

FIRST REGULAR SESSION

HOUSE BILL NO. 1004

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE LAMPE.

2138L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 160.276, 160.350, 160.375, 161.235, 161.415, 162.805, 162.1010, 162.1040, 162.1042, 162.1045, 162.1047, 162.1049, 162.1052, 162.1055, 162.1057, 162.1059, 168.015, 168.405, 168.409, 168.430, 171.051, 178.550, and 178.930, RSMo, relating to obsolete education statutes.

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

Section A. Sections 160.276, 160.350, 160.375, 161.235, 161.415, 162.805, 162.1010, 162.1040, 162.1042, 162.1045, 162.1047, 162.1049, 162.1052, 162.1055, 162.1057, 162.1059, 168.015, 168.405, 168.409, 168.430, 171.051, 178.550, and 178.930, are repealed:

[160.276. 1. Within the limits of amounts appropriated therefor, the department of elementary and secondary education shall make one-year, nonrenewable scholarships in an amount of one thousand dollars available to high school graduates and junior and community college students who are residents of Missouri, who enter and make a commitment to pursue a teacher education program approved by the department of elementary and secondary education and offered by a four-year college or university located in Missouri, and who have:

(1) Achieved scores on an accepted standardized test of academic ability, including, but not limited to, the SAT, ACT, SCAT, which place them at or above the eighty-fifth percentile; or

(2) A high school rank at or above the eighty-fifth percentile.

2. Any college or university located in Missouri which offers a teacher education program approved by the department of elementary and secondary education, and wishes to have the scholarships provided pursuant to this section made available to eligible applicants for admittance to such college or university,

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.

17 must provide matching funds to match, dollar for dollar, the funds made available
18 by the state under this section for students attending the college or university.
19 Such matching funds shall not be taken from money made available to the college
20 or university from state funds. The total scholarship available to any one student
21 from state and from college and university sources under such match program
22 shall be two thousand dollars.]
23

2 [160.350. There is hereby established a "Missouri Award of Recognition"
3 which may be presented to any student athlete who is attending any elementary
4 school, high school, university or college located in Missouri, or to any team of
5 athletes as a whole whose members meet the requirements of this section. Such
6 award may be presented to the eligible student athlete or athletes by the governor,
7 any member of the general assembly, or the general assembly, the house of
8 representatives or the senate, as a whole. In order to be eligible for the award, the
9 student athlete or athletes shall be sponsored by the governor, or by one or more
10 members of the general assembly, who shall state that such student athlete or
11 athletes have accomplished an outstanding achievement in their athletic field. A
12 resolution or recognition ceremony relating to such athletic achievement shall be
13 deemed the equivalent of this award.]

2 [160.375. 1. There is hereby established the "Missouri Senior Cadets
3 Program", which shall be administered by the department of elementary and
4 secondary education. The program shall encourage high school seniors to mentor
5 kindergarten through eighth grade students in their respective school districts for
6 a minimum of ten hours per week during the school year.

7 2. In order to be a mentor in the program, a student must:
8 (1) Be a Missouri resident who attends a Missouri high school;
9 (2) Possess a cumulative grade point average of at least three on a
10 four-point scale or equivalent; and

11 (3) Plan to attend college.
12 3. The department of elementary and secondary education shall
13 promulgate rules to implement this section, which shall include, but may not be
14 limited to, guidelines for school districts and mentors in the program. Any rule
15 or portion of a rule, as that term is defined in section 536.010, that is created
16 under the authority delegated in this section shall become effective only if it
17 complies with and is subject to all of the provisions of chapter 536 and, if
18 applicable, section 536.028. This section and chapter 536 are nonseverable and
19 if any of the powers vested with the general assembly pursuant to chapter 536 to
20 review, to delay the effective date, or to disapprove and annul a rule are
21 subsequently held unconstitutional, then the grant of rulemaking authority and
any rule proposed or adopted after August 28, 2009, shall be invalid and void.

22 4. The mentor shall work with the school principal, classroom teachers,
23 and other applicable school personnel in planning and implementing the
24 mentoring plan. Such mentoring may occur before, during, or after school.

25 5. If a mentor in the program successfully provides mentoring services
26 for an average of at least ten hours per week during a school year, the following
27 shall apply, subject to appropriations:

28 (1) The mentor shall receive one hour of elective class credit, which may
29 satisfy graduation requirements; and

30 (2) Should the mentor attend college with the stated intention of
31 becoming a teacher, the mentor shall be reimbursed, subject to appropriation, by
32 the department of elementary and secondary education for the costs of three
33 credit hours per semester for a total of no more than eight semesters.

