance

8 center's annual performance report scores using the three most recent
9 years. The state board shall assign a classification consistent with such
10 three-year average score. The state board shall implement such policy
11 and:

12 (1) Within forty-five days of the effective date of this section, for
13 each district that is classified as unaccredited by the state board of
14 education at that time, classify each of the unaccredited district's
15 attendance centers separately from the district as a whole using the
16 classification designations provided in section 161.087;

17 (2) Within ninety days of the effective date of this section, for
18 each district that is classified as provisionally accredited by the state
19 board of education at that time, classify each of the provisionally
20 accredited district's attendance centers separately from the district as
21 a whole using the classification designations provided in section
22 161.087; and

23 (3) By January 1, 2016, for each urban school district, each
24 metropolitan school district, each school district that has most or all of
25 its land area located in a county with a charter form of government and
26 with more than six hundred thousand but fewer than seven hundred
27 thousand inhabitants, and each district that has most or all of its land
28 area located in a county with a charter form of government and with
29 more than nine hundred fifty thousand inhabitants, classify each of the
30 district's attendance centers separately from the district as a whole
31 using the classification designations provided in section 161.087.

32 2. The classifications assigned by the state board under
33 subsection 1 of this section shall become effective immediately and
34 shall remain in effect until the state board develops, adopts, and
35 implements the system of classification described in subsection 3 of this
36 section. At such time, the state board shall classify attendance centers
37 based on the system of classification described in subsection 3 of this
38 section.

39 3. By January 1, 2016, the state board of education shall, through
40 administrative rule, develop a system of classification that accredits
41 attendance centers within a district separately from the district as a
42 whole using the classification designations provided in section
43 161.087. The state board of education's system shall not assign
44 classification designations to attendance centers that do not offer

45 classes above the second grade level. When the state board adopts its
46 system, it shall assign a classification designation to each attendance
47 center, except for those attendance centers that do not offer classes
48 above the second grade level. The state board of education may assign
49 classification numbers outside the range of numbers assigned to high
50 schools, middle schools, junior high schools, or elementary schools as
51 classification designations for attendance centers that are exempt from
52 the accreditation classification system. Public separate special
53 education schools within a special school district and within a school
54 district are exempted from the accreditation requirements of this
55 section and section 161.087. While not applicable for the purpose of
56 accreditation, a special school district shall continue to report all
57 scores on its annual performance report to the department of
58 elementary and secondary education for all its schools. Juvenile
59 detention centers within a special school district are also exempted
60 from the accreditation standards of this section and section 161.087.

61 4. Upon adoption of the classification system described in
62 subsection 3 of this section, the state board may change any
63 classification it has assigned to an attendance center under subsection
64 1 of this section.

65 5. An attendance center that does not offer classes above the
66 second grade level shall be exempt from any requirements related to
67 statewide assessments.

68 6. Notwithstanding the provisions of subdivision (9) of section
69 161.092, the rules and regulations promulgated under this section shall
70 be effective thirty days after publication in the code of state
71 regulations as provided in section 536.021 and shall not be subject to
72 the two-year delay contained in subdivision (9) of section 161.092.

73 7. Any rule or portion of a rule, as that term is defined in section
74 536.010, that is created under the authority delegated in this section
75 shall become effective only if it complies with and is subject to all of
76 the provisions of chapter 536 and, if applicable, section 536.028. This
77 section and chapter 536 are nonseverable, and if any of the powers
78 vested with the general assembly pursuant to chapter 536 to review, to
79 delay the effective date, or to disapprove and annul a rule are
80 subsequently held unconstitutional, then the grant of rulemaking
81 authority and any rule proposed or adopted after the effective date of

82 this section shall be invalid and void.

161.1000. 1. There is hereby established within the department
2 of elementary and secondary education a task force, to be known as the
3 "School Transfer and Improvement Task Force", which shall be
4 composed of eleven members.

5 2. The task force is hereby created to study the following:

6 (1) Means to address failing schools including, but not limited to,
7 the creation of a school improvement district;

8 (2) Options for school transfer finance formulas;

9 (3) Best practices for how to design and finance public virtual
10 and blended schools;

11 (4) Best practices and possible pilot projects to assist transient
12 students;

13 (5) Options for comprehensive school quality indicators leading
14 to student success;

15 (6) Options for school quality review models based on successful
16 review models currently in use;

17 (7) Options for locally created assessment and accountability
18 systems; and

19 (8) Best practices in parent and community engagement.

20 3. The task force shall consist of the following members:

21 (1) Three members of the senate, appointed by the president pro
22 tempore of the senate, of whom not more than two shall be of the same
23 party;

24 (2) One member from an education policy research organization
25 in Missouri, appointed by the president pro tempore of the senate;

26 (3) Three members of the house of representatives, appointed by
27 the speaker, of whom not more than two shall be of the same party;

28 (4) One member from a statewide business association, appointed
29 by the speaker of the house of representatives;

30 (5) The commissioner of education or his or her designee;

31 (6) One member from an education organization consisting
32 exclusively of elected officials, appointed by the commissioner of
33 education; and

34 (7) The lieutenant governor or his or her designee.

35 4. The first meeting of the task force shall be called by the
36 president pro tempore of the senate. The task force shall elect a

37 presiding officer by a majority vote of the membership of the task
38 force. Subsequent meetings of the task force shall be at the call of the
39 presiding officer.

40 5. The task force shall make recommendations regarding the
41 provisions of subsection 2 of this section. In making those
42 recommendations, the task force shall receive reports and testimony
43 from individuals, state and local agencies, experts, and other public
44 and private organizations.

45 6. The task force's recommendations may include proposals for
46 specific statutory changes.

47 7. The members shall receive no compensation for their services
48 on the task force but shall be reimbursed for ordinary and necessary
49 expenses incurred in the performance of their duties.

50 8. By February 1, 2017, the task force shall report its findings
51 and recommendations to the general assembly.

52 9. The provisions of this section shall expire on April 30, 2017.

161.1005. 1. By July 1, 2017, the department shall employ a
2 dyslexia therapist, licensed psychometrist, licensed speech-language
3 pathologist, certified academic language therapist, or certified training
4 specialist to serve as the department's dyslexia specialist. Such
5 dyslexia specialist shall have a minimum of three years of field
6 experience in screening, identifying, and treating dyslexia and related
7 disorders.

8 2. The department shall ensure that the dyslexia specialist has
9 completed training and received certification from a program approved
10 by the legislative task force on dyslexia and is able to provide
11 necessary information and support to school district teachers.

12 3. The dyslexia specialist shall:

13 (1) Be highly trained in dyslexia and related disorders, including
14 best practice interventions and treatment models;

15 (2) Be responsible for the implementation of professional
16 development; and

17 (3) Serve as the primary source of information and support for
18 districts addressing the needs of students with dyslexia and related
19 disorders.

20 4. In addition to the duties assigned under subsection 3 of this
21 section, the dyslexia specialist shall also assist the department with

22 **developing and administering professional development programs to be**
23 **made available to school districts no later than the 2017-18 school**
24 **year. The programs shall focus on educating teachers regarding the**
25 **indicators of dyslexia, the science surrounding teaching a student who**
26 **is dyslexic, and classroom accommodations necessary for a student with**
27 **dyslexia.**

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

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

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

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

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

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

27 (2) Lapse the corporate organization of **all or part of** the unaccredited
28 district and:

29 (a) Appoint a special administrative board for the operation of all or part
30 of the district. **If a special administrative board is appointed for the**

31 **operation of a part of a school district, the state board of education**
32 **shall determine an equitable apportionment of state and federal aid for**
33 **the part of the district, and the school district shall provide local**
34 **revenue in proportion to the weighted average daily attendance of the**
35 **part.** The number of members of the special administrative board shall not be
36 less than five, the majority of whom shall be residents of the district. The
37 members of the special administrative board shall reflect the population
38 characteristics of the district and shall collectively possess strong experience in
39 school governance, management and finance, and leadership. **The state board**
40 **of education may appoint members of the district's elected school board**
41 **to the special administrative board, but members of the elected school**
42 **board shall not comprise more than forty-nine percent of the special**
43 **administrative board's membership.** Within fourteen days after the
44 appointment by the state board of education, the special administrative board
45 shall organize by the election of a president, vice president, secretary and a
46 treasurer, with their duties and organization as enumerated in section
47 162.301. The special administrative board shall appoint a superintendent of
48 schools to serve as the chief executive officer of the school district, **or a subset**
49 **of schools,** and to have all powers and duties of any other general
50 superintendent of schools in a seven-director school district. **Nothing in this**
51 **section shall be construed to permit either the state board of education**
52 **or a special administrative board to raise, in any way not specifically**
53 **allowed by law, the tax levy of the district or any part of the district**
54 **without a vote of the people.** Any special administrative board appointed
55 under this section shall be responsible for the operation of the district **or part**
56 **of the district** until such time that the district is classified by the state board
57 of education as provisionally accredited for at least two successive academic
58 years, after which time the state board of education may provide for a transition
59 pursuant to section 162.083; or

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

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

66 b. A method for the residents of the district to provide public comment

67 after a stated period of time or upon achievement of specified academic objectives;
68 c. Expectations for progress on academic achievement, which shall include
69 an anticipated time line for the district to reach full accreditation; and
70 d. Annual reports to the general assembly and the governor on the
71 progress towards accreditation of any district that has been declared unaccredited
72 and is placed under an alternative form of governance, including a review of the
73 effectiveness of the alternative governance; or
74 (c) Attach the territory of the lapsed district to another district or districts
75 for school purposes; or
76 (d) Establish one or more school districts within the territory of the lapsed
77 district, with a governance structure specified by the state board of education,
78 with the option of permitting a district to remain intact for the purposes of
79 assessing, collecting, and distributing property taxes, to be distributed equitably
80 on a weighted average daily attendance basis, but to be divided for operational
81 purposes, which shall take effect sixty days after the adjournment of the regular
82 session of the general assembly next following the state board's decision unless
83 a statute or concurrent resolution is enacted to nullify the state board's decision
84 prior to such effective date.

85 4. If a district remains under continued governance by the school board
86 under subdivision (1) of subsection 3 of this section and either has been
87 unaccredited for three consecutive school years and failed to attain accredited
88 status after the third school year or has been unaccredited for two consecutive
89 school years and the state board of education determines its academic progress
90 is not consistent with attaining accredited status after the third school year, then
91 the state board of education shall proceed under subdivision (2) of subsection 3
92 of this section in the following school year.

93 5. A special administrative board **or any other form of governance**
94 appointed under this section shall retain the authority granted to a board of
95 education for the operation of the lapsed school district under the laws of the
96 state in effect at the time of the lapse and may enter into contracts with
97 accredited school districts or other education service providers in order to deliver
98 high-quality educational programs to the residents of the district. If a student
99 graduates while attending a school building in the district that is operated under
100 a contract with an accredited school district as specified under this subsection,
101 the student shall receive his or her diploma from the accredited school
102 district. The authority of the special administrative board **or any other form**

103 **of governance appointed under this section** shall expire at the end of the
104 third full school year following its appointment, unless extended by the state
105 board of education. If the lapsed district is reassigned, the [special
106 administrative board] **governing board prior to lapse** shall provide an
107 accounting of all funds, assets and liabilities of the lapsed district and transfer
108 such funds, assets, and liabilities of the lapsed district as determined by the state
109 board of education. Neither the special administrative board **nor any other**
110 **form of governance appointed under this section** nor its members or
111 employees shall be deemed to be the state or a state agency for any purpose,
112 including section 105.711, et seq. The state of Missouri, its agencies and
113 employees shall be absolutely immune from liability for any and all acts or
114 omissions relating to or in any way involving the lapsed district, [the] a special
115 administrative board, **any other form of governance appointed under this**
116 **section, [its] or the members or employees of the lapsed district, a special**
117 **administrative board, or any other form of governance appointed under**
118 **this section.** Such immunities, and immunity doctrines as exist or may
119 hereafter exist benefitting boards of education, their members and their
120 employees, shall be available to the special administrative board, **any other**
121 **form of governance appointed under this section, [its] and the members**
122 **and employees of the special administrative board or any other form of**
123 **governance appointed under this section.**

124 6. Neither the special administrative board **nor any other form of**
125 **governance appointed under this section** nor any district or other entity
126 assigned territory, assets or funds from a lapsed district shall be considered a
127 successor entity for the purpose of employment contracts, unemployment
128 compensation payment pursuant to section 288.110, or any other purpose.

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

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

137 9. **If the state board of education reasonably believes that a**
138 **school district is unlikely to provide for the minimum number of school**

139 **hours required in a school term required by section 163.021 because of**
140 **financial difficulty, the state board of education may, prior to the start**
141 **of the school term:**

142 **(1) Allow continued governance by the existing district school**
143 **board under terms and conditions established by the state board of**
144 **education; or**

145 **(2) Lapse the corporate organization of the district and**
146 **implement one of the options available under subdivision (2) of**
147 **subsection 3 of this section.**

148 **10. The provisions of subsection 9 of this section shall not apply**
149 **to any district solely on the basis of financial difficulty resulting from**
150 **paying tuition and providing transportation for transfer students under**
151 **sections 167.825 to 167.827.**

162.1250. 1. School districts shall receive state school funding under
2 sections 163.031, 163.043, and 163.087 for resident students who are enrolled in
3 the school district and who are taking a virtual course or full-time virtual
4 program offered by the school district. The school district may offer instruction
5 in a virtual setting using technology, intranet, and internet methods of
6 communications that could take place outside of the regular school district
7 facility. The school district may develop a virtual program for any grade level,
8 kindergarten through twelfth grade, with the courses available in accordance with
9 district policy to any resident student of the district who is enrolled in the school
10 district. Nothing in this section shall preclude a private, parochial, or home
11 school student residing within a school district offering virtual courses or virtual
12 programs from enrolling in the school district in accordance with the combined
13 enrollment provisions of section 167.031 for the purposes of participating in the
14 virtual courses or virtual programs.

15 2. Charter schools shall receive state school funding under section 160.415
16 for students enrolled in the charter school who are completing a virtual course or
17 full-time virtual program offered by the charter school. Charter schools may offer
18 instruction in a virtual setting using technology, intranet, and internet methods
19 of communications. The charter school may develop a virtual program for any
20 grade level, kindergarten through twelfth grade, with the courses available in
21 accordance with school policy and the charter school's charter to any student
22 enrolled in the charter school.

23 3. For purposes of calculation and distribution of state school funding,

24 attendance of a student enrolled in a district or charter school virtual class shall
25 equal, upon course completion, ninety-four percent of the hours of attendance
26 possible for such class delivered in the nonvirtual program in the student's
27 resident district or charter school. **In the case of a student who is a**
28 **candidate for A+ tuition reimbursement and taking a virtual course**
29 **under this section, the school shall not attribute ninety-four percent**
30 **attendance to such student for such course, but shall attribute no less**
31 **than ninety-five percent attendance to any such student who has**
32 **completed such virtual course.** Course completion shall be calculated in two
33 increments, fifty percent completion and one hundred percent completion, based
34 on the student's completion of defined assignments and assessments, with
35 distribution of state funding to a school district or charter school at each
36 increment equal to forty-seven percent of hours of attendance possible for such
37 course delivered in the nonvirtual program in a student's school district of
38 residence or charter school.

