

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By \_\_\_\_\_

1 AMEND House Committee Substitute for House Bill No. 2210, Page 1, Section A, Line 3, by  
2 inserting after all of said section and line the following:

3  
4 "162.621. 1. The board of education shall have general and supervising control,  
5 government and management of the public schools and public school property of the district in the  
6 city and shall exercise generally all powers in the administration of the public school system therein.  
7 The board of education has all the powers of other school districts under the laws of this state except  
8 as herein provided and shall perform all duties required by general laws of school districts so far as  
9 they are applicable to the public school affairs of the city and are consistent with this law. It shall  
10 appoint the officers, agents and employees it deems necessary and proper and fix their  
11 compensation. The board of education may:

12 (1) Make, amend and repeal rules and bylaws for its meetings and proceedings, for the  
13 government, regulation and management of the public schools and school property in the city, for  
14 the transaction of its business, and the examination, qualification and employment of teachers,  
15 which rules and bylaws are binding on the board of education and all parties dealing with it until  
16 formally repealed;

17 (2) Fix the time of its meetings;

18 (3) Provide for special and standing committees;

19 (4) Levy taxes authorized by law for school purposes;

20 (5) Invest the funds of the district;

21 (6) Purchase and hold all property, real and personal, deemed by it necessary for the  
22 purposes of public education;

23 (7) Build and construct improvements for such purposes, and sell the same;

24 (8) Provide for the gratuitous transportation of pupils to and from schools in cases where by  
25 reason of special circumstances pupils are required to attend schools at unusual distances from their  
26 residences;

27 (9) Contract with nonprofit corporations to provide for the operation of schools; and

28 (10) Establish school site councils to facilitate site-based school management and to  
29 improve the needs of the local geographic attendance region of the school.

30 2. A superintendent of the district in the city shall not be terminated unless a minimum of  
31 two-thirds of the governing body of the district vote to terminate the superintendent.

32 3. Except as otherwise provided in this subsection, the powers granted in subsection 1 of  
33 this section shall be vested, in the manner provided in section 162.1100, in the special  
34 administrative board of the transitional school district containing the city not within a county if the  
35 school district loses its accreditation from the