34 6. There is hereby established in the state treasury a fund to be known as
35 the "Missouri Senior Cadets Fund", which shall consist of all moneys that may
36 be appropriated to it by the general assembly, and in addition may include any
37 gifts, contributions, grants, or bequests received from federal, state, private, or
38 other sources. The fund shall be administered by the department of elementary
39 and secondary education. The state treasurer shall be custodian of the fund and
40 may approve disbursements from the fund in accordance with sections 30.170
41 and 30.180. Upon appropriation, moneys in the fund shall be used solely for the
42 administration of the Missouri senior cadets program. Notwithstanding the
43 provisions of section 33.080 to the contrary, any moneys remaining in the fund
44 at the end of the biennium shall not revert to the credit of the general revenue
45 fund. The state treasurer shall invest moneys in the fund in the same manner as
46 other funds are invested. Any interest and moneys earned on such investments
47 shall be credited to the fund.

48 7. Pursuant to section 23.253 of the Missouri sunset act:

49 (1) Any new program authorized under this section shall automatically
50 sunset six years after August 28, 2009, unless reauthorized by an act of the
51 general assembly; and

52 (2) If such program is reauthorized, the program authorized under this
53 section shall automatically sunset twelve years after the effective date of the
54 reauthorization of this section; and

55 (3) This section shall terminate on September first of the calendar year
56 immediately following the calendar year in which a program authorized under
57 this section is sunset.]

58
2 [161.235. 1. Beginning July 1, 2001, the department of elementary and
3 secondary education shall provide a four-year competitive grant program to fund,
4 or defray the cost of, establishment or expansion of student suicide prevention
5 programs. Such programs may also include teacher and administrator training in
suicide prevention programs. Such programs may be operated at the district or

6 building level and, if operated, shall be operated at a public elementary or
7 secondary school of this state.

8 2. Prior to July 1, 2001, the department of elementary and secondary
9 education shall promulgate rules including but not limited to eligibility criteria,
10 how applicant priority is established, the manner in which grant funds may or
11 may not be used, proposed methods and documents of cooperation with the host
12 school or school district in the case of nonschool applicants pursuant to
13 subsection 3 of this section, and the form of grant applications.

14 3. Grants for the establishment or expansion of student suicide
15 prevention programs may be applied for by either public schools, school districts,
16 political subdivisions, corporations registered pursuant to the laws of this state,
17 partnerships registered pursuant to the laws of this state or not-for-profit
18 corporations as that term is defined in Section 501(c)(3) of the Internal Revenue
19 Code of 1986, as amended. In the case of applicants other than schools or school
20 districts, such applicants shall accompany the grant application with a document
21 of cooperation, approved by the department and signed by either the principal of
22 a public school or by the superintendent of a school district, stating that the
23 school or district shall furnish space and time for such program and stating the
24 manner in which such program will be made available to its students.

25 4. In its grant application the school, school district, political subdivision,
26 corporation, partnership or not-for-profit corporation shall describe any current
27 or any proposed suicide prevention program, show a need for an improved
28 suicide prevention program in the case of an existing program, and explain how
29 it proposes to implement or improve its program with grant funds.

30 5. The grantee pursuant to this section shall make a report on its suicide
31 prevention program after the second year of the grant to receive funds for years
32 three and four. As part of the mid-grant progress report, the grantee shall report
33 the progress of the program's development, as evidenced by the program's
34 compliance with the original stated goals of the program. The department shall
35 develop rules to determine compliance pursuant to this subsection, allowing for
36 flexibility in application to varying grant projects but supplying rigorous
37 standards so that compliance is measurable and meaningful in the context of the
38 individual grant project.

39 6. Grants are renewable for an additional four-year term, based in part
40 upon the results of the first grant.

41 7. Grants shall be distributed in equal amounts within geographic areas
42 established proportionately based upon student population; provided that, funds
43 may be reallocated by the department if an area has insufficient applications or
44 insufficient eligible applications to obligate all funds for the area.