39 4. When courses are purchased from an outside vendor, the district or
40 charter school shall ensure that they are aligned with the show-me curriculum
41 standards and comply with state requirements for teacher certification. The state
42 board of education reserves the right to request information and materials
43 sufficient to evaluate the online course. Online classes should be considered like
44 any other class offered by the school district or charter school.

45 5. Any school district or charter school that offers instruction in a virtual
46 setting, develops a virtual course or courses, or develops a virtual program of
47 instruction shall ensure that the following standards are satisfied:

48 (1) The virtual course or virtual program utilizes appropriate
49 content-specific tools and software;

50 (2) Orientation training is available for teachers, instructors, and students
51 as needed;

52 (3) Privacy policies are stated and made available to teachers, instructors,
53 and students;

54 (4) Academic integrity and internet etiquette expectations regarding
55 lesson activities, discussions, electronic communications, and plagiarism are
56 stated to teachers, instructors, and students prior to the beginning of the virtual
57 course or virtual program;

58 (5) Computer system requirements, including hardware, web browser, and
59 software, are specified to participants;

60 (6) The virtual course or virtual program architecture, software, and
61 hardware permit the online teacher or instructor to add content, activities, and
62 assessments to extend learning opportunities;

63 (7) The virtual course or virtual program makes resources available by
64 alternative means, including but not limited to, video and podcasts;

65 (8) Resources and notes are available for teachers and instructors in
66 addition to assessment and assignment answers and explanations;

67 (9) Technical support and course management are available to the virtual
68 course or virtual program teacher and school coordinator;

69 (10) The virtual course or virtual program includes assignments, projects,
70 and assessments that are aligned with students' different visual, auditory, and
71 hands-on learning styles;

72 (11) The virtual course or virtual program demonstrates the ability to
73 effectively use and incorporate subject-specific and developmentally appropriate
74 software in an online learning module; and

75 (12) The virtual course or virtual program arranges media and content to
76 help transfer knowledge most effectively in the online environment.

77 6. Any special school district shall count any student's completion of a
78 virtual course or program in the same manner as the district counts completion
79 of any other course or program for credit.

80 7. A school district or charter school may contract with multiple providers
81 of virtual courses or virtual programs, provided they meet the criteria for virtual
82 courses or virtual programs under this section.

83 **8. A parent or guardian may enroll his or her child in a virtual**
84 **school of his or her choice if the child is enrolled in and has attended,**
85 **for at least one semester immediately prior to enrolling in the virtual**
86 **school, any of the following:**

87 (1) **An unaccredited school in any district in this state;**

88 (2) **An attendance center in an unaccredited district;**

89 (3) **An attendance center in a provisionally accredited district;**

90 (4) **An attendance center in a district that has most or all of its**
91 **land area located in a county with a charter form of government and**
92 **with more than six hundred thousand but fewer than seven hundred**
93 **thousand inhabitants;**

94 (5) **An attendance center in a district that has most or all of its**
95 **land area located in a county with a charter form of government and**

96 with more than nine hundred fifty thousand inhabitants; or

97 (6) An attendance center in a metropolitan district.

98 If the child is eligible to begin kindergarten or first grade at any school
99 described in subdivisions (1) to (6) of this subsection, the requirement
100 that the child be enrolled in and have attended, for at least one
101 semester immediately prior to enrolling in the virtual school, any of
102 such schools does not apply.

103 9. For purposes of subsection 8 of this section, a parent may
104 enroll a child only in a virtual school that meets the requirements
105 described in subdivisions (1) to (12) of subsection 5 of this
106 section. Courses in such virtual school shall be aligned with the
107 show-me curriculum standards and comply with state requirements for
108 teacher certification. The state board of education shall reserve the
109 right to request information and materials sufficient to evaluate any
110 online course. These online courses shall be considered like any other
111 courses offered by a school district or charter school. The student's
112 district of residence shall pay tuition for any such student who enrolls
113 in a virtual school under subsection 8 of this section. The tuition
114 amount shall not exceed the state adequacy target, as defined in section
115 163.011. For purposes of this subsection, beginning on July 1, 2016, the
116 state adequacy target amount used shall be as calculated under
117 subsection 8 of section 163.031 for the applicable fiscal year.

118 10. If an unaccredited school becomes classified as provisionally
119 accredited or accredited without provisions by the state board of
120 education or if an unaccredited or provisionally accredited district
121 becomes classified as accredited without provisions by the state board
122 of education, any student who has enrolled in a virtual school
123 described in subsection 8 of this section shall be permitted to continue
124 his or her educational program in the virtual school through the
125 completion of high school.

126 11. Unaccredited schools, unaccredited districts, and
127 provisionally accredited districts shall be responsible for notifying
128 students and parents and guardians of the virtual school options
129 described in this section. The decision to enroll in such virtual school
130 coursework shall be solely at the discretion of the student and his or
131 her parent or guardian. School districts and schools shall not use the
132 availability of a virtual school to prevent a student from transferring

133 to another school under section 167.826.

162.1303. 1. For purposes of this section, "transient student"
2 means any student who withdraws from one attendance center and
3 enrolls in any other attendance center two or more times within two
4 school years.

5 2. The department of elementary and secondary education shall
6 annually calculate a transient student ratio for each attendance center
7 and each charter school. The department shall annually calculate a
8 transient student ratio for each school district based on the transient
9 student ratios of all the attendance centers operated by such
10 district. The department shall publish the transient student ratio of
11 each district, each attendance center, and each charter school on its
12 website.

13 3. The department shall include, or cause to be included, in each
14 district's school accountability report card the transient student ratio
15 of the district and of each attendance center operated by the district.

16 4. The department shall include the transient student ratios of
17 attendance centers and charter schools in their respective school
18 accountability report cards.

19 5. The department shall publish the state's aggregate transient
20 student ratio on its website.

21 6. A transient student ratio shall be calculated as the product of:

22 (1) One hundred; and

23 (2) The quotient of:

24 (a) The sum of the number of transient students and the number
25 of students who withdrew from the district during the school year; and

26 (b) The sum of the number of students who enrolled in the
27 district on or before the last Wednesday in September and the number
28 of students who enrolled in the district after the last Wednesday of
29 September.

30 7. Each school district and charter school shall annually report
31 to the department, by a date established by the department, any
32 information and data required to comply with and perform the
33 calculation required by the provisions of this section.

162.1305. 1. For purposes of this section, "transient student"
2 means any student who withdraws from one attendance center and
3 enrolls in any other attendance center two or more times within two

4 school years.

5 2. In the first year of attendance in a district, district-operated
6 attendance center, or charter school, a transient student's score on a
7 statewide assessment shall not be included when calculating the status
8 or progress scores on the district's, district-operated attendance
9 center's, or charter school's annual performance report scores. A
10 transient student's growth score shall be weighted at one hundred
11 percent.

12 3. In the second year of attendance, a transient student's score
13 on a statewide assessment shall be weighted at thirty percent when
14 calculating the district's, district-operated attendance center's, or
15 charter school's performance for purposes of the district's, district-
16 operated attendance center's, or charter school's annual performance
17 report status or progress score, with the transient student's growth
18 score weighted at one hundred percent.

19 4. In the third year of attendance, a transient student's score on
20 a statewide assessment shall be weighted at seventy percent when
21 calculating the district's, district-operated attendance center's, or
22 charter school's performance for purposes of the district's, district-
23 operated attendance center's, or charter school's annual performance
24 report status or progress score, with the transient student's growth
25 score weighted at one hundred percent.

26 5. In the fourth year of attendance and any subsequent years of
27 attendance, a transient student's score on a statewide assessment shall
28 be weighted at one hundred percent when calculating the district's,
29 district-operated attendance center's, or charter school's performance
30 for purposes of the district's, district-operated attendance center's, or
31 charter school's annual performance report status or progress score,
32 with the transient student's growth score weighted at one hundred
33 percent.

162.1310. If the state board of education classifies any district or
2 attendance center as unaccredited, the district shall notify the parent
3 or guardian of any student enrolled in the unaccredited district or
4 unaccredited attendance center of the loss of accreditation within
5 seven business days. The district shall also notify district taxpayers of
6 the loss of accreditation within seven business days. The district's
7 notice shall include an explanation of which students may be eligible

8 to transfer, the transfer process under sections 167.825 to 167.827, and
9 any services students may be entitled to receive. The district's notice
10 shall be written in a clear, concise, and easy-to-understand
11 manner. The district shall post the notice in a conspicuous and
12 accessible place in each district attendance center. The district shall
13 also send the notice to each municipality located within the boundaries
14 of the district.

162.1313. The school board of any district that operates an
2 underperforming school, as defined in section 167.848, shall adopt a
3 policy regarding the availability of home visits by school
4 personnel. Pursuant to such policy, the school may offer the parent or
5 guardian of a student enrolled in any such school the opportunity to
6 have one or more annual home visits. If the school decides to offer one
7 or more annual home visits, the school shall offer an opportunity for
8 each visit to occur at the attendance center or at a mutually agreeable
9 site.

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

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

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

21 district which the child is attending, then such child shall be considered a
22 resident pupil of the school district which the child is attending for such period
23 of time when the district of residence is not otherwise liable for tuition. Average
24 daily attendance for students below the age of five years for which a school
25 district may receive state aid based on such attendance shall be computed as
26 regular school term attendance unless otherwise provided by law;

27 (3) "Current operating expenditures":

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

37 (b) In every fiscal year subsequent to fiscal year 2007, current operating
38 expenditures shall be the amount in paragraph (a) of this subdivision plus any
39 increases in state funding pursuant to sections 163.031 and 163.043 subsequent
40 to fiscal year 2005, not to exceed five percent, per recalculation, of the state
41 revenue received by a district in the 2004-05 school year from the foundation
42 formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and
43 free textbook payments for any district from the first preceding calculation of the
44 state adequacy target. Beginning on July 1, 2010, current operating expenditures
45 shall be the amount in paragraph (a) of this subdivision plus any increases in
46 state funding pursuant to sections 163.031 and 163.043 subsequent to fiscal year
47 2005 received by a district in the 2004-05 school year from the foundation
48 formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and
49 free textbook payments for any district from the first preceding calculation of the
50 state adequacy target; **provided that, when used to recalculate the state**
51 **adequacy target as provided in subdivision (18) of this section, any**
52 **increase in state funding attributable to an individual district shall be**
53 **limited to two hundred percent of the aggregate percentage increase**
54 **in state funding for all of the performance districts used in the same**
55 **recalculation;**

56 (4) "District's tax rate ceiling", the highest tax rate ceiling in effect

57 subsequent to the 1980 tax year or any subsequent year. Such tax rate ceiling
58 shall not contain any tax levy for debt service;

59 (5) "Dollar-value modifier", an index of the relative purchasing power of
60 a dollar, calculated as one plus fifteen percent of the difference of the regional
61 wage ratio minus one, provided that the dollar value modifier shall not be applied
62 at a rate less than 1.0:

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

67 (b) "Regional wage per job":

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

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

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

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

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

93 (6) "Free and reduced **price** lunch pupil count", for school districts not
94 eligible for and those that do not choose the USDA Community Eligibility Option,
95 the number of pupils eligible for free and reduced **price** lunch on the last
96 Wednesday in January for the preceding school year who were enrolled as
97 students of the district, as approved by the department in accordance with
98 applicable federal regulations. For eligible school districts that choose the USDA
99 Community Eligibility Option, the free and reduced **price** lunch pupil count shall
100 be the percentage of free and reduced **price** lunch students calculated as eligible
101 on the last Wednesday in January of the most recent school year that included
102 household applications to determine free and reduced **price** lunch count
103 multiplied by the district's average daily attendance figure;

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

110 (8) "Limited English proficiency pupil count", the number in the preceding
111 school year of pupils aged three through twenty-one enrolled or preparing to
112 enroll in an elementary school or secondary school who were not born in the
113 United States or whose native language is a language other than English or are
114 Native American or Alaskan native, or a native resident of the outlying areas,
115 and come from an environment where a language other than English has had a
116 significant impact on such individuals' level of English language proficiency, or
117 are migratory, whose native language is a language other than English, and who
118 come from an environment where a language other than English is dominant; and
119 have difficulties in speaking, reading, writing, or understanding the English
120 language sufficient to deny such individuals the ability to meet the state's
121 proficient level of achievement on state assessments described in Public Law
122 107-10, the ability to achieve successfully in classrooms where the language of
123 instruction is English, or the opportunity to participate fully in society;

124 (9) "Limited English proficiency threshold" shall be calculated by dividing
125 the total limited English proficiency pupil count of every performance district that
126 falls entirely above the bottom five percent and entirely below the top five percent
127 of average daily attendance, when such districts are rank-ordered based on their
128 current operating expenditures per average daily attendance, by the total average

129 daily attendance of all included performance districts;

130 (10) "Local effort":

131 (a) For the fiscal year 2007 calculation, "local effort" shall be computed as
132 the equalized assessed valuation of the property of a school district in calendar
133 year 2004 divided by one hundred and multiplied by the performance levy less the
134 percentage retained by the county assessor and collector plus one hundred
135 percent of the amount received in fiscal year 2005 for school purposes from
136 intangible taxes, fines, escheats, payments in lieu of taxes and receipts from
137 state-assessed railroad and utility tax, one hundred percent of the amount
138 received for school purposes pursuant to the merchants' and manufacturers' taxes
139 under sections 150.010 to 150.370, one hundred percent of the amounts received
140 for school purposes from federal properties under sections 12.070 and 12.080
141 except when such amounts are used in the calculation of federal impact aid
142 pursuant to P.L. 81-874, fifty percent of Proposition C revenues received for
143 school purposes from the school district trust fund under section 163.087, and one
144 hundred percent of any local earnings or income taxes received by the district for
145 school purposes. Under this paragraph, for a special district established under
146 sections 162.815 to 162.940 in a county with a charter form of government and
147 with more than one million inhabitants, a tax levy of zero shall be utilized in lieu
148 of the performance levy for the special school district;

149 (b) In every year subsequent to fiscal year 2007, "local effort" shall be the
150 amount calculated under paragraph (a) of this subdivision plus any increase in
151 the amount received for school purposes from fines. If a district's assessed
152 valuation has decreased subsequent to the calculation outlined in paragraph (a)
153 of this subdivision, the district's local effort shall be calculated using the district's
154 current assessed valuation in lieu of the assessed valuation utilized in the
155 calculation outlined in paragraph (a) of this subdivision. When a change in a
156 school district's boundary lines occurs because of a boundary line change,
157 annexation, attachment, consolidation, reorganization, or dissolution under
158 section 162.071, 162.081, sections 162.171 to 162.201, section 162.221, 162.223,
159 162.431, 162.441, or 162.451, or in the event that a school district assumes any
160 territory from a district that ceases to exist for any reason, the department of
161 elementary and secondary education shall make a proper adjustment to each
162 affected district's local effort, so that each district's local effort figure conforms
163 to the new boundary lines of the district. The department shall compute the local
164 effort figure by applying the calendar year 2004 assessed valuation data to the

