

SECOND REGULAR SESSION

# SENATE BILL NO. 802

96TH GENERAL ASSEMBLY

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INTRODUCED BY SENATOR JUSTUS.

Read 1st time February 16, 2012, and ordered printed.

TERRY L. SPIELER, Secretary.

5431S.011

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## AN ACT

To repeal section 167.164, RSMo, and to enact in lieu thereof one new section relating to the provision of alternative education services for students who have demonstrated disruptive behavior.

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

Section A. Section 167.164, RSMo, is repealed and one new section  
2 enacted in lieu thereof, to be known as section 167.164, to read as follows:

167.164. 1. Any suspension issued pursuant to section 167.161, or this  
2 section, or expulsion pursuant to section 167.161, shall not relieve the state or the  
3 suspended student's parents or guardians of their responsibilities to educate the  
4 student. School districts are encouraged to provide an in-school suspension  
5 system and to search for other acceptable discipline alternatives prior to using  
6 suspensions of more than ten days or expelling a student from the school. Each  
7 school district or special school district constituting the domicile of any child for  
8 whom alternative education programs are provided or procured under this section  
9 shall pay toward the per pupil costs for alternative education programs for such  
10 child. A school district which is not a special school district shall pay an amount  
11 equal to the average sum produced per child by the local tax effort of the district  
12 of domicile. A special school district shall pay an amount not to exceed the  
13 average sum produced per child by the local tax efforts of the domiciliary  
14 districts. When educational services have been provided by the school district or  
15 special school district in which a child actually resides, other than the district of  
16 domicile, the amounts as provided in subsection 2 of this section for which the  
17 domiciliary school district or special school district is responsible shall be paid by  
18 such district directly to the serving district. The school district, or special school

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

19 district, as the case may be, shall send a written voucher for payment to the  
20 regular or special district constituting the domicile of the child served and the  
21 domiciliary school district or special school district receiving such voucher shall  
22 pay the district providing or procuring the services an amount not to exceed the  
23 average sum produced per child by the local tax efforts of the domiciliary  
24 districts. In the event the responsible district fails to pay the appropriate amount  
25 to the district within ninety days after a voucher is submitted, the state  
26 department of elementary and secondary education shall deduct the appropriate  
27 amount due from the next payments of any state financial aid due that district  
28 and shall pay the same to the appropriate district.

29         2. A school district [may] **shall** contract with other political subdivisions,  
30 public agencies, not-for-profit organizations, or private agencies for the provision  
31 of alternative education services for students whose demonstrated disruptive  
32 behavior indicates that they cannot be adequately served in the traditional  
33 classroom setting. Such contracting may be included as part of a grant  
34 application pursuant to section 167.335 or conducted independent of the  
35 provisions of section 167.335.

Bill ✓

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