45 8. Any rule or portion of a rule, as that term is defined in section 536.010,
46 that is created under the authority delegated in this section shall become effective
47 only if it complies with and is subject to all of the provisions of chapter 536 and,
48 if applicable, section 536.028. This section and chapter 536 are nonseverable and

49 if any of the powers vested with the general assembly pursuant to chapter 536 to
50 review, to delay the effective date or to disapprove and annul a rule are
51 subsequently held unconstitutional, then the grant of rulemaking authority and
52 any rule proposed or adopted after August 28, 2000, shall be invalid and void.]
53

2 [161.415. 1. Within the limits of amounts appropriated therefor, the
3 department of higher education shall make available up to one hundred one-year,
4 renewable scholarships in an amount of two thousand dollars to minority students
5 for the purpose of encouraging minority students to enter teaching. Such
6 scholarships shall be available to minority high school graduates and college
7 students who are residents of Missouri, and who enter and make a commitment
8 to pursue a teacher education program approved by the department of elementary
9 and secondary education and offered by a four-year college or university located
10 in Missouri, or who after the completion of their baccalaureate degree enter
11 teacher education and make a commitment to teach science or mathematics, and
12 who have:

13 (1) Achieved scores on an accepted standardized test of academic ability,
14 including, but not limited to, the SAT, ACT, SCAT, which place them at or
15 above the seventy-fifth percentile; and

16 (2) A high school rank at or above the seventy-fifth percentile.

17 2. If the number of applicants exceeds the number of scholarships or
18 revenues available, the department of higher education may consider the financial
19 needs of the applicant.

20 3. Any college or university located in Missouri which offers a teacher
21 education program approved by the department of elementary and secondary
22 education, and wishes to have the scholarships provided pursuant to this section
23 made available to eligible applicants for admittance to such college or university,
24 must provide matching funds to match one dollar for every two dollars made
25 available by the state pursuant to this section for students attending the college
26 or university. Such matching funds shall not be taken from money made
27 available to the college or university from state funds. The total scholarship
28 available to any one student from state and from college and university sources
29 pursuant to such match program shall be three thousand dollars per year.

30 4. A recipient shall be eligible for a renewed scholarship for a maximum
31 of three additional years. Eligibility for renewed scholarships shall be based on
32 criteria established by the colleges of education and the department of higher
33 education.

34 5. As used in this section the term "minority" includes Asian Americans,
35 Hispanic Americans, Native Americans and African Americans.

36 6. The scholarships provided in subsection 1 of this section shall be
37 available to otherwise eligible students who are currently enrolled in a
community college and make a commitment to pursue a teacher education

38 program approved by the department of elementary and secondary education and
39 offered by a four-year college or university located in Missouri.]
40

2 [162.805. 1. The commissioner of education shall appoint such state and
3 area advisory committees as are needed to make recommendations for the various
4 state schools for severely handicapped children.

5 2. The members of these advisory committees shall serve at the discretion
6 of the commissioner of education.]

2 [162.1010. 1. By July 1, 1995, the state board of education shall have
3 determined and implemented a process to pilot test a revised management system
4 involving three school sites in the state. To be called "The New Schools Pilot
5 Project", the board shall solicit volunteering school districts that will commit to
6 participating in the project for a five-year period.

7 2. (1) At each of the three school sites in the project, the management of
8 the school shall be vested in a five-member management team selected from bids
9 received by a local board of education, or by a combination of cooperating local
10 boards of education as stipulated by contract agreement between or among such
11 local boards. In the selection of the management team, technical assistance may
12 be provided to the local school board or boards, as requested, by the department
13 of elementary and secondary education. The provisions of other law to the
14 contrary notwithstanding, the state board of education may exempt from
15 certification requirements not more than two members of the management team.
16 One member of the five-member management team shall be designated as
17 principal of the project school.

18 (2) No bid shall be selected which is submitted by a for-profit
19 corporation. The percent of the school budget allocated for administrative
20 purposes shall not exceed the average percent spent for administrative purposes
21 for the most recently completed school year at other schools operated by the local
22 school board or boards. No member of the management team shall profit in any
23 way from the project other than from salaries received which shall be outlined in
24 each bid submitted.

25 (3) Using the assessment system established under section 160.518 or
26 until such assessment system is available, using the alternative indicators
27 approved under the provisions of subsection 3 of section 160.518, the state board
28 of education shall make every attempt when selecting schools for participation
29 in this project to select one school which is performing above average, one school
30 which is performing at the average and one school which is performing below
31 average. Under no circumstances shall more than two schools be chosen from
32 any one of the above categories.