165 new land areas resulting from the boundary line change, annexation, attachment,
166 consolidation, reorganization, or dissolution and otherwise follow the procedures
167 described in this subdivision;

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

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

173 (b) The number of resident full-time students and the full-time equivalent
174 number of part-time students who were enrolled in the public schools of the
175 district on the last Wednesday in January of the previous year and who were in
176 attendance one day or more during the preceding ten school days, plus the
177 full-time equivalent number of summer school pupils. "Full-time equivalent
178 number of part-time students" is determined by dividing the total number of
179 hours for which all part-time students are enrolled by the number of hours in the
180 school term. "Full-time equivalent number of summer school pupils" is
181 determined by dividing the total number of hours for which all summer school
182 pupils were enrolled by the number of hours required pursuant to section 160.011
183 in the school term. Only students eligible to be counted for average daily
184 attendance shall be counted for membership;

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

191 (13) "Performance district", any district that has met performance
192 standards and indicators as established by the department of elementary and
193 secondary education for purposes of accreditation under section 161.092 and as
194 reported on the final annual performance report for that district each year; for
195 calculations to be utilized for payments in fiscal years subsequent to fiscal year
196 2018, the number of performance districts shall not exceed twenty-five percent of
197 all public school districts;

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

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

200 (16) "Special education pupil count", the number of public school students

201 with a current individualized education program or services plan and receiving
202 services from the resident district as of December first of the preceding school
203 year, except for special education services provided through a school district
204 established under sections 162.815 to 162.940 in a county with a charter form of
205 government and with more than one million inhabitants, in which case the sum
206 of the students in each district within the county exceeding the special education
207 threshold of each respective district within the county shall be counted within the
208 special district and not in the district of residence for purposes of distributing the
209 state aid derived from the special education pupil count;

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

216 (18) "State adequacy target", the sum of the current operating
217 expenditures of every performance district that falls entirely above the bottom
218 five percent and entirely below the top five percent of average daily attendance,
219 when such districts are rank-ordered based on their current operating
220 expenditures per average daily attendance, divided by the total average daily
221 attendance of all included performance districts. The department of elementary
222 and secondary education shall first calculate the state adequacy target for fiscal
223 year 2007 and recalculate the state adequacy target every two years using the
224 most current available data. The recalculation shall never result in a decrease
225 from the previous state adequacy target amount. Should a recalculation result
226 in an increase in the state adequacy target amount, fifty percent of that increase
227 shall be included in the state adequacy target amount in the year of recalculation,
228 and fifty percent of that increase shall be included in the state adequacy target
229 amount in the subsequent year. The state adequacy target may be adjusted to
230 accommodate available appropriations as provided in subsection 7 of section
231 163.031;

232 (19) "Teacher", any teacher, teacher-secretary, substitute teacher,
233 supervisor, principal, supervising principal, superintendent or assistant
234 superintendent, school nurse, social worker, counselor or librarian who shall,
235 regularly, teach or be employed for no higher than grade twelve more than
236 one-half time in the public schools and who is certified under the laws governing

237 the certification of teachers in Missouri;

238 (20) "Weighted average daily attendance", the average daily attendance
239 plus the product of twenty-five hundredths multiplied by the free and reduced
240 **price** lunch pupil count that exceeds the free and reduced **price** lunch threshold,
241 plus the product of seventy-five hundredths multiplied by the number of special
242 education pupil count that exceeds the special education threshold, plus the
243 product of six-tenths multiplied by the number of limited English proficiency
244 pupil count that exceeds the limited English proficiency threshold. For special
245 districts established under sections 162.815 to 162.940 in a county with a charter
246 form of government and with more than one million inhabitants, weighted
247 average daily attendance shall be the average daily attendance plus the product
248 of twenty-five hundredths multiplied by the free and reduced **price** lunch pupil
249 count that exceeds the free and reduced **price** lunch threshold, plus the product
250 of seventy-five hundredths multiplied by the sum of the special education pupil
251 count that exceeds the threshold for each county district, plus the product of
252 six-tenths multiplied by the limited English proficiency pupil count that exceeds
253 the limited English proficiency threshold. None of the districts comprising a
254 special district established under sections 162.815 to 162.940 in a county with a
255 charter form of government and with more than one million inhabitants, shall use
256 any special education pupil count in calculating their weighted average daily
257 attendance.

163.018. 1. Notwithstanding the definition of average daily attendance
2 in subdivision (2) of section 163.011 to the contrary, pupils between the ages of
3 three and five who are eligible for free and reduced **price** lunch and attend an
4 early childhood education program that is operated by and in a district or by a
5 charter school that has declared itself as a local educational agency providing
6 full-day kindergarten and that meets standards established by the state board of
7 education shall be included in the district's or charter school's calculation of
8 average daily attendance. The total number of such pupils included in the
9 district's or charter school's calculation of average daily attendance shall not
10 exceed four percent of the total number of pupils who are eligible for free and
11 reduced **price** lunch between the ages of [three] **five** and eighteen who are
12 included in the district's or charter school's calculation of average daily
13 attendance.

14 2. (1) For any district that has been declared unaccredited by the state
15 board of education and remains unaccredited as of July 1, 2015, **and for any**

16 **charter school located in said district**, the provisions of subsection 1 of this
17 section shall become applicable during the 2015-16 school year.

18 (2) For any district that is declared unaccredited by the state board of
19 education after July 1, 2015, **and for any charter school located in said**
20 **district**, the provisions of subsection 1 of this section shall become applicable
21 immediately upon such declaration.

22 (3) For any district that has been declared provisionally accredited by the
23 state board of education and remains provisionally accredited as of July 1, 2016,
24 **and for any charter school located in said district**, the provisions of
25 subsection 1 of this section shall become applicable beginning in the 2016-17
26 school year.

27 (4) For any district that is declared provisionally accredited by the state
28 board of education after July 1, 2016, **and for any charter school located in**
29 **said district**, the provisions of this section shall become applicable beginning in
30 the 2016-17 school year or immediately upon such declaration, whichever is later.

31 (5) For all other districts **and charter schools**, the provisions of
32 subsection 1 of this section shall become effective in any school year subsequent
33 to a school year in which the amount appropriated for subsections 1 and 2 of
34 section 163.031 is equal to or exceeds the amount necessary to fund the entire
35 entitlement calculation determined by subsections 1 and 2 of section 163.031, and
36 shall remain effective in all school years thereafter, irrespective of the amount
37 appropriated for subsections 1 and 2 of section 163.031 in any succeeding year.

38 3. This section shall not require school attendance beyond that mandated
39 under section 167.031 and shall not change or amend the provisions of sections
40 160.051, 160.053, 160.054, and 160.055 relating to kindergarten attendance.

163.031. 1. The department of elementary and secondary education shall
2 calculate and distribute to each school district qualified to receive state aid under
3 section 163.021 an amount determined by multiplying the district's weighted
4 average daily attendance by the state adequacy target, multiplying this product
5 by the dollar value modifier for the district, and subtracting from this product the
6 district's local effort and subtracting payments from the classroom trust fund
7 under section 163.043.

8 2. Other provisions of law to the contrary notwithstanding:

9 (1) For districts with an average daily attendance of more than three
10 hundred fifty in the school year preceding the payment year:

11 (a) For the 2008-09 school year, the state revenue per weighted average

12 daily attendance received by a district from the state aid calculation under
13 subsections 1 and 4 of this section, as applicable, and the classroom trust fund
14 under section 163.043 shall not be less than the state revenue received by a
15 district in the 2005-06 school year from the foundation formula, line 14, gifted,
16 remedial reading, exceptional pupil aid, fair share, and free textbook payment
17 amounts multiplied by the dollar value modifier, and dividing this product by the
18 weighted average daily attendance computed for the 2005-06 school year;

19 (b) For each year subsequent to the 2008-09 school year, the amount shall
20 be no less than that computed in paragraph (a) of this subdivision, multiplied by
21 the weighted average daily attendance pursuant to section 163.036, less any
22 increase in revenue received from the classroom trust fund under section 163.043;

23 (2) For districts with an average daily attendance of three hundred fifty
24 or less in the school year preceding the payment year:

25 (a) For the 2008-09 school year, the state revenue received by a district
26 from the state aid calculation under subsections 1 and 4 of this section, as
27 applicable, and the classroom trust fund under section 163.043 shall not be less
28 than the greater of state revenue received by a district in the 2004-05 or 2005-06
29 school year from the foundation formula, line 14, gifted, remedial reading,
30 exceptional pupil aid, fair share, and free textbook payment amounts multiplied
31 by the dollar value modifier;

32 (b) For each year subsequent to the 2008-09 school year, the amount shall
33 be no less than that computed in paragraph (a) of this subdivision;

34 (3) The department of elementary and secondary education shall make an
35 addition in the payment amount specified in subsection 1 of this section to assure
36 compliance with the provisions contained in this subsection.

37 3. School districts that meet the requirements of section 163.021 shall
38 receive categorical add-on revenue as provided in this subsection. The categorical
39 add-on for the district shall be the sum of: seventy-five percent of the district
40 allowable transportation costs under section 163.161; the career ladder
41 entitlement for the district, as provided for in sections 168.500 to 168.515; the
42 vocational education entitlement for the district, as provided for in section
43 167.332; and the district educational and screening program entitlements as
44 provided for in sections 178.691 to 178.699. The categorical add-on revenue
45 amounts may be adjusted to accommodate available appropriations.

46 4. For any school district meeting the eligibility criteria for state aid as
47 established in section 163.021, but which is considered an option district under

48 section 163.042 and therefore receives no state aid, the commissioner of education
49 shall present a plan to the superintendent of the school district for the waiver of
50 rules and the duration of said waivers, in order to promote flexibility in the
51 operations of the district and to enhance and encourage efficiency in the delivery
52 of instructional services as provided in section 163.042.

53 5. (1) No less than seventy-five percent of the state revenue received
54 under the provisions of subsections 1 and 2 of this section shall be placed in the
55 teachers' fund, and the remaining percent of such moneys shall be placed in the
56 incidental fund. No less than seventy-five percent of one-half of the funds
57 received from the school district trust fund distributed under section 163.087
58 shall be placed in the teachers' fund. One hundred percent of revenue received
59 under the provisions of section 163.161 shall be placed in the incidental
60 fund. One hundred percent of revenue received under the provisions of sections
61 168.500 to 168.515 shall be placed in the teachers' fund.

62 (2) A school district shall spend for certificated compensation and tuition
63 expenditures each year:

64 (a) An amount equal to at least seventy-five percent of the state revenue
65 received under the provisions of subsections 1 and 2 of this section;

66 (b) An amount equal to at least seventy-five percent of one-half of the
67 funds received from the school district trust fund distributed under section
68 163.087 during the preceding school year; and

69 (c) Beginning in fiscal year 2008, as much as was spent per the second
70 preceding year's weighted average daily attendance for certificated compensation
71 and tuition expenditures the previous year from revenue produced by local and
72 county tax sources in the teachers' fund, plus the amount of the incidental fund
73 to teachers' fund transfer calculated to be local and county tax sources by dividing
74 local and county tax sources in the incidental fund by total revenue in the
75 incidental fund.

76 In the event a district fails to comply with this provision, the amount by which
77 the district fails to spend funds as provided herein shall be deducted from the
78 district's state revenue received under the provisions of subsections 1 and 2 of
79 this section for the following year, provided that the state board of education may
80 exempt a school district from this provision if the state board of education
81 determines that circumstances warrant such exemption.

82 6. If a school district's annual audit discloses that students were
83 inappropriately identified as eligible for free and reduced **price** lunch, special

84 education, or limited English proficiency and the district does not resolve the
85 audit finding, the department of elementary and secondary education shall
86 require that the amount of aid paid pursuant to the weighting for free and
87 reduced **price** lunch, special education, or limited English proficiency in the
88 weighted average daily attendance on the inappropriately identified pupils be
89 repaid by the district in the next school year and shall additionally impose a
90 penalty of one hundred percent of such aid paid on such pupils, which penalty
91 shall also be paid within the next school year. Such amounts may be repaid by
92 the district through the withholding of the amount of state aid.

93 7. Notwithstanding any provision of law to the contrary, **beginning on**
94 **July 1, 2017**, in any fiscal year during which the total formula appropriation is
95 insufficient to fully fund the entitlement calculation of this section, the
96 department of elementary and secondary education shall adjust the state
97 adequacy target in order to accommodate the appropriation level for the given
98 fiscal year. **Beginning on July 1, 2017**, in no manner shall any payment
99 modification be rendered for any district qualified to receive payments under
100 subsection 2 of this section based on insufficient appropriations.

163.036. 1. In computing the amount of state aid a school district is
2 entitled to receive for the minimum school term only under section 163.031, a
3 school district may use an estimate of the weighted average daily attendance for
4 the current year, or the weighted average daily attendance for the immediately
5 preceding year or the weighted average daily attendance for the second preceding
6 school year, whichever is greater. Beginning with the 2006-07 school year, the
7 summer school attendance included in the average daily attendance as defined
8 in subdivision (2) of section 163.011 shall include only the attendance hours of
9 pupils that attend summer school in the current year. Beginning with the
10 2004-05 school year, when a district's official calendar for the current year
11 contributes to a more than ten percent reduction in the average daily attendance
12 for kindergarten compared to the immediately preceding year, the payment
13 attributable to kindergarten shall include only the current year kindergarten
14 average daily attendance. Any error made in the apportionment of state aid
15 because of a difference between the actual weighted average daily attendance and
16 the estimated weighted average daily attendance shall be corrected as provided
17 in section 163.091, except that if the amount paid to a district estimating
18 weighted average daily attendance exceeds the amount to which the district was
19 actually entitled by more than five percent, interest at the rate of six percent

20 shall be charged on the excess and shall be added to the amount to be deducted
21 from the district's apportionment the next succeeding year.

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

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

36 4. For the purposes of distribution of state school aid pursuant to section
37 163.031, a school district with ten percent or more of its assessed valuation that
38 is owned by one person or corporation as commercial or personal property who is
39 delinquent in a property tax payment may elect, after receiving notice from the
40 county clerk on or before March fifteenth that more than ten percent of its
41 current taxes due the preceding December thirty-first by a single property owner
42 are delinquent, to use in the local effort calculation of the state aid formula the
43 district's equalized assessed valuation for the preceding year or the actual
44 assessed valuation of the year for which the taxes are delinquent less the
45 assessed valuation of property for which the current year's property tax is
46 delinquent. To qualify for use of the actual assessed valuation of the year for
47 which the taxes are delinquent less the assessed valuation of property for which
48 the current year's property tax is delinquent, a district must notify the
49 department of elementary and secondary education on or before April first, except
50 in the year enacted, of the current year amount of delinquent taxes, the assessed
51 valuation of such property for which delinquent taxes are owed and the total
52 assessed valuation of the district for the year in which the taxes were due but not
53 paid. Any district giving such notice to the department of elementary and
54 secondary education shall present verification of the accuracy of such notice
55 obtained from the clerk of the county levying delinquent taxes. When any of the

56 delinquent taxes identified by such notice are paid during a four-year period
57 following the due date, the county clerk shall give notice to the district and the
58 department of elementary and secondary education, and state aid paid to the
59 district shall be reduced by an amount equal to the delinquent taxes received plus
60 interest. The reduction in state aid shall occur over a period not to exceed five
61 years and the interest rate on excess state aid not refunded shall be six percent
62 annually.

