

FIRST REGULAR SESSION

HOUSE BILL NO. 642

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES COOKSON (Sponsor), DIECKHAUS,
JONES (63) AND ROWLAND (Co-sponsors).

1646L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 163.036 and 163.037, RSMo, and to enact in lieu thereof one new section relating to summer school.

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

Section A. Sections 163.036 and 163.037, RSMo, are repealed and one new section enacted in lieu thereof, to be known as section 163.036, to read as follows:

163.036. 1. In computing the amount of state aid a school district is entitled to receive for the minimum school term only under section 163.031, a school district may use an estimate of the weighted average daily attendance for the current year, or the weighted average daily attendance for the immediately preceding year or the weighted average daily attendance for the second preceding school year, whichever is greater. Beginning with the 2006-07 school year, the summer school attendance included in the average daily attendance as defined in subdivision (2) of section 163.011 shall include only the attendance hours of pupils that attend summer school in the current year. **Beginning with the 2011-2012 school year, the summer school attendance included in average daily attendance shall include only the attendance hours of pupils based exclusively on academic areas of study. The curriculum shall be based on core subject areas of the regular instruction program for the relevant grade levels. In order for summer school attendance to be included in the average daily attendance definition, each school district shall verify to the department of elementary and secondary education that the district's summer school program conforms to this subsection. This subsection shall not be construed to disallow a school district from providing a summer school program that offers nonacademic or enrichment activities at such district's expense.**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

19 Beginning with the 2004-05 school year, when a district's official calendar for the current year
20 contributes to a more than ten percent reduction in the average daily attendance for kindergarten
21 compared to the immediately preceding year, the payment attributable to kindergarten shall
22 include only the current year kindergarten average daily attendance. Any error made in the
23 apportionment of state aid because of a difference between the actual weighted average daily
24 attendance and the estimated weighted average daily attendance shall be corrected as provided
25 in section 163.091, except that if the amount paid to a district estimating weighted average daily
26 attendance exceeds the amount to which the district was actually entitled by more than five
27 percent, interest at the rate of six percent shall be charged on the excess and shall be added to the
28 amount to be deducted from the district's apportionment the next succeeding year.

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

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

41 4. For the purposes of distribution of state school aid pursuant to section 163.031, a
42 school district with ten percent or more of its assessed valuation that is owned by one person or
43 corporation as commercial or personal property who is delinquent in a property tax payment may
44 elect, after receiving notice from the county clerk on or before March fifteenth that more than
45 ten percent of its current taxes due the preceding December thirty-first by a single property owner
46 are delinquent, to use in the local effort calculation of the state aid formula the district's
47 equalized assessed valuation for the preceding year or the actual assessed valuation of the year
48 for which the taxes are delinquent less the assessed valuation of property for which the current
49 year's property tax is delinquent. To qualify for use of the actual assessed valuation of the year
50 for which the taxes are delinquent less the assessed valuation of property for which the current
51 year's property tax is delinquent, a district must notify the department of elementary and
52 secondary education on or before April first, except in the year enacted, of the current year
53 amount of delinquent taxes, the assessed valuation of such property for which delinquent taxes
54 are owed and the total assessed valuation of the district for the year in which the taxes were due

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

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

2 [163.037. In any school year after the 2009-10 school year, if there is a
3 twenty-five percent decrease in the statewide percentage of average daily
4 attendance attributable to summer school compared to the percentage of average
5 daily attendance attributable to summer school in the 2005-06 school year, then
6 for the subsequent school year, weighted average daily attendance, as such term
7 is defined in section 163.011, shall include the addition of the product of
 twenty-five hundredth times the average daily attendance for summer school.]