33 3. Staffing and personnel decisions for the schools in the project shall be
vested in the management teams for the duration of the project; provided that all

34 certificated staff shall be paid according to the salary schedule adopted by the
 35 district. All laws concerning teacher contracts shall apply.

36 4. No penalty provided for in, or pursuant to, section 160.538 and section
 37 163.023 shall apply for any school participating in the project.

38 5. The state board of education shall waive, for participating schools,
 39 such rules and regulations as it may determine.

40 6. The commissioner of education shall develop a procedure for the
 41 evaluation of the new schools pilot project, including recommended means for
 42 expanding desirable elements of the project to other school districts in the state.]
 43

2 [162.1040. Sections 162.1040 to 162.1059 shall be known and may be
 3 cited as the "Elementary and Secondary School District Enrollment Option Act".
 4 Nothing in sections 162.1040 to 162.1059 shall apply to any school district in a
 5 county of the first classification having a charter form of government, nor to any
 6 school district within the city of St. Louis.]

2 [162.1042. As used in sections 162.1040 to 162.1059, the following
 3 terms mean:

4 (1) "Department", the department of elementary and secondary education;

5 (2) "Enrollment option districts", districts, the school boards of which
 6 have by resolution entered into an enrollment plan;

7 (3) "Enrollment option plan", a plan whereby two school districts
 8 establish a cooperative agreement to send or receive or send and receive each
 9 other's students, subject to the limitations of this section;

10 (4) "Parent", the parent, guardian or other person having charge, control
 11 or custody of an elementary or secondary school student;

12 (5) "Student", a student enrolled in an enrollment option district.]

2 [162.1045. 1. The state board of education shall direct the department
 3 to develop guidelines for the establishment of enrollment option plans by pilot
 4 local school districts that will be sending or receiving students. The guidelines
 5 shall be completed no later than August 1, 1995. The guidelines shall include the
 6 following items:

7 (1) Application procedures, including recommended deadlines for
 8 application and for notification of students and principals in enrollment option
 9 districts whenever a student's application is accepted;

10 (2) Procedures to include in enrollment options agreements for admitting
 11 pupils, including but not limited to:

12 (a) The establishment of district capacity limits by grade level, school
 13 building and education program;

14 (b) A requirement that resident students enrolled in a school district be
 given preference over any nonresident pupil in the selection of a school to attend;

15 (c) Limits on the number and frequency of changes of enrollment in
 16 enrollment option districts.

17 2. No enrollment option plan may be designed to include or exclude a
 18 nonresident pupil solely based on any of the following reasons:

19 (1) Academic ability, or any level of athletic, artistic, or other
 20 extracurricular skills;

21 (2) Handicapping conditions;

22 (3) The degree of proficiency of the English language;

23 (4) The fact that the student has been the subject of disciplinary
 24 proceedings, except that if an applicant has been suspended or expelled for ten
 25 consecutive days or more in the term for which admission is sought or in the term
 26 immediately preceding the term for which admission is sought, the procedures
 27 may include a provision denying admission of such applicant as a nonresident
 28 student.]

29

2 [162.1047. The enrollment option plan shall include specific standards
 3 for the acceptance or rejection of student applications. If an application is
 4 rejected, the district shall state in the notification the reason for the rejection.]

4

2 [162.1049. A nonresident district shall accept all credits toward
 3 promotion or graduation awarded by a district of residence. If a student returns
 4 to the student's district of residence prior to graduation, the district of residence
 5 shall accept all credits issued by an enrollment option district.]

5

2 [162.1052. Notwithstanding any provision of sections 162.1040 to
 3 162.1059 to the contrary, a nonresident district may reject an application for
 4 admission by a nonresident pupil if the:

5 (1) Dwelling in which the nonresident pupil resides with a parent,
 6 guardian or other person having charge, control or custody of the pupil is not
 7 within ten miles of the nonresident district; or

8 (2) Physical structures where the student will be attending classes in the
 9 school district of residence are closer to the structure in which the nonresident
 10 pupil resides than are the physical structures where the student will be attending
 11 classes of the nonresident district.]

11

2 [162.1055. No school district shall solicit the enrollment of a nonresident
 3 student. For the purpose of determining eligibility to participate in high school
 4 activities, the rules of any association governing such activities to which the
 5 district belongs shall govern.]