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

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

167.121. 1. If the residence of a pupil is so located that attendance in the
2 district of residence constitutes an unusual or unreasonable transportation
3 hardship because of natural barriers, travel time, or distance, the commissioner
4 of education or his **or her** designee may assign the pupil to another
5 district. Subject to the provisions of this section, all existing assignments shall
6 be reviewed prior to July 1, 1984, and from time to time thereafter, and may be
7 continued or rescinded. The board of education of the district in which the pupil
8 lives shall pay the tuition of the pupil assigned. The tuition shall not exceed the
9 pro rata cost of instruction.

10 2. (1) For the school year beginning July 1, 2008, and each succeeding

11 school year, a parent or guardian residing in a lapsed public school district or a
12 **parent or guardian residing in** a district that has [scored] **received an**
13 **annual performance report score consistent with a state board of**
14 **education classification of** either unaccredited or provisionally accredited[, or
15 a combination thereof, on two consecutive annual performance reports] may enroll
16 the parent's or guardian's child in the Missouri virtual school created in section
17 161.670 provided the pupil first enrolls in the school district of residence. The
18 school district of residence shall include the pupil's enrollment in the virtual
19 school created in section 161.670 in determining the district's average daily
20 attendance. Full-time enrollment in the virtual school shall constitute one
21 average daily attendance equivalent in the school district of residence. Average
22 daily attendance for part-time enrollment in the virtual school shall be calculated
23 as a percentage of the total number of virtual courses enrolled in divided by the
24 number of courses required for full-time attendance in the school district of
25 residence.

26 (2) A pupil's residence, for purposes of this section, means residency
27 established under section 167.020. Except for students residing in a K-8 district
28 attending high school in a district under section 167.131, the board of the home
29 district shall pay to the virtual school the amount required under section 161.670.

30 (3) Nothing in this section shall require any school district or the state to
31 provide computers, equipment, internet or other access, supplies, materials or
32 funding, except as provided in this section, as may be deemed necessary for a
33 pupil to participate in the virtual school created in section 161.670.

34 (4) Any rule or portion of a rule, as that term is defined in section
35 536.010, that is created under the authority delegated in this section shall
36 become effective only if it complies with and is subject to all of the provisions of
37 chapter 536 and, if applicable, section 536.028. This section and chapter 536 are
38 nonseverable and if any of the powers vested with the general assembly pursuant
39 to chapter 536 to review, to delay the effective date, or to disapprove and annul
40 a rule are subsequently held unconstitutional, then the grant of rulemaking
41 authority and any rule proposed or adopted after August 28, 2007, shall be
42 invalid and void.

167.127. If a school district contains a facility that serves
2 **neglected or delinquent children residing in a court-ordered group**
3 **home, an institution for neglected children, or an institution for**
4 **delinquent children, the department of elementary and secondary**

5 **education shall be prohibited from creating any report or publication**
6 **related to the Missouri school improvement program, or any successor**
7 **program, in which data from the district's regularly enrolled pupils is**
8 **aggregated with data from the children residing in such facilities.**

167.131. 1. The board of education of each district in this state that does
2 not maintain [an accredited] **a high school** [pursuant to the authority of the
3 state board of education to classify schools as established in section 161.092]
4 **offering work through the twelfth grade** shall pay [the] tuition [of] as
5 **calculated by the receiving district under subsection 2 of this section**
6 and provide transportation consistent with the provisions of section 167.241 for
7 each pupil resident therein **who has completed the work of the highest**
8 **grade offered in the schools of the district and** who attends an accredited
9 **public high** school in another district of the same or an adjoining county.

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

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

3 **(1) "Available receiving district", an accredited district able to**
4 **receive transfer students under section 167.826;**

5 **(2) "Average per-pupil current expenditure", the average per-**
6 **pupil current expenditure for a district as a whole as reported to the**
7 **department of elementary and secondary education in its most recent**
8 **school accountability report card under section 160.522;**

9 **(3) "Receiving approved charter school", an approved charter**

10 school, as defined in section 167.848, receiving transfer students under
11 section 167.826;

12 (4) "Receiving district", a district receiving transfer students
13 under section 167.826;

14 (5) "Sending district", a district from which students are
15 transferring to an available receiving district or an approved charter
16 school, as allowed under section 167.826.

17 2. Notwithstanding any other provisions of law to the contrary,
18 a receiving district or a receiving approved charter school may
19 negotiate with a sending district to accept a reduced tuition rate for
20 transfer students. The receiving district or receiving approved charter
21 school may limit the number of transfer students accepted at the
22 reduced tuition rate as calculated under subsection 3 of this section. If
23 the receiving district or receiving approved charter school elects to
24 accept tuition as calculated under subsection 3 of this section and does
25 not limit the number of transfer students accepted at such reduced
26 rate, such district or approved charter school shall receive students
27 through the education authority based solely on the parent request and
28 available seats.

29 3. In school year 2016-17 and subsequent years, if a sending
30 district and a receiving district or receiving approved charter school
31 have agreed upon a reduced tuition rate, such tuition shall be
32 calculated as the product of:

33 (1) The sum of the average per-pupil current expenditures of all
34 available receiving districts for the sending district divided by the
35 number of all available receiving districts for the sending district; and

36 (2) Seventy percent.

37 4. The appropriate education authority, as defined in section
38 167.848, that is coordinating the transfers for students in the sending
39 district shall perform the calculation in subsection 3 of this section
40 annually.

41 5. If there is disagreement as to the amount of tuition to be paid,
42 the facts shall be submitted to the state board of education, and its
43 decision in the matter shall be final.

44 6. For each of the first two full school years that a receiving
45 district or receiving approved charter school charges a rate of tuition
46 as calculated under subsection 3 of this section, accepts a minimum of

47 twenty-five transfer students at such reduced rate, and does not limit
48 the number of transfer students accepted at such reduced rate, if the
49 aggregate scores of student growth of all the transfer students in the
50 receiving district or receiving approved charter school meet or exceed
51 targets established in the state accountability system, the receiving
52 district or receiving approved charter school shall earn additional
53 credit in academic achievement on its annual performance report. The
54 department of elementary and secondary education shall promulgate
55 an administrative rule to implement the provisions of this
56 subsection. Any rule or portion of a rule, as that term is defined in
57 section 536.010, that is created under the authority delegated in this
58 section shall become effective only if it complies with and is subject to
59 all of the provisions of chapter 536 and, if applicable, section
60 536.028. This section and chapter 536 are nonseverable, and if any of
61 the powers vested with the general assembly pursuant to chapter 536
62 to review, to delay the effective date, or to disapprove and annul a rule
63 are subsequently held unconstitutional, then the grant of rulemaking
64 authority and any rule proposed or adopted after the effective date of
65 this section shall be invalid and void.

66 7. If a receiving district elects to accept tuition as calculated
67 under subsection 3 of this section and does not limit the number of
68 transfer students accepted at such reduced rate, the department of
69 elementary and secondary education shall consider such action as an
70 additional criterion when determining whether to assign the receiving
71 district a classification of accredited with distinction.

72 8. If a receiving district or receiving approved charter school
73 elects to accept tuition as calculated under subsection 3 of this section
74 and does not limit the number of transfer students accepted at such
75 reduced rate, ten percent of the amount calculated under subdivision
76 (1) of subsection 3 of this section for the receiving district or receiving
77 approved charter school shall be paid from the supplemental tuition
78 fund created in subsection 9 of this section.

79 9. There is hereby created in the state treasury the
80 "Supplemental Tuition Fund". The fund shall consist of any moneys
81 appropriated annually by the general assembly from general revenue
82 to such fund, any moneys paid into the state treasury and required by
83 law to be credited to such fund and any gifts, bequests, or public or

84 private donations to such fund. The state treasurer shall be custodian
85 of the fund. The department of elementary and secondary education
86 shall administer the fund. In accordance with sections 30.170 and
87 30.180, the state treasurer may approve disbursements. The fund shall
88 be a dedicated fund and, upon appropriation, moneys in the fund shall
89 be used solely for the administration of this section. Notwithstanding
90 the provisions of section 33.080 to the contrary, any moneys remaining
91 in the fund at the end of the biennium shall not revert to the credit of
92 the general revenue fund. The state treasurer shall invest moneys in
93 the fund in the same manner as other funds are invested. Any interest
94 and moneys earned on such investments shall be credited to the fund.

167.642. 1. No underperforming district, as defined in section
2 167.848, located in a county with a charter form of government and
3 with more than nine hundred fifty thousand inhabitants shall promote
4 a student from the fifth grade to the sixth grade or from the eighth
5 grade to the ninth grade who is two years or more below grade level as
6 measured by quantifiable student performance data designated by the
7 local district to satisfy the requirements of this section. The term
8 "quantifiable student performance data" shall be as defined in
9 subsection 2 of section 161.096.

10 2. Notwithstanding subsection 1 of this section, the provisions of
11 this section shall not apply to any student with an individualized
12 education program or any student receiving services through a plan
13 prepared under Section 504 of the Rehabilitation Act of 1973.

167.685. 1. Each unaccredited district shall offer free tutoring
2 and supplemental education services to students who are performing
3 below grade level or identified by the district as struggling, using funds
4 from the school district improvement fund to the extent that such funds
5 are available. A district may implement the free tutoring services
6 requirement by entering into a contract with a public library for online
7 tutoring services as provided in section 170.215.

8 2. There is hereby created in the state treasury the "School
9 District Improvement Fund". The fund shall consist of any gifts,
10 bequests, or public or private donations to such fund. Any person or
11 entity that makes a gift, bequest, or donation to the fund may specify
12 the district that shall be the recipient of such gift, bequest, or donation.

13 3. The state treasurer shall be custodian of the fund. In

14 accordance with sections 30.170 and 30.180, the state treasurer may
15 approve disbursements of public moneys in accordance with
16 distribution requirements and procedures developed by the department
17 of elementary and secondary education and shall make disbursement
18 of private funds according to the directions of the donor. If the donor
19 did not specify how the private funds were to be disbursed, the state
20 treasurer shall contact the donor to determine the manner of
21 disbursement. The fund shall be a dedicated fund and, upon
22 appropriation, moneys in the fund shall be used solely for the
23 administration of this section. A district that receives moneys from the
24 fund may use such moneys to cover the cost of online tutoring services
25 provided through a contract with a public library under section
26 170.215.

27 4. Notwithstanding the provisions of section 33.080 to the
28 contrary, any moneys remaining in the fund at the end of the biennium
29 shall not revert to the credit of the general revenue fund.

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

167.688. 1. Any underperforming district, as defined in section
2 167.848, may perform any or all of the following actions including, but
3 not limited to:

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

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

10 (3) Enter into a contract with an education management
11 company or education services provider that has a demonstrated
12 record of effectiveness operating a school or schools;

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

18 (5) Implement any other change that is suggested by the state

19 board of education, an expert or contractor approved under this
20 section, or an assistance team under section 161.087, in accordance with
21 state law, that the school board has reason to believe will result in
22 improved performance for accreditation purposes.

23 2. Any underperforming district that offers an attendance
24 recovery program designed exclusively to allow students to recapture
25 attendance hours lost due to absences shall be allowed to include such
26 attendance recovery hours in the district's attendance rate for purposes
27 of the Missouri school improvement program accreditation
28 scoring. Districts may offer attendance recovery programs on
29 Saturdays or at any time before or after the school's regularly
30 scheduled school hours. Extended hour and day programs designed for
31 remediation or enrichment purposes shall not fulfill the criteria of
32 attendance recovery programs as provided in this subsection.

167.730. 1. Beginning July 1, 2017, and continuing thereafter,
2 every public school, including every charter school, in the metropolitan
3 school district or in any urban school district containing most or all of
4 a home rule city with more than four hundred thousand inhabitants
5 and located in more than one county shall incorporate a response-to-
6 intervention tiered approach to reading instruction to focus resources
7 on students who are determined by their school to need additional or
8 changed instruction to make progress as readers. At a minimum, the
9 reading levels of students in kindergarten through tenth grade shall be
10 assessed at the beginning and middle of the school year, and students
11 who score below district benchmarks shall be provided with intensive
12 and systematic reading instruction.

13 2. Beginning January 1, 2017, and every January first thereafter,
14 every public school, including every charter school, in the metropolitan
15 school district or in any urban school district containing most or all of
16 a home rule city with more than four hundred thousand inhabitants
17 and located in more than one county shall prepare a personalized
18 learning plan for any kindergarten or first grade student whose most
19 recent school-wide reading assessment result shows the student is
20 working below grade level unless the student has been determined by
21 other means in the current school year to be working at grade level or
22 above. The provisions of this section shall not apply to students
23 otherwise served under an individualized education program, to

24 students receiving services through a plan prepared under Section 504
25 of the Rehabilitation Act of 1973 that includes an element addressing
26 reading below grade level, or to students determined to have limited
27 English proficiency.

28 3. For any student who is required by this section to have a
29 personalized learning plan, the student's main teacher shall consult
30 with the student's parent or guardian during the preparation of the
31 plan and shall consult, as appropriate, any district personnel or
32 department of elementary and secondary education personnel with
33 necessary expertise to develop such a plan. The school shall require
34 the written consent of the parent or guardian to implement the plan;
35 however, if the school is unsuccessful in contacting the parent or
36 guardian by January fifteenth, the school may send a letter by certified
37 mail to the student's last known address stating its intention to
38 implement the plan by February first.

39 4. After implementing the personalized learning plan through the
40 end of the student's first grade year, the school shall refer any student
41 who still performs below grade level for assessment to determine if an
42 individualized education program is necessary for the student. A
43 student who is assessed as not needing an individualized education
44 program but who is reading below grade level at the end of the first
45 grade shall continue to be required to have a personalized learning
46 plan until the student is reading at grade level.

47 5. Notwithstanding any provision of law to the contrary, any
48 student in a metropolitan school district, in any urban school district
49 containing most or all of a home rule city with more than four hundred
50 thousand inhabitants and located in more than one county, or in any
51 charter school located in any such district who is not reading at
52 second-grade level by the end of second grade may be promoted to the
53 third grade only under one of the following circumstances:

54 (1) The school provides additional reading instruction during the
55 summer and demonstrates the student is ready for third grade at the
56 end of the summer school;

57 (2) The school provides a combined classroom in which the
58 student continues with the same teacher, sometimes referred to as
59 "looping". If the student in such a classroom is not reading at third-
60 grade level by the end of third grade, the student shall be retained in

61 third grade; or

62 (3) The student's parents or guardians have signed a notice that
63 they prefer to have their student promoted although the student is
64 reading below grade level. The school shall have the final
65 determination on the issue of retention.

66 6. The metropolitan school district, any urban school district
67 containing most or all of a home rule city with more than four hundred
68 thousand inhabitants and located in more than one county, and each
69 charter school located in them shall provide in its annual report card
70 under section 160.522 the numbers and percentages by grade from first
71 grade to tenth grade in each school of any students at any grade level
72 who have been promoted who have been determined as reading below
73 grade level, except that no reporting shall permit the identification of
74 an individual student.

