

FIRST REGULAR SESSION

HOUSE BILL NO. 994

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES McNARY (Sponsor), STREAM, LAIR, JONES (89), ALLEN, DIEHL, DIECKHAUS, BARNES, SCHARNHORST, KOENIG, GATSCHENBERGER, SCHOELLER, FREDERICK AND FUHR (Co-sponsors).

2110L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 167.131, RSMo, and to enact in lieu thereof five new sections relating to school accreditation.

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

Section A. Section 167.131, RSMo, is repealed and five new sections enacted in lieu thereof, to be known as sections 160.080, 160.402, 162.1062, 167.131, and 167.132, to read as follows:

160.080. 1. As authorized under its duty to classify the schools of the state under section 161.092, the state board of education shall adopt a system of classification to be implemented after the fifth cycle of its current school improvement program that accredits both individual schools and school districts separately from individual schools.

2. The state board of education shall, beginning December 1, 2011, report its progress on the establishment of standards and procedures to the general assembly by submitting a report to the joint committee on education. The report shall include notice of any needed statutory changes to effect the new classification system.

160.402. 1. Notwithstanding sections 160.400 and 160.405, an accredited district or cooperative association of accredited districts may sponsor or operate a charter school in a school district that has been classified as unaccredited by the state board of education under section 161.092. The district or cooperative association shall comply with all provisions of sections 160.400 to 160.420.

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.

6 **2. An unaccredited school district with unused facilities shall grant the opportunity**
7 **of first refusal for lease or purchase to a charter school authorized under subsection 1 of**
8 **this section.**

9 **3. If the school district regains accreditation without provisions, and the district or**
10 **cooperative wishes to discontinue the school, the district or cooperative shall solicit**
11 **proposals for the continuation of the school, which will be presented for a vote of the**
12 **parents or guardians of the students attending the school in the school year during which**
13 **the district undergoes its next accreditation review.**

162.1062. 1. Upon the vote of the governing board of the corporation established
2 **under section 162.1060 to accept the role of coordinating agency for transfers undertaken**
3 **by students of unaccredited districts, the corporation shall provide services in accordance**
4 **with subsection 2 of this section.**

5 **2. The corporation shall act as the central repository for student applications for**
6 **transfer under subsection 1 of this section. The corporation shall establish an open-**
7 **enrollment period and publicize the procedure for application for transfer in advance of**
8 **the open-enrollment period. The corporation shall make student assignments based on**
9 **available seats in accredited school districts described in subsection 1 of this section and**
10 **the availability of transportation.**

11 **3. School districts as described in subsection 1 of this section shall annually inform**
12 **the corporation of their anticipated open seats at each attendance center. Officers of a**
13 **school district that does not report its anticipated open seats or distorts the availability of**
14 **seats may be prosecuted for a violation of school law under section 162.091.**

167.131. 1. The board of education of each district in this state that does not maintain
2 **an accredited school pursuant to the authority of the state board of education to classify schools**
3 **as established in section 161.092 shall pay the tuition of and provide transportation consistent**
4 **with the provisions of section 167.241 for each pupil resident therein who attends an accredited**
5 **school in another district of the same or an adjoining county, unless the student attends a**
6 **charter school operated in the unaccredited district under section 162.402, the student**
7 **attends a school district participating in a program under section 162.1062, or the student**
8 **accepts an educational voucher under section 167.132.**

9 **2. Unless otherwise provided, the rate of tuition to be charged by the district attended**
10 **and paid by the sending district is the per pupil cost of maintaining the district's grade level**
11 **grouping which includes the school attended. The cost of maintaining a grade level grouping**
12 **shall be determined by the board of education of the district but in no case shall it exceed all**
13 **amounts spent for teachers' wages, incidental purposes, debt service, maintenance and**
14 **replacements. The term "debt service", as used in this section, means expenditures for the**

15 retirement of bonded indebtedness and expenditures for interest on bonded indebtedness. Per
16 pupil cost of the grade level grouping shall be determined by dividing the cost of maintaining the
17 grade level grouping by the average daily pupil attendance. If there is disagreement as to the
18 amount of tuition to be paid, the facts shall be submitted to the state board of education, and its
19 decision in the matter shall be final. Subject to the limitations of this section, each pupil shall
20 be free to attend the public school of his or her choice.

**167.132. 1. In lieu of attending a public school as described in section 160.402,
2 162.1062, or 167.131, a student residing and attending a public school in a district that has
3 been classified as unaccredited by the state board of education under section 161.092 may
4 accept a voucher.**

**5 2. In order to be redeemed for educational services, the voucher shall be required
6 to be co-signed by the parent or guardian of the student and by a representative of the
7 school that will receive the funds under the voucher, and the voucher shall be for the
8 amount of standard tuition of the accepting school, not to exceed the amount of the state
9 adequacy target as defined in section 163.011.**

**10 3. Each school accepting vouchers under this section shall register with the
11 department of elementary and secondary education and certify that:**

**12 (1) The school does not require students accepted under this section to attend
13 classes in a particular religion;**

**14 (2) The amount of its standard tuition, and if the tuition varies by membership in
15 a religious institution, the standard tuition for students of a nonmember parent;**

**16 (3) The performance of a student accepted under this section on a nationally
17 normed assessment instrument or the state assessment for any grade for which a state
18 assessment is required shall be reported to the student's residence district;**

**19 (4) The school will refund a prorated amount to the school district if the transfer
20 student withdraws before the end of the school year.**