5

2 [162.1057. Notwithstanding the provisions of chapter 163 to the contrary,
 for the purposes of determining state aid, a nonresident student enrolled pursuant

3 to sections 162.1040 to 162.1059 in an enrollment option district shall be counted
4 as a resident pupil.]

5

2 [162.1059. Whenever there is a federal court-ordered desegregation
3 directive for a school district, enrollment options pursuant to sections 162.1040
4 to 162.1059 are subject to the approval of the court of continuing jurisdiction and
5 the court order shall govern.]

6

2 [168.015. 1. There is hereby established within the department of
3 elementary and secondary education, the "Missouri Advisory Council of
4 Certification for Educators", hereinafter known as the "advisory council", which
5 shall be composed of twenty-five members to be appointed by the state board of
6 education on the recommendation of the commissioner of education. Of the
7 twenty-five members of the council, fifteen must be active public school
8 classroom teachers.

9 2. The duties and responsibilities of the advisory council shall include,
10 but not be limited to:

11 (1) Making recommendations for the criteria and procedures whereby the
12 quality and effectiveness of teacher and school administrator education programs
13 within the state shall be evaluated;

14 (2) Making recommendations for the requirements for the certification
15 of public school teachers and administrators;

16 (3) Making recommendations for the standards for renewal of certificates
17 for public school teachers and administrators using academic course work as well
18 as other types of professional development;

19 (4) Making recommendations concerning rules and regulations with
20 respect to suspension and revocation of certificates of license to teach;

21 (5) Requesting and receiving reports from committees consisting of
22 representatives from various professional groups, qualified in respective
23 curriculum areas and other specialized areas, to assist in the formulation of
24 recommendations of the advisory committee to the commissioner of education
25 with respect to certification of public school teachers and administrators;

26 (6) Making recommendations for limiting the issuance of temporary
27 certificates that are granted to those who do not meet the full requirements for
28 certification.]

29

2 [168.405. There is hereby established an "Administrator Assessment
3 Center", which shall be organized and administered by the department of
4 elementary and secondary education, either individually or through contract, for
5 the purpose of assessing prospective school administrators. Beginning
6 September 1, 1988, all prospective administrators seeking initial administration
7 certification shall make application to and be approved by the department of
8 elementary and secondary education for admission to the administrator

8 assessment center. The assessment established under this section shall include,
9 but need not be limited to, simulations, observations, evaluations and
10 recommendations. The assessment shall be reviewed by the certifying authority
11 prior to issuance of a certificate. An unsatisfactory assessment shall result in the
12 nonissuance of a certificate. Persons who are aggrieved by the nonissuance of a
13 certificate may appeal such nonissuance in the manner provided in section
14 168.071.]
15

2 [168.409. The department of elementary and secondary education may
3 charge a reasonable fee to cover the expenses and costs related to the services
4 provided at the assessment center established under section 168.405 or at the
5 academy established under section 168.407. Such fees shall be deposited in the
6 excellence in education fund. Participant travel, living and incidental costs shall
7 be at the expense of the participant, or may be reimbursed by a local school
8 district.]

2 [168.430. 1. The state of Missouri in an effort to improve elementary
3 reading skills and basic student achievement in English and foreign languages,
4 remedial reading, science and math hereby establishes the "Missouri Teacher
5 Corps" program to improve student achievement. The department of elementary
6 and secondary education and the department of higher education shall work
7 together to provide staff and facilities to establish the corps and promote its
8 success.

2 2. The corps shall recruit fifty college seniors or graduates each year to
3 contract to teach in designated schools for a two-year period. No recruit shall
4 have majored in education. Each recruit shall have a bachelor's degree upon
5 entering the corps in English, foreign language, mathematics, science, social
6 studies or history.

7 3. The corps shall:

8 (1) Provide dedicated, talented teachers for school districts where an
9 inadequate supply of teachers exists and has a need for student reading
10 improvement;

11 (2) Afford a structured entry into the teaching profession for outstanding
12 liberal arts who may have never taught;

13 (3) Identify and nurture educational leaders for the twenty-first century.

14 4. The corps shall provide, with the assistance of the state colleges and
15 universities, an eight-week intensive training institute for the recruits to provide
16 skills needed to assist them in teaching. Upon successful completion of
17 certification requirements, recruits shall be assigned by the corps to public school
18 districts on the basis of local need.

19 5. The corps shall provide members with tuition and book allowances
20 and housing allowance for the member's pursuance of a master of arts degree in
21
22
23
24
25
26

27 curriculum and instruction in an evenings and weekends and summer schedule
 28 for the first two years.