75 7. School districts and charter schools under this section may
76 provide for a student promotion and retention program and a reading
77 instruction program that are equivalent to those that are described in
78 this section with the oversight and approval of the department of
79 elementary and secondary education.

167.825. 1. For school year 2016-17, students who transferred
2 from an unaccredited district to an accredited district in the same or
3 an adjoining county under section 167.131 as it existed on July 1, 2014,
4 shall be allowed to participate under the same terms that governed
5 such transfers in school year 2014-15, except that section 167.132 shall
6 apply to determine the reimbursement of their tuition.

7 2. Notwithstanding the provisions of subsection 1 of this section,
8 for school year 2016-17, any student who transferred from an
9 unaccredited district to an accredited district in the same or an
10 adjoining county in school year 2014-15 or school year 2015-16 but did
11 not attend a public school in the unaccredited district for the semester
12 prior to the transfer, unless the student was entering kindergarten or
13 first grade when he or she transferred, shall no longer be eligible to
14 transfer under this section in school year 2016-17.

15 3. For school year 2016-17, if an unaccredited district becomes
16 classified as provisionally accredited or accredited without provisions
17 by the state board of education, any resident student of the
18 unaccredited district who has transferred under section 167.131 as it

19 existed on July 1, 2014, shall be permitted to continue the student's
20 educational program through the completion of middle school, junior
21 high school, or high school, whichever occurs first, except that a
22 student who attends any school serving students through high school
23 graduation but starting at grades lower than ninth grade shall be
24 permitted to complete high school in the school to which he or she has
25 transferred. However, any such student shall have previously attended
26 a school in the sending district for at least one semester immediately
27 before initially transferring, unless the student was entering
28 kindergarten or was a first grade student, and shall continue to reside
29 within the boundaries of the unaccredited district as those boundaries
30 existed when the student entered the transfer program to maintain
31 eligibility. A student who returns to his or her district of residence
32 shall be ineligible to transfer again.

33 4. Notwithstanding any other provision of law, any student who
34 was participating in the school transfer program before January 1,
35 2016, and who attended, for at least one semester immediately prior to
36 transferring, a school in an unaccredited district, shall have the option
37 of transferring to a virtual school as provided in subsection 8 of section
38 162.1250, an approved charter school, or another public school in the
39 student's district of residence that offers the student's grade level of
40 enrollment, as further provided in section 167.826.

167.826. 1. Any student may transfer to another public school in
2 the student's district of residence that offers the student's grade level
3 of enrollment and that is accredited without provisions by the state
4 board of education if such student is enrolled in and has attended an
5 unaccredited school in an unaccredited district for the full semester
6 immediately prior to requesting the transfer.

7 2. Any student may transfer to another public school in the
8 student's district of residence that offers the student's grade level of
9 enrollment and that is accredited without provisions by the state board
10 of education if such student is enrolled in and has attended an
11 unaccredited school, for the full semester immediately prior to
12 requesting the transfer, in:

- 13 (1) An urban school district;
- 14 (2) A metropolitan school district;
- 15 (3) A district that has most or all of its land area located in a

16 county with a charter form of government and with more than nine
17 hundred fifty thousand inhabitants; or

18 (4) A district that has most or all of its land area located in a
19 county with a charter form of government and with more than six
20 hundred thousand but fewer than seven hundred thousand inhabitants.

21 3. No such transfer under subsections 1 and 2 of this section
22 shall result in a class size and assigned enrollment in a receiving school
23 that exceeds the standards for class size and assigned enrollment as
24 promulgated in the Missouri school improvement program's resource
25 standards. If the student chooses to attend a magnet school, an
26 academically selective school, or a school with a competitive entrance
27 process within his or her district of residence that has admissions
28 requirements, the student shall meet such admissions requirements in
29 order to attend. The school board of each district described in
30 subsections 1 and 2 of this section that operates an unaccredited school
31 shall determine the capacity at each of the district's attendance centers
32 that the state board of education has assigned a classification
33 designation of accredited or accredited with distinction. The district's
34 school board shall be responsible for coordinating student transfers
35 from unaccredited schools to accredited schools within the district. No
36 student enrolled in and attending an attendance center that does not
37 offer classes above the second grade level shall be eligible to transfer
38 under this section.

39 4. Any student who is enrolled in and has attended an
40 unaccredited school in an unaccredited district for the full semester
41 immediately prior to requesting the transfer and who has first
42 attempted but is unable to transfer to an accredited school within his
43 or her district of residence under subsection 1 of this section due to a
44 lack of capacity in accredited schools in the district of residence may
45 apply to the appropriate education authority to transfer to:

46 (1) An accredited school in another district located in the same
47 or an adjoining county; or

48 (2) An approved charter school, as defined in section 167.848, in
49 another district located in the same or an adjoining county.

50 5. After the state board of education has assigned classification
51 designations to all attendance centers under subsection 3 of section
52 161.238 and continuing thereafter, any student who is eligible to

53 transfer under subsection 2 of this section and who has first attempted
54 but is unable to transfer to an accredited school within his or her
55 district of residence under subsection 2 of this section due to a lack of
56 capacity in accredited schools in the district of residence may apply to
57 the appropriate education authority to transfer to:

58 (1) An accredited school in another district located in the same
59 or an adjoining county; or

60 (2) An approved charter school, as defined in section 167.848, in
61 another district located in the same or an adjoining county.

62 6. The application to the education authority to transfer shall be
63 made by March first before the school year in which the student
64 intends to transfer.

65 7. A student who is eligible to begin kindergarten or first grade
66 at an unaccredited school as described in subsection 1 or 2 of this
67 section may apply to the appropriate education authority for a transfer
68 if he or she resides in the attendance area of an unaccredited school on
69 March first preceding the school year of first attendance. A student
70 who does not apply by March first shall be required to enroll and
71 attend for one semester to become eligible to transfer. If the student
72 chooses to apply to attend a magnet school, an academically selective
73 school, or a school with a competitive entrance process that has
74 admissions requirements, the student shall furnish proof that he or she
75 meets such admissions requirements. Any student who does not
76 maintain residency in the attendance area of his or her attendance
77 center in the district of residence shall lose eligibility to transfer. Any
78 student who transfers but later withdraws shall lose eligibility to
79 transfer. The transfer provisions of this subsection shall not apply to
80 a district created under sections 162.815 to 162.840 or to any early
81 childhood programs or early childhood special education programs.

82 8. No unaccredited district, provisionally accredited district,
83 unaccredited school, or provisionally accredited school shall be eligible
84 to receive transfer students, except that, within an unaccredited
85 district, students may transfer from unaccredited schools to accredited
86 schools, and a transfer student who chooses to attend a provisionally
87 accredited school in the district of residence shall be allowed to
88 transfer to such school if there is an available slot.

89 9. If a charter school may receive nonresident transfer students

90 under this section because it has been operating for less than three
91 years but then loses its status as an approved charter school
92 immediately after those three years because its three-year average
93 score on its annual performance report is below seventy percent, any
94 students who previously transferred to the charter school may remain
95 enrolled in the charter school but no additional nonresident students
96 may transfer to the charter school.

97 10. No attendance center with a three-year average score of
98 seventy percent or lower on its annual performance report shall be
99 eligible to receive any transfer students, irrespective of its state board
100 of education classification designation, except that any student who
101 was granted a transfer to such an attendance center prior to the
102 effective date of this section may remain enrolled in that attendance
103 center.

104 11. For a receiving district or receiving approved charter school,
105 no acceptance of a transfer student shall require any of the following
106 actions, unless the school board of the receiving district or the
107 receiving approved charter school's governing board has approved the
108 action:

109 (1) A class size and assigned enrollment in a receiving school
110 that exceeds the number of students provided by its approved policy on
111 class size under subsection 12 of this section;

112 (2) The hiring of additional classroom teachers; or

113 (3) The construction of additional classrooms.

114 12. Each receiving district and each receiving approved charter
115 school shall have the right to establish and adopt, by objective means,
116 a policy for desirable class size and student-teacher ratios. A district's
117 policy may allow for estimated growth in the resident student
118 population. An approved charter school may use the class size, student-
119 teacher ratios, and growth projections for student enrollment contained
120 in the charter school's charter application and charter when adopting
121 a policy. Any district or approved charter school that adopts such a
122 policy shall do so by January first annually. A receiving district or
123 receiving approved charter school shall publish its policy and shall not
124 be required to accept any transfer students under this section that
125 would violate its class size or student-teacher ratio. If a student
126 seeking to transfer is denied admission to a district or approved

127 charter school based on a lack of space under the policy, the student or
128 the student's parent or guardian may appeal the ruling to the state
129 board of education if he or she believes the district's policy or
130 approved charter school's policy is unduly restrictive to student
131 transfers. If more than one student or parent appeals a denial of
132 admission from the same district or approved charter school to the
133 state board of education, the state board shall make an effort to hear
134 such actions at the same time. If the state board of education finds that
135 the policy is unduly restrictive to student transfers, the state board
136 may limit the policy. The state board's decision shall be final.

137 13. For each student who transfers to another district or
138 approved charter school, the student's district of residence shall pay
139 the tuition amount for each transfer student to the receiving district or
140 receiving approved charter school in two increments annually, once at
141 the start of the school year and once at the start of the second semester
142 of the school year. Each receiving district and receiving approved
143 charter school shall adopt a policy establishing a tuition rate by
144 February first annually.

145 14. If an unaccredited school becomes classified as provisionally
146 accredited or accredited without provisions by the state board of
147 education, any student who was assigned to such attendance center and
148 who has transferred under this section shall be permitted to continue
149 his or her educational program in that education option through the
150 completion of middle school, junior high school, or high school,
151 whichever occurs first, except that a student who attends any school
152 serving students through high school graduation but starting at grades
153 lower than ninth grade shall be permitted to complete high school in
154 the school to which he or she has transferred.

155 15. (1) Except as provided in subdivision (2) of this subsection,
156 if a district described in subsection 1 or 2 of this section operates an
157 unaccredited school, the education authority for the county in which
158 the district is located shall designate at least one accredited district in
159 the same or an adjoining county to which the district operating the
160 unaccredited school shall provide transportation for transfer students.
161 If the designated district reaches full student capacity and is unable to
162 receive additional students, the education authority shall designate at
163 least one additional accredited district to which the district operating

164 an unaccredited school shall provide transportation for transfer
165 students.

166 (2) For the 2016-17 school year, and until such time as the
167 governor has appointed a number of members sufficient to constitute
168 a quorum to the education authority whose geographic coverage area
169 includes a district operating an unaccredited school, the department of
170 elementary and secondary education shall designate at least one
171 accredited district in the same or an adjoining county to which a
172 district operating an unaccredited school shall provide transportation
173 for transfer students. If the designated district reaches full student
174 capacity and is unable to receive additional students, the department
175 shall designate at least one additional accredited district to which a
176 district operating an unaccredited school shall provide transportation
177 for transfer students.

178 (3) During the 2016-17 school year, for any district in a county
179 with a charter form of government and with more than nine hundred
180 fifty thousand inhabitants that the state board of education classified
181 as unaccredited effective January 1, 2014, the costs of providing
182 transportation for transfer students to a designated accredited district
183 in the same or an adjoining county shall be paid from the student
184 transfer transportation fund. There is hereby created in the state
185 treasury the "Student Transfer Transportation Fund", which shall
186 consist of moneys appropriated to this fund. The state treasurer shall
187 be custodian of the fund. The commissioner of education shall
188 administer the fund. In accordance with sections 30.170 and 30.180, the
189 state treasurer may approve disbursements. The fund shall be a
190 dedicated fund, and moneys in the fund shall be used solely by the
191 department of elementary and secondary education for the purposes of
192 this subdivision. Notwithstanding the provisions of section 33.080 to
193 the contrary, any moneys remaining in the fund at the end of the
194 biennium shall not revert to the credit of the general revenue
195 fund. The state treasurer shall invest moneys in the fund in the same
196 manner as other funds are invested. Any interest and moneys earned
197 on such investments shall be credited to the fund.

198 (4) Beginning in the 2017-18 school year, when determining
199 transportation arrangements under this subsection, neither the
200 department of elementary and secondary education nor any education

201 authority shall contract with or collaborate with any established
202 regional association or cooperative of school districts located in any
203 city not within a county or any county with a charter form of
204 government and with more than nine hundred fifty thousand
205 inhabitants.

206 16. Notwithstanding the provisions of subsection 13 of this
207 section to the contrary, if costs associated with the provision of special
208 education and related services to a student with a disability exceed the
209 tuition amount established under this section, the transfer student's
210 district of residence shall remain responsible to pay the excess cost to
211 the receiving district or receiving approved charter school. If the
212 receiving district is a component district of a special school district,
213 the transfer student's district of residence, including any metropolitan
214 school district, shall contract with the special school district for the
215 entirety of the costs to provide special education and related services,
216 excluding transportation pursuant to this section. The special school
217 district may contract with the transfer student's district of residence,
218 including any metropolitan district, for the provision of transportation
219 of a student with a disability, or the transfer student's district of
220 residence may provide transportation on its own.

221 17. A special school district shall continue to provide special
222 education and related services, with the exception of transportation
223 under this section, to a student with a disability transferring from an
224 unaccredited school within a component district to an accredited
225 school within the same or a different component district within the
226 special school district.

227 18. If any metropolitan school district operates an unaccredited
228 school, it shall remain responsible for the provision of special
229 education and related services, including transportation, to students
230 with disabilities. A special school district in an adjoining county to a
231 metropolitan school district may contract with the metropolitan school
232 district for the reimbursement of special education services pursuant
233 to sections 162.705 and 162.710 provided by the special school district
234 for transfer students who are residents of the district operating an
235 unaccredited school.

236 19. Regardless of whether transportation is identified as a
237 related service within a student's individualized education program, a

238 receiving district that is not part of a special school district shall not
239 be responsible for providing transportation to a student transferring
240 under this section. A district operating an unaccredited school may
241 contract with a receiving district that is not part of a special school
242 district pursuant to sections 162.705 and 162.710 for transportation of
243 students with disabilities.

244 20. If a seven-director district or urban school district as
245 described under subsection 1 or 2 of this section operates an
246 unaccredited school, it may contract with a receiving district that is
247 not part of a special school district in the same or an adjoining county
248 for the reimbursement of special education and related services
249 pursuant to sections 162.705 and 162.710 provided by the receiving
250 district for transfer students who are residents of the district operating
251 an unaccredited school.

167.827. 1. By August 1, 2016, and by January first annually,
2 each district eligible to receive transfer students under section 167.826
3 shall report to the education authority for the county in which the
4 district is located its number of available enrollment slots in accredited
5 schools by grade level. Each district described in subsection 1 or 2 of
6 section 167.826 operating an unaccredited school shall report to the
7 education authority the number of available enrollment slots in the
8 accredited schools of the district by August 1, 2016, and by January
9 first annually. Each approved charter school that is eligible to receive
10 transfer students under section 167.826 shall report the number of
11 available enrollment slots by August 1, 2016, and by January first
12 annually.

13 2. Any education authority whose geographic area includes a
14 district described in subsection 1 or 2 of section 167.826 operating an
15 unaccredited school shall make information and assistance available to
16 parents or guardians who intend to transfer their child from an
17 unaccredited school to an accredited school in another district in the
18 same or an adjoining county or an approved charter school in another
19 district in the same or an adjoining county.

20 3. The parent or guardian of a student who intends to transfer
21 his or her child from an unaccredited school to an accredited school in
22 another district in the same or an adjoining county or an approved
23 charter school in another district in the same or an adjoining county

24 shall send initial notification to the education authority for the county
25 in which he or she resides by March first for enrollment in the
26 subsequent school year.

27 4. The education authority whose geographic area includes a
28 district that operates an unaccredited school described in subsection
29 1 or 2 of section 167.826 shall assign those students who are unable to
30 transfer to an accredited school in their district of residence and seek
31 to transfer to an accredited school in another district in the same or an
32 adjoining county or an approved charter school in another district in
33 the same or an adjoining county. When assigning transfer students to
34 approved charter schools, an education authority shall coordinate with
35 each approved charter school and its admissions process if capacity is
36 insufficient to enroll all students who submit a timely application. An
37 approved charter school shall not be required to receive any transfer
38 students that would require it to institute a lottery procedure for
39 determining the admission of resident students. The authority shall
40 give first priority to students who live in the same household with any
41 family member within the first or second degree of consanguinity or
42 affinity who have already transferred and who apply to attend the same
43 school. If insufficient grade-appropriate enrollment slots are available
44 for a student to be able to transfer, that student shall receive first
45 priority the following school year. The authority shall only disrupt
46 student and parent choice for transfer if the available slots are
47 requested by more students than there are slots available. The
48 authority shall consider the following factors in assigning schools, with
49 the student's or parent's choice as the most important factor:

- 50 (1) The student's or parent's choice of the receiving school;
- 51 (2) The best interests of the student; and
- 52 (3) Distance and travel time to a receiving school.

53 The education authority shall not consider student academic
54 performance, free and reduced price lunch status, or athletic ability in
55 assigning a student to a school. When assigning transfer students to
56 approved charter schools, an education authority shall coordinate with
57 each approved charter school and its admissions process if capacity is
58 insufficient to enroll all students who submit a timely application.

59 5. An education authority may deny a transfer to a student who
60 in the most recent school year has been suspended from school two or

61 more times or who has been suspended for an act of school violence
62 under subsection 2 of section 160.261. A student whose transfer is
63 initially precluded under this subsection may be permitted to transfer
64 on a provisional basis as a probationary transfer student, subject to no
65 further disruptive behavior, upon a statement from the student's
66 current school that the student is not disruptive. A student who is
67 denied a transfer under this subsection has the right to an in-person
68 meeting with a representative of the authority. Each education
69 authority shall develop administrative guidelines to provide common
70 standards for determining disruptive behavior that shall include, but
71 not be limited to, criteria under the safe schools act.

72 6. Notwithstanding any other provision of law, the test scores of
73 transfer students attending schools in districts other than their district
74 of residence under section 167.826 shall be counted as follows:

75 (1) In the first year of attendance in a district or approved
76 charter school, a transfer student's score on a statewide assessment
77 shall not be included when calculating the status or progress scores on
78 the district's or charter school's annual performance report scores. The
79 growth score shall be weighted at one hundred percent;

80 (2) In the second year of attendance, a transfer student's score
81 on a statewide assessment shall be weighted at thirty percent when
82 calculating the district's or charter school's performance for purposes
83 of the district's or charter school's annual performance report status or
84 progress score, with the growth score weighted at one hundred percent;

85 (3) In the third year of attendance, a transfer student's score on
86 a statewide assessment shall be weighted at seventy percent when
87 calculating the district's or charter school's performance for purposes
88 of the district's or charter school's annual performance report status or
89 progress score, with the growth score weighted at one hundred percent;

90 (4) In the fourth year of attendance and any subsequent years of
91 attendance, a transfer student's score on a statewide assessment shall
92 be weighted at one hundred percent when calculating the district's or
93 charter school's performance for purposes of the district's or charter
94 school's annual performance report status or progress score, with the
95 growth score weighted at one hundred percent.

96 7. When performing the requirements of this section, section
97 167.132, or sections 167.830 to 167.845, if an education authority whose

98 geographic area includes a district that operates an unaccredited
99 school as described in subsection 1 or 2 of section 167.826 is not
100 coordinating transfers due to insufficient funding or because the
101 governor has not yet appointed a number of members sufficient to
102 constitute a quorum to the education authority, the department of
103 elementary and secondary education shall contract with or collaborate
104 with any organizations it chooses, subject to the exception described
105 in subsection 8 of this section, in order to coordinate transfers that
106 each education authority is required to coordinate under such
107 sections. The department of elementary and secondary education and
108 such organization or organizations it chooses shall fulfill all functions
109 of the education authorities, including the duty to perform the tuition
110 calculation as described in subsection 4 of section 167.132. Any
111 applications for transfers and any reports of available enrollment slots
112 that the education authorities would have received shall be submitted
113 to the department of elementary and secondary education or such
114 organization or organizations it chooses instead.

115 8. Beginning in the 2017-18 school year, when performing the
116 requirements of this section or sections 167.830 to 167.845, neither the
117 department of elementary and secondary education nor any education
118 authority shall contract with or collaborate with any established
119 regional association or cooperative of school districts located in any
120 city not within a county or any county with a charter form of
121 government and with more than nine hundred fifty thousand
122 inhabitants. No such regional association or cooperative of school
123 districts shall receive any applications for transfers nor perform any
124 functions assigned to the education authorities.

167.830. 1. There is hereby established the "St. Louis Area
2 Education Authority". The authority is hereby constituted a public
3 instrumentality and body politic and corporate, and the exercise by the
4 authority of the powers conferred by this section shall be deemed and
5 held to be the performance of an essential public function. Unless
6 otherwise provided, the authority shall be subject to all general laws
7 pertaining to the operation of seven-director districts as defined in
8 section 160.011.

9 2. If any metropolitan school district, any district located in any
10 county with a charter form of government and with more than nine

11 hundred fifty thousand inhabitants, or any district located in an
12 adjoining county to them operates at least one unaccredited school, the
13 authority shall coordinate student transfers from unaccredited schools
14 to schools in accredited districts as set forth in section 167.826 and, if
15 applicable, to approved charter schools.

16 3. The authority shall consist of five members to be appointed by
17 the governor, by and with the advice and consent of the senate, each of
18 whom shall be a resident of the state. The members shall reflect the
19 population characteristics of the districts they represent. Not more
20 than three of the five members of the authority shall be of the same
21 political party. Two members shall be residents of the metropolitan
22 school district, two members shall be residents of school districts
23 located in a county with a charter form of government and with more
24 than nine hundred fifty thousand inhabitants, and one member shall be
25 a resident of a district located in an adjoining county to a county with
26 a charter form of government and with more than nine hundred fifty
27 thousand inhabitants. The length of term for members shall be six
28 years except for the initial members, who shall be appointed in the
29 following manner:

- 30 (1) One member shall be appointed for a term of two years;
- 31 (2) One member shall be appointed for a term of three years;
- 32 (3) One member shall be appointed for a term of four years;
- 33 (4) One member shall be appointed for a term of five years; and
- 34 (5) One member shall be appointed for a term of six years.

35 4. The term length of each initial appointee shall be designated
36 by the governor at the time of making the appointment. Upon the
37 expiration of the initial terms of office, successor members shall be
38 appointed for terms of six years and shall serve until their successors
39 have been appointed and have qualified. Any member shall be eligible
40 for reappointment. The governor shall fill any vacancy for the
41 remainder of any unexpired term within thirty days of notification of
42 the vacancy. Any member of the authority may be removed by the
43 governor for misfeasance, malfeasance, willful neglect of duty, or other
44 cause after notice and a public hearing unless the notice or hearing
45 shall be expressly waived in writing.

46 5. Members of the authority shall receive no compensation for
47 services, but shall be entitled to reimbursement for necessary expenses,

48 including traveling and lodging expenses, incurred in the discharge of
49 their duties. Any payment for expenses shall be paid from funds of the
50 authority.

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

70 **7. Meetings, records, and operations of the authority shall be**
71 **subject to the provisions of chapter 610.**

72 **8. The authority shall have the following powers, together with**
73 **all powers incidental thereto or necessary for the performance thereof**
74 **to:**

- 75 **(1) Have perpetual succession as a body politic and corporate;**
76 **(2) Adopt bylaws for the regulation of its affairs and the conduct**
77 **of its business;**
78 **(3) Sue and be sued and prosecute and defend, at law or in**
79 **equity, in any court having jurisdiction of the subject matter and of the**
80 **parties;**
81 **(4) Establish and use a corporate seal and alter the same at**
82 **pleasure;**
83 **(5) Maintain an office at such place or places in the state of**
84 **Missouri as it may designate;**

85 **(6) Employ an executive director and other staff as needed, with**
86 **compensation fixed by the authority;**

87 **(7) Coordinate student transfers located in its jurisdiction, as**
88 **provided by law; and**

89 **(8) Coordinate and collaborate with local districts, approved**
90 **charter schools, and local governments for the transfer of students, as**
91 **provided by law.**

167.833. 1. There is hereby created in the state treasury the "St.
2 **Louis Area Education Authority Fund". The fund shall consist of any**
3 **appropriations, gifts, bequests, or public or private donations to such**
4 **fund. Any moneys in the fund shall be used to fund the operations of**
5 **the education authority. The state treasurer shall be custodian of the**
6 **fund. In accordance with sections 30.170 and 30.180, the state treasurer**
7 **may approve disbursements of public moneys in accordance with**
8 **distribution requirements and procedures developed by the department**
9 **of elementary and secondary education and shall make disbursement**
10 **of private funds according to the directions of the donor. If the donor**
11 **did not specify how the private funds were to be disbursed, the state**
12 **treasurer shall contact the donor to determine the manner of**
13 **disbursement. The fund shall be a dedicated fund and, upon**
14 **appropriation, moneys in the fund shall be used solely for the**
15 **administration of sections 167.830 and 167.833.**

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

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

167.836. 1. There is hereby established the "Kansas City Area
2 **Education Authority". The authority is hereby constituted a public**
3 **instrumentality and body politic and corporate, and the exercise by the**
4 **authority of the powers conferred by this section shall be deemed and**
5 **held to be the performance of an essential public function. Unless**
6 **otherwise provided, the authority shall be subject to all general laws**
7 **pertaining to the operation of seven-director districts as defined in**
8 **section 160.011.**

9 **2. If any district located in any county with a charter form of**

10 government and with more than six hundred thousand but fewer than
11 seven hundred thousand inhabitants or in an adjoining county operates
12 at least one unaccredited school, the authority shall coordinate student
13 transfers from unaccredited schools to schools in accredited districts
14 as set forth in section 167.826 and, if applicable, to approved charter
15 schools.

16 3. The authority shall consist of five members appointed by the
17 governor, by and with the advice and consent of the senate, each of
18 whom shall be a resident of the state. Three members shall be
19 residents of an urban school district containing most or all of a home
20 rule city with more than four hundred thousand inhabitants and
21 located in more than one county. One member shall be a resident of a
22 school district located in a county with a charter form of government
23 and with more than six hundred thousand but fewer than seven
24 hundred thousand inhabitants but such member shall be a resident of
25 a school district other than an urban school district containing most or
26 all of a home rule city with more than four hundred thousand
27 inhabitants and located in more than one county. One member shall be
28 a resident of a school district located in a county adjoining to a county
29 with a charter form of government and with more than six hundred
30 thousand but fewer than seven hundred thousand inhabitants. The
31 members shall reflect the population characteristics of the districts
32 they represent. Not more than three of the five members of the
33 authority shall be of the same political party. The length of term for
34 members shall be six years except for the initial members, who shall be
35 appointed in the following manner:

- 36 (1) One member shall be appointed for a term of two years;
- 37 (2) One member shall be appointed for a term of three years;
- 38 (3) One member shall be appointed for a term of four years;
- 39 (4) One member shall be appointed for a term of five years; and
- 40 (5) One member shall be appointed for a term of six years.

41 4. The term length of each initial appointee shall be designated
42 by the governor at the time of making the appointment. Upon the
43 expiration of the initial terms of office, successor members shall be
44 appointed for terms of six years and shall serve until their successors
45 have been appointed and have qualified. Any member shall be eligible
46 for reappointment. The governor shall fill any vacancy for the

47 remainder of any unexpired term within thirty days of notification of
48 the vacancy. Any member of the authority may be removed by the
49 governor for misfeasance, malfeasance, willful neglect of duty, or other
50 cause after notice and a public hearing unless the notice or hearing
51 shall be expressly waived in writing.

52 5. Members of the authority shall receive no compensation for
53 services, but shall be entitled to reimbursement for necessary expenses,
54 including traveling and lodging expenses, incurred in the discharge of
55 their duties. Any payment for expenses shall be paid from funds of the
56 authority.

57 6. One member of the authority, designated by the governor for
58 the purpose, shall call and convene the initial organizational meeting
59 of the authority and shall serve as its president pro tempore. At the
60 initial meeting and annually thereafter, the authority shall elect one of
61 its members as president. The authority may appoint an executive
62 director who shall not be a member of the authority and who shall
63 serve at its pleasure. If an executive director is appointed, he or she
64 shall receive such compensation as shall be fixed from time to time by
65 action of the authority. The authority shall appoint a member as
66 secretary who shall keep a record of the proceedings of the authority
67 and shall be the custodian of all books, documents, and papers filed
68 with the authority, the minute books or journal thereof, and its official
69 seal. The secretary may cause copies to be made of all minutes and
70 other records and documents of the authority and may give certificates
71 under the official seal of the authority to the effect that the copies are
72 true and correct copies, and all persons dealing with the authority may
73 rely on such certificates. The authority, by resolution duly adopted,
74 shall fix the powers and duties of its executive director as it may, from
75 time to time, deem proper and necessary.

76 7. Meetings, records, and operations of the authority shall be
77 subject to the provisions of chapter 610.

78 8. The authority shall have the following powers, together with
79 all powers incidental thereto or necessary for the performance thereof
80 to:

- 81 (1) Have perpetual succession as a body politic and corporate;
- 82 (2) Adopt bylaws for the regulation of its affairs and the conduct
83 of its business;

84 **(3) Sue and be sued and prosecute and defend, at law or in**
85 **equity, in any court having jurisdiction of the subject matter and of the**
86 **parties;**

87 **(4) Establish and use a corporate seal and alter the same at**
88 **pleasure;**

89 **(5) Maintain an office at such place or places in the state of**
90 **Missouri as it may designate;**

91 **(6) Employ an executive director and other staff as needed, with**
92 **compensation fixed by the authority;**

93 **(7) Coordinate student transfers located in its jurisdiction, as**
94 **provided by law; and**

95 **(8) Coordinate and collaborate with local districts, approved**
96 **charter schools, and local governments for the transfer of students, as**
97 **provided by law.**

167.839. 1. There is hereby created in the state treasury the
2 "Kansas City Area Education Authority Fund". The fund shall consist
3 of any appropriations, gifts, bequests, or public or private donations to
4 such fund. Any moneys in the fund shall be used to fund the operations
5 of the education authority. The state treasurer shall be custodian of
6 the fund. In accordance with sections 30.170 and 30.180, the state
7 treasurer may approve disbursements of public moneys in accordance
8 with distribution requirements and procedures developed by the
9 department of elementary and secondary education and shall make
10 disbursement of private funds according to the directions of the donor.
11 If the donor did not specify how the private funds were to be disbursed,
12 the state treasurer shall contact the donor to determine the manner of
13 disbursement. The fund shall be a dedicated fund and, upon
14 appropriation, moneys in the fund shall be used solely for the
15 administration of sections 167.836 and 167.839.