29 6. Corps members shall be compensated as are other teachers.

30 7. The department of elementary and secondary education may adopt
 31 rules to implement the provisions of this section.

32 8. Any rule or portion of a rule, as that term is defined in section 536.010,
 33 that is created under the authority delegated in this section shall become effective
 34 only if it complies with and is subject to all of the provisions of chapter 536 and,
 35 if applicable, section 536.028. This section and chapter 536 are nonseverable and
 36 if any of the powers vested with the general assembly pursuant to chapter 536 to
 37 review, to delay the effective date or to disapprove and annul a rule are
 38 subsequently held unconstitutional, then the grant of rulemaking authority and
 39 any rule proposed or adopted after August 28, 1999, shall be invalid and void.]
 40

2 [171.051. School holidays include Thanksgiving Day, December
 3 twenty-fifth, the third Monday in February, and July fourth.]

2 [178.550. The president of the state board of education shall annually
 3 appoint a committee of five members to be known as the "State Advisory
 4 Committee for Vocational Education". The state advisory committee shall
 5 consist of one person of experience in agriculture; one employer; one
 6 representative of labor; one person of experience in home economics; one person
 7 of experience in commerce. The state commissioner of education is ex officio
 8 a member and the chairman of the advisory committee. The state board of
 9 education shall formulate general principles and policies for the administration
 10 of sections 178.420 to 178.580, which, when they have been approved by the
 11 state advisory committee, shall be put into effect. Joint conferences between the
 12 state board of education and advisory committee shall be held at least four times
 13 each year. All members of the state advisory committee shall be reimbursed for
 14 their actual expenses in attending the conferences.]

2 [178.930. 1. (1) Beginning July 1, 2009, and until June 30, 2010, the
 3 department of elementary and secondary education shall pay monthly, out of the
 4 funds appropriated to it for that purpose, to each sheltered workshop a sum equal
 5 to ninety dollars for each standard workweek (Monday through Friday) of up to
 6 and including thirty hours worked during the preceding calendar month.
 7 Eighteen dollars shall be paid for each six-hour or longer day worked by a
 8 handicapped employee on Saturdays or Sundays. For each handicapped worker
 9 employed by a sheltered workshop for less than a thirty-hour week or a six-hour
 10 day on Saturdays or Sundays, the workshop shall receive a percentage of the
 11 corresponding amount normally paid based on the percentage of time worked by
 the handicapped employee.

12 (2) Beginning July 1, 2010, and thereafter, the department of elementary
13 and secondary education shall pay monthly, out of the funds appropriated to it for
14 that purpose, to each sheltered workshop a sum equal to ninety-five dollars for
15 each standard workweek (Monday through Friday) of up to and including thirty
16 hours worked during the preceding calendar month. Nineteen dollars shall be
17 paid for each six-hour or longer day worked by a handicapped employee on
18 Saturdays or Sundays. For each handicapped worker employed by a sheltered
19 workshop for less than a thirty-hour week or a six-hour day on Saturdays or
20 Sundays, the workshop shall receive a percentage of the corresponding amount
21 normally paid based on the percentage of time worked by the handicapped
22 employee.

23 2. The department shall accept, as prima facie proof of payment due to
24 a sheltered workshop, information as designated by the department, either in
25 paper or electronic format. A statement signed by the president, secretary, and
26 manager of the sheltered workshop, setting forth the dates worked and the
27 number of hours worked each day by each handicapped person employed by that
28 sheltered workshop during the preceding calendar month, together with any other
29 information required by the rules or regulations of the department, shall be
30 maintained at the workshop location.

31 3. There is hereby created in the state treasury the "Sheltered Workshop
32 Per Diem Revolving Fund" which shall be administered by the commissioner of
33 the department of elementary and secondary education. All moneys appropriated
34 pursuant to subsection 1 of this section shall be deposited in the fund and
35 expended as described in subsection 1 of this section.

36 4. The balance of the sheltered workshop per diem revolving fund shall
37 not exceed five hundred thousand dollars at the end of each fiscal year and shall
38 be exempt from the provisions of section 33.080 relating to the transfer of
39 unexpended balances to the general revenue fund. Any unexpended balance in
40 the sheltered workshop per diem revolving fund at the end of each fiscal year
41 exceeding five hundred thousand dollars shall be deposited in the general revenue
42 fund.]