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

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

167.842. 1. There is hereby established the "Statewide Education
2 Authority". The authority is hereby constituted a public

3 instrumentality and body politic and corporate, and the exercise by the
4 authority of the powers conferred by this section shall be deemed and
5 held to be the performance of an essential public function. Unless
6 otherwise provided, the authority shall be subject to all general laws
7 pertaining to the operation of seven-director districts as defined in
8 section 160.011. The jurisdiction of the statewide education authority
9 shall be all counties except for:

10 (1) Any city not within a county;

11 (2) Any county with a charter form of government and with more
12 than six hundred thousand but fewer than seven hundred thousand
13 inhabitants and adjoining counties; and

14 (3) Any county with a charter form of government and with more
15 than nine hundred fifty thousand inhabitants and adjoining counties.

16 2. If any district located in the statewide education authority's
17 jurisdiction operates at least one unaccredited school, the authority
18 shall coordinate student transfers from unaccredited schools to schools
19 in accredited districts as set forth in section 167.826 and, if applicable,
20 to approved charter schools.

21 3. The authority shall consist of five members to be appointed by
22 the governor, by and with the advice and consent of the senate, each of
23 whom shall be a resident of the state. The members shall reflect the
24 population characteristics of the districts they represent. Not more
25 than three of the five members of the authority shall be of the same
26 political party. The governor shall not appoint members to the
27 authority until the state board of education gives notice that a district
28 in the authority's jurisdiction has been classified as unaccredited. The
29 length of term for members shall be six years except for the initial
30 members, who shall be appointed in the following manner:

31 (1) One member shall be appointed for a term of two years;

32 (2) One member shall be appointed for a term of three years;

33 (3) One member shall be appointed for a term of four years;

34 (4) One member shall be appointed for a term of five years; and

35 (5) One member shall be appointed for a term of six years.

36 4. The term length of each initial appointee shall be designated
37 by the governor at the time of making the appointment. Upon the
38 expiration of the initial terms of office, successor members shall be
39 appointed for terms of six years and shall serve until their successors

40 have been appointed and have qualified. Any member shall be eligible
41 for reappointment. The governor shall fill any vacancy for the
42 remainder of any unexpired term within thirty days of notification of
43 the vacancy. Any member of the authority may be removed by the
44 governor for misfeasance, malfeasance, willful neglect of duty, or other
45 cause after notice and a public hearing unless the notice or hearing
46 shall be expressly waived in writing.

47 5. Members of the authority shall receive no compensation for
48 services, but shall be entitled to reimbursement for necessary expenses,
49 including traveling and lodging expenses, incurred in the discharge of
50 their duties. Any payment for expenses shall be paid from funds of the
51 authority.

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

71 7. Meetings, records, and operations of the authority shall be
72 subject to the provisions of chapter 610.

73 8. The authority shall have the following powers, together with
74 all powers incidental thereto or necessary for the performance thereof
75 to:

76 (1) Have perpetual succession as a body politic and corporate;

77

78 (2) Adopt bylaws for the regulation of its affairs and the conduct
79 of its business;

80 (3) Sue and be sued and prosecute and defend, at law or in
81 equity, in any court having jurisdiction of the subject matter and of the
82 parties;

83 (4) Establish and use a corporate seal and alter the same at
84 pleasure;

85 (5) Maintain an office at such place or places in the state of
86 Missouri as it may designate;

87 (6) Employ an executive director and other staff as needed, with
88 compensation fixed by the authority;

89 (7) Coordinate student transfers located in its jurisdiction, as
90 provided by law; and

91 (8) Coordinate and collaborate with local districts, approved
92 charter schools, and local governments for the transfer of students, as
93 provided by law.

167.845. 1. There is hereby created in the state treasury the
2 "Statewide Education Authority Fund". The fund shall consist of any
3 appropriations, gifts, bequests, or public or private donations to such
4 fund. Any moneys in the fund shall be used to fund the operations of
5 the education authority. The state treasurer shall be custodian of the
6 fund. In accordance with sections 30.170 and 30.180, the state treasurer
7 may approve disbursements of public moneys in accordance with
8 distribution requirements and procedures developed by the department
9 of elementary and secondary education and shall make disbursement
10 of private funds according to the directions of the donor. If the donor
11 did not specify how the private funds were to be disbursed, the state
12 treasurer shall contact the donor to determine the manner of
13 disbursement. The fund shall be a dedicated fund and, upon
14 appropriation, moneys in the fund shall be used solely for the
15 administration of sections 167.842 and 167.845.

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

19 3. The state treasurer shall invest moneys in the fund in the
20 same manner as other funds are invested. Any interest and moneys

21 earned on such investments shall be credited to the fund.

167.848. For purposes of sections 161.084, 161.087, 161.238,
2 162.1250, 162.1305, 162.1310, 162.1313, 167.642, 167.685, 167.688, and
3 167.825 to 167.848, the following terms mean:

4 (1) "Accredited district", a school district that is classified as
5 accredited or accredited with distinction by the state board of
6 education pursuant to the authority of the state board of education to
7 classify schools as established in sections 161.087 and 161.092;

8 (2) "Accredited school", an attendance center that is classified as
9 accredited or accredited with distinction by the state board of
10 education pursuant to the authority of the state board of education to
11 classify schools as established in sections 161.087, 161.092, and 161.238;

12 (3) "Approved charter school", a charter school that has existed
13 for less than three years or a charter school with a three-year average
14 score of seventy percent or higher on its annual performance report;

15 (4) "Attendance center", a public school building or buildings or
16 part of a school building that constitutes one unit for accountability
17 purposes under the Missouri school improvement program;

18 (5) "Borderline district", a school district that has a current
19 annual performance report score between seventy-five and seventy with
20 the last two consecutive years showing a decline in the score, with a
21 district third-grade or eighth-grade statewide reading assessment that
22 shows that fifty percent or more of the students are at a level less than
23 proficient, and a transient student ratio in the top quartile of districts;

24 (6) "Education authority" or "authority", an education authority
25 established under sections 167.830 to 167.845;

26 (7) "Provisionally accredited district", a school district that is
27 classified as provisionally accredited by the state board of education
28 pursuant to the authority of the state board of education to classify
29 schools as established in sections 161.087 and 161.092;

30 (8) "Provisionally accredited school", an attendance center that
31 is classified as provisionally accredited by the state board of education
32 pursuant to the authority of the state board of education to classify
33 schools as established in sections 161.087, 161.092, and 161.238;

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

37 sections 161.087 and 161.092;

38 (10) "Unaccredited school", an attendance center that is classified
39 as unaccredited by the state board of education pursuant to the
40 authority of the state board of education to classify schools as
41 established in sections 161.087, 161.092, and 161.238;

42 (11) "Underperforming", a school district or an attendance center
43 that has been classified as unaccredited or provisionally accredited
44 pursuant to the authority of the state board of education to classify
45 schools or has a three-year average annual performance report score
46 consistent with a classification of provisionally accredited or
47 unaccredited.

167.890. 1. The department of elementary and secondary
2 education shall compile and maintain student performance data scores
3 of all transfer students enrolled in districts other than their resident
4 districts as provided in sections 167.825 and 167.826 and make such
5 data available on the Missouri comprehensive data system. No
6 personally identifiable data shall be accessible on the database.

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

170.215. 1. Any school district may enter into a contract with a
2 public library to provide online tutoring services through a third-party
3 vendor or a nonprofit organization for the district's students. Any
4 tutoring services shall be conducted through any compatible computer
5 to participating students who have a library card, both within and
6 without the public library facility.

7 2. Online tutoring services may include, but shall not be limited
8 to, providing participating students with a library card the following:

- 9 **(1) Assistance with homework;**
10 **(2) Collaboration and study tools in math, science, social**
11 **sciences, English, language arts, and computer literacy;**
12 **(3) Access to comprehensive writing assistance productivity**
13 **software; and**
14 **(4) Test preparation tools.**

15 **3. Any contract may allow participating students with a library**
16 **card dedicated access to assistance during specified hours of the day**
17 **and specified days of the week. A contract may also allow students to**
18 **submit questions to tutors or join online study groups.**

19 **4. Online tutoring services shall be designed and implemented**
20 **in such a manner as to:**

- 21 **(1) Protect individual student privacy;**
22 **(2) Prohibit voice communication between the parties; and**
23 **(3) Prohibit face-to-face visual communication.**

24 **5. No employee of any third-party vendor or nonprofit**
25 **organization with which a public library has contracted for online**
26 **tutoring services shall solicit personally identifiable information from**
27 **any participating student including, but not limited to, home address,**
28 **telephone number, and email address.**

29 **6. Any entity that offers online tutoring services under this**
30 **section shall maintain an archive of all communications between**
31 **students and tutors for two years.**

32 **7. School districts may use available funds or seek grants from**
33 **private foundations to cover the costs of online tutoring services.**

170.320. 1. There is hereby created in the state treasury the
2 **"Parent Portal Fund". The fund shall consist of any gifts, bequests, or**
3 **public or private donations to such fund. Any moneys in the fund shall**
4 **be used to assist districts in establishing and maintaining a parent**
5 **portal. School districts may establish a parent portal that shall be**
6 **accessible by mobile technology for parents to have access to**
7 **educational information and access to student data. Any person or**
8 **entity that makes a gift, bequest, or donation to the fund may specify**
9 **the district that shall be the recipient of such gift, bequest, or donation.**

10 **2. The state treasurer shall be custodian of the fund. In**
11 **accordance with sections 30.170 and 30.180, the state treasurer may**
12 **approve disbursements of public moneys in accordance with**

13 **distribution requirements and procedures developed by the department**
14 **of elementary and secondary education and shall make disbursements**
15 **of private funds according to the directions of the donor. If the donor**
16 **did not specify how the private funds were to be disbursed, the state**
17 **treasurer shall contact the donor to determine the manner of**
18 **disbursement. The fund shall be a dedicated fund and, upon**
19 **appropriation, moneys in the fund shall be used solely for the**
20 **administration of this section.**

21 **3. Notwithstanding the provisions of section 33.080 to the**
22 **contrary, any moneys remaining in the fund at the end of the biennium**
23 **shall not revert to the credit of the general revenue fund.**

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

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

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

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

22 4. If any local district violates the provisions of this section, the

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

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

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

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

36 (1) Vocational schools which may adopt an eight-hour day in a
37 metropolitan school district and a school district in a first class county adjacent
38 to a city not within a county, and any school that adopts a four-day school week
39 in accordance with section 171.029; **and**

40 (2) **A school district that increases the length of the school day**
41 **or the number of required hours by following the procedure established**
42 **in subsection 8 of this section.**

43 8. **The school board of any district in this state that has been**
44 **classified as unaccredited or provisionally accredited by the state**
45 **board of education or that is accredited but has a three-year average**
46 **annual performance report score consistent with a classification of**
47 **unaccredited or provisionally accredited may increase the length of the**
48 **school day upon adoption of a resolution by a majority vote to**
49 **authorize such action. Such a school district may also increase the**
50 **annual hours of instruction above the required number of hours in**
51 **subsection 1 of this section by the adoption of a resolution by a**
52 **majority vote to authorize such action.**

53 9. (1) **There is hereby created in the state treasury the "Extended**
54 **Learning Time Fund". The fund shall consist of any moneys that may**
55 **be appropriated by the general assembly from general revenue to such**
56 **fund, any moneys paid into the state treasury and required by law to**
57 **be credited to such fund, and any gifts, bequests, or public or private**
58 **donations to such fund.**

59 **(2) The state treasurer shall be custodian of the fund. In**
60 **accordance with sections 30.170 and 30.180, the state treasurer may**
61 **approve disbursements in accordance with distribution requirements**
62 **and procedures developed by the department of elementary and**
63 **secondary education. The fund shall be a dedicated fund and, upon**
64 **appropriation, moneys in the fund shall be used solely for the**
65 **administration of subsection 8 of this section.**

66 **(3) Notwithstanding the provisions of section 33.080 to the**
67 **contrary, any moneys remaining in the fund at the end of the biennium**
68 **shall not revert to the credit of the general revenue fund.**

69 **(4) The state treasurer shall invest moneys in the fund in the**
70 **same manner as other funds are invested. Any interest and moneys**
71 **earned on such investments shall be credited to the fund.**

177.015. 1. Each district that owns a building that is not
2 **occupied shall, by March fifteenth annually, prepare a public document**
3 **listing the status of each district-owned building that is not**
4 **occupied. The document shall include the address of each building and**
5 **the amount of money the district spends annually on the building**
6 **including, but not limited to, a separate accounting for repairs,**
7 **maintenance, utilities, and insurance. The document shall include an**
8 **estimate of the fair market value of each building. The district shall**
9 **post this information on its internet website and make the document**
10 **available to each district taxpayer.**

11 **2. For purposes of this section, the term "occupied" means a**
12 **district-owned building used for the education of children between the**
13 **ages of four and twenty-one for at least three hours a day for a school**
14 **term.**

210.861. 1. When the tax prescribed by section 210.860 or section 67.1775
2 **is established, the governing body of the city or county or city not within a county**
3 **shall appoint a board of directors consisting of nine members, who shall be**
4 **residents of the city or county or city not within a county. All board members**
5 **shall be appointed to serve for a term of three years, except that of the first board**
6 **appointed, three members shall be appointed for one-year terms, three members**
7 **for two-year terms and three members for three-year terms. Board members may**
8 **be reappointed. In a city not within a county, or any county of the first**
9 **classification with a charter form of government with a population not less than**
10 **nine hundred thousand inhabitants, or any county of the first classification with**

11 a charter form of government with a population not less than two hundred
12 thousand inhabitants and not more than six hundred thousand inhabitants, or
13 any noncharter county of the first classification with a population not less than
14 one hundred seventy thousand and not more than two hundred thousand
15 inhabitants, or any noncharter county of the first classification with a population
16 not less than eighty thousand and not more than eighty-three thousand
17 inhabitants, or any third classification county with a population not less than
18 twenty-eight thousand and not more than thirty thousand inhabitants, or any
19 county of the third classification with a population not less than nineteen
20 thousand five hundred and not more than twenty thousand inhabitants the
21 members of the community mental health board of trustees appointed pursuant
22 to the provisions of sections 205.975 to 205.990 shall be the board members for
23 the community children's services fund. The directors shall not receive
24 compensation for their services, but may be reimbursed for their actual and
25 necessary expenses.

26 2. The board shall elect a chairman, vice chairman, treasurer, and such
27 other officers as it deems necessary for its membership. Before taking office, the
28 treasurer shall furnish a surety bond or comparable insurance coverage for theft,
29 misappropriation, mismanagement, or other acts, in an amount to be determined
30 and in a form to be approved by the board, for the faithful performance of his or
31 her duties and faithful accounting of all moneys that may come into his or her
32 hands. The treasurer shall enter into the surety bond or comparable insurance
33 coverage with a surety company or insurer authorized to do business in Missouri,
34 and the cost of such bond or comparable insurance coverage shall be paid by the
35 board of directors. The board shall administer and expend all funds generated
36 pursuant to section 210.860 or section 67.1775 in a manner consistent with this
37 section. The board shall not be mandated to expend funds by an act of state
38 legislation without a majority vote of the county or city not within a county,
39 excluding any county with a charter form of government and with more than nine
40 hundred fifty thousand inhabitants.

41 3. The board may contract with public or not-for-profit agencies licensed
42 or certified where appropriate to provide qualified services and may place
43 conditions on the use of such funds. The board shall reserve the right to audit
44 the expenditure of any and all funds. The board and any agency with which the
45 board contracts may establish eligibility standards for the use of such funds and
46 the receipt of services. No member of the board shall serve on the governing

47 body, have any financial interest in, or be employed by any agency which is a
48 recipient of funds generated pursuant to section 210.860 or section 67.1775.

49 4. Revenues collected and deposited in the community children's services
50 fund may be expended for the purchase of the following services:

51 (1) Up to thirty days of temporary shelter for abused, neglected, runaway,
52 homeless or emotionally disturbed youth; respite care services; and services to
53 unwed mothers;

54 (2) Outpatient chemical dependency and psychiatric treatment programs;
55 counseling and related services as a part of transitional living programs;
56 home-based and community-based family intervention programs; unmarried
57 parent services; crisis intervention services, inclusive of telephone hotlines; and
58 prevention programs which promote healthy lifestyles among children and youth
59 and strengthen families;

60 (3) Individual, group, or family professional counseling and therapy
61 services; psychological evaluations; and mental health screenings.

62 5. Any county, excluding any county with a charter form of government
63 and with more than nine hundred fifty thousand inhabitants, or city not within
64 a county in which voters have approved the levy of a tax under section 67.1775
65 or section 210.860 shall not add services in addition to those which are set forth
66 in subsection 4 of this section at the time such levy is approved by the voters,
67 unless such services authorized by statute after the voters have approved the levy
68 are approved by the voters in the same manner as the original levy was approved.
69 A proposal to add services shall be approved as set forth in section 67.1775 or
70 section 210.860.

71 6. Revenues collected and deposited in the community children's services
72 fund may not be expended for inpatient medical, psychiatric, and chemical
73 dependency services, or for transportation services.

74 **7. (1) In fiscal years 2017 and 2018, in any county with a charter**
75 **form of government and with more than nine hundred fifty thousand**
76 **inhabitants that contains all or any portion of a school district that has**
77 **been designated as unaccredited or provisionally accredited by the**
78 **state board of education, up to five percent of the community children's**
79 **services fund's yearly revenues, based on the total dollar amount**
80 **needed to provide services as determined by a needs assessment, shall**
81 **be devoted to a grant program that delivers services directly to schools**
82 **in such districts according to the procedure in this subsection. The**

83 president of the school board shall notify the board of directors within
84 five business days after such designation. The board shall, in its
85 budget process for the following fiscal year, ensure that the total
86 amount of funds needed to provide services based on the needs
87 assessment is allocated according to this subsection, not to exceed five
88 percent of the fund's yearly revenues. If the total amount of funds
89 needed to provide such services exceeds five percent of the fund's
90 yearly revenues, the funds shall be distributed in an order based on the
91 greatest need for each district. Any moneys distributed from the fund
92 to a district shall be subject to an annual audit.

93 (2) The board shall undertake a needs assessment for any such
94 school district within ninety days after receipt of the notice under this
95 subsection. The needs assessment shall be used as a basis for
96 comprehensive mental health wraparound services delivery for which
97 the board shall contract as provided under subsection 3 of this section.

98 (3) The board shall appoint one of its members to a direct school
99 service coordinating committee, which is hereby created. The board
100 may appoint an additional one of its members to serve as an ex officio
101 member. The board shall appoint a social worker to the
102 committee. The school board of each affected district shall appoint two
103 parents with a child enrolled in a public school in the district based on
104 school district identification numbers from the department of
105 elementary and secondary education, rotating year to year from highest
106 number to lowest number. The school board of each affected district
107 shall appoint a school services staff member. The superintendent of
108 each affected district shall serve on the committee. An additional
109 member from each affected district may be appointed to serve as an ex
110 officio member.

111 (4) The direct school service coordinating committee shall
112 provide recommendations and oversight to the program of contracted
113 services under this subsection.

114 (5) If an additional district becomes unaccredited or
115 provisionally accredited in the service area of the children's services
116 fund, the general assembly shall review the percentage of revenue
117 dedicated to the grant program for a possible increase.

118 (6) The provisions of this subsection shall terminate on June 30,
119 2017.

633.420. 1. For the purposes of this section, the term "dyslexia" means a disorder that is neurological in origin, characterized by difficulties with accurate and fluent word recognition, and poor spelling and decoding abilities that typically result from a deficit in the phonological component of language, often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction, and of which secondary consequences may include problems in reading comprehension and reduced reading experience that can impede growth of vocabulary and background knowledge. Nothing in this section shall prohibit a district from assessing students for dyslexia and offering students specialized reading instruction if a determination is made that a student suffers from dyslexia. Unless required by federal law, nothing in this definition shall require a student with dyslexia to be automatically determined eligible as a student with a disability.

2. There is hereby created the "Legislative Task Force on Dyslexia". The joint committee on education shall provide technical and administrative support as required by the task force to fulfill its duties. The task force shall meet at least quarterly and may hold meetings by telephone or video conference. The task force shall advise and make recommendations to the governor, general assembly, and relevant state agencies regarding matters concerning individuals with dyslexia including education and other adult and adolescent services.

3. The task force shall be comprised of eighteen members consisting of the following:

(1) Four members of the general assembly, with two members from the senate to be appointed by the president pro tempore and two members from the house of representatives to be appointed by the speaker of the house of representatives;

(2) The commissioner of education, or his or her designee;

(3) One representative from an institution of higher education located in this state with specialized expertise in dyslexia and reading instruction;

(4) A representative from a state teachers association or the Missouri National Education Association;

(5) A representative from the International Dyslexia Association of Missouri;

- 38 **(6) A representative from Decoding Dyslexia of Missouri;**
39 **(7) A representative from the Missouri Association of Elementary**
40 **School Principals;**
41 **(8) A representative from the Missouri Council of Administrators**
42 **of Special Education;**
43 **(9) A professional licensed in the state of Missouri with**
44 **experience diagnosing dyslexia including, but not limited to, a licensed**
45 **psychologist, school psychologist, or neuropsychologist;**
46 **(10) A speech-language pathologist with training and experience**
47 **in early literacy development and effective research-based intervention**
48 **techniques for dyslexia, including an Orton-Gillingham remediation**
49 **program recommended by the Missouri Speech-Language Hearing**
50 **Association, or a certified academic language therapist recommended**
51 **by the Academic Language Therapists Association who is a resident of**
52 **this state;**
53 **(11) A representative from an independent private provider or**
54 **nonprofit organization serving individuals with dyslexia;**
55 **(12) An assistive technology specialist with expertise in**
56 **accessible print materials and assistive technology used by individuals**
57 **with dyslexia recommended by the Missouri assistive technology**
58 **council;**
59 **(13) One private citizen who has a child who has been diagnosed**
60 **with dyslexia;**
61 **(14) One private citizen who has been diagnosed with dyslexia;**
62 **and**
63 **(15) A representative of the Missouri State Council of the**
64 **International Reading Association.**
- 65 **4. The members of the task force, other than the members from**
66 **the general assembly and ex officio members, shall be appointed by the**
67 **president pro tempore of the senate or the speaker of the house of**
68 **representatives by September 1, 2016, by alternating appointments**
69 **beginning with the president pro tempore of the senate. A chairperson**
70 **shall be selected by the members of the task force. Any vacancy on the**
71 **task force shall be filled in the same manner as the original**
72 **appointment. Members shall serve on the task force without**
73 **compensation.**
- 74 **5. The task force shall make recommendations for a statewide**

75 system for identification, intervention, and delivery of supports for
76 students with dyslexia including the development of resource materials
77 and professional development activities. These recommendations shall
78 be included in a report to the governor and legislature and shall
79 include findings and proposed legislation and shall be made available
80 no longer than twelve months from the task force's first meeting.

81 **6. The recommendations and resource materials developed by**
82 **the task force shall:**

83 **(1) Identify valid and reliable screening and evaluation**
84 **assessments and protocols that can be used, and the appropriate**
85 **personnel to administer such assessments in order to identify children**
86 **with dyslexia or the characteristics of dyslexia as part of an ongoing**
87 **reading progress monitoring system, multi-tiered system of supports,**
88 **and special education eligibility determinations in schools;**

89 **(2) Recommend an evidence-based reading instruction, with**
90 **consideration of the National Reading Panel Report and Orton-**
91 **Gillingham methodology principles for use in all Missouri schools, and**
92 **intervention system, including a list of effective dyslexia intervention**
93 **programs, to address dyslexia or characteristics of dyslexia for use by**
94 **schools in multi-tiered systems of support and for services as**
95 **appropriate for special education eligible students;**

96 **(3) Develop and implement preservice and inservice professional**
97 **development activities to address dyslexia identification and**
98 **intervention, including utilization of accessible print materials and**
99 **assistive technology, within degree programs such as education,**
100 **reading, special education, speech-language pathology, and psychology;**

101 **(4) Review teacher certification and professional development**
102 **requirements as they relate to the needs of students with dyslexia;**

103 **(5) Examine the barriers to accurate information on the**
104 **prevalence of students with dyslexia across the state and recommend**
105 **a process for accurate reporting of demographic data; and**

106 **(6) Study and evaluate current practices for diagnosing, treating,**
107 **and educating children in this state and examine how current laws and**
108 **regulations affect students with dyslexia in order to present**
109 **recommendations to the governor and general assembly.**

110 **7. The task force shall hire or contract for hire specialist**
111 **services to support the work of the task force as necessary with**

112 appropriations made by the general assembly for that purpose or from
113 other available funding.

114 8. The task force authorized under this section shall
115 automatically sunset on August 31, 2018, unless reauthorized by an act
116 of the general assembly.

Section 1. 1. By September 1, 2016, each metropolitan school
2 district at any time it is underperforming, each urban school district
3 containing most or all of a home rule city with more than four hundred
4 thousand inhabitants and located in more than one county at any time
5 it is underperforming, and each district located in any county with a
6 charter form of government and with more than nine hundred fifty
7 thousand inhabitants at any time it is underperforming, shall identify
8 any district-owned buildings that are vacant and unused for classroom
9 instruction. Each district shall obtain an outside appraisal of each
10 such building.

11 2. Between September 1, 2016, and October 1, 2016, each district
12 shall publicly list any such building for sale with no restrictions in the
13 deed prohibiting such building from being used for education purposes.

14 3. Between October 1, 2016, and March 1, 2017, each district shall
15 provide multiple opportunities for potential purchasers to tour the
16 buildings. At such time, each potential purchaser may develop its own
17 cost estimates, at the expense of the potential purchaser, for a building
18 to be refurbished and brought into compliance with any required
19 health, safety, or occupancy code. Each district shall provide public
20 notice of the opportunities for potential purchasers to tour the
21 buildings.

22 4. By March 1, 2017, the district shall place any such buildings
23 that have not been sold into the level one pool. However, the district
24 may designate up to thirty percent of such buildings as franchise
25 buildings. For any franchise building, the district shall develop a plan
26 to return the building to use within three school years.

27 5. By May 1, 2017, the district shall place any buildings not sold
28 through the level one pool into the level two pool.

29 6. By July 1, 2017, the district shall place any buildings not sold
30 through the level two pool into the level three pool. For any building
31 sold through the level three pool, the district shall retain a
32 reversionary interest in the building. If the purchaser is a charter

33 school, the building shall revert to the district if the charter school
34 ceases operation, subject to any deeds of trust that secure any
35 financing of improvements to the property. If the purchaser is an
36 entity other than a charter school, the building shall revert to the
37 district after two years if the purchaser does not begin renovation,
38 refurbishment, or a repurposing of the building during that time.

39 7. For purposes of this section, the following terms mean:

40 (1) "Certified public bidder", any public library, local community
41 center, charter school, or political subdivision that has created and
42 submitted to the school board a land use plan for a building described
43 in subsection 1 of this section;

44 (2) "Level one pool", the time at which a district makes buildings
45 available for sale at auction with a minimum starting price at fifty
46 percent of the appraised value. Bidding is limited to certified public
47 bidders only;

48 (3) "Level two pool", the time at which a district makes buildings
49 available for sale at auction with a minimum starting price at twenty-
50 five percent of the appraised value. Bidding is available to any public
51 or private entity;

52 (4) "Level three pool", the time at which a district makes
53 buildings available for sale for a nominal fee;

54 (5) "Underperforming", a school district that has been classified
55 as unaccredited or provisionally accredited by the state board of
56 education or has a three-year average annual performance report score
57 consistent with a state board of education classification of
58 provisionally accredited or unaccredited.

59 8. Any building that has remained in the level three pool for
60 longer than six months may be demolished using funds from the
61 reclamation and demolition fund. Subject to appropriations, a school
62 district may receive an amount equal to twenty-five percent of the
63 appraised value of the building to be demolished from the reclamation
64 and demolition fund. There is hereby created in the state treasury the
65 "Reclamation and Demolition Fund", which shall consist of any moneys
66 that the general assembly may appropriate to the fund. The state
67 treasurer shall be custodian of the fund. In accordance with sections
68 30.170 and 30.180, the state treasurer may approve disbursements. The
69 fund shall be a dedicated fund and, upon appropriation, moneys in the

70 fund shall be used solely by the office of administration for the
71 purposes of carrying out the provisions of this section. Notwithstanding
72 the provisions of section 33.080 to the contrary, any moneys remaining
73 in the fund at the end of the biennium shall not revert to the credit of
74 the general revenue fund. The state treasurer shall invest moneys in
75 the fund in the same manner as other funds are invested. Any interest
76 and moneys earned on such investments shall be credited to the fund.

77 9. If any provision of this section, or the application thereof to
78 anyone or to any circumstances is held invalid, the remainder of this
79 section or this act and application of such provisions to others or other
80 circumstances shall not be affected thereby.

Section 2. If any provision of this act, or the application thereof
2 to anyone or to any circumstances is held invalid, the remainder of the
3 provisions of this act and the application of such provisions to others
4 or other circumstances shall not be affected thereby.

Section B. Because of the importance of improving and sustaining
2 Missouri's elementary and secondary education system and establishing
3 standards for student transfers to school districts, section A of this act is deemed
4 necessary for the immediate preservation of the public health, welfare, peace, and
5 safety, and is hereby declared to be an emergency act within the meaning of the
6 constitution, and section A of this act shall be in full force and effect upon its
7 passage and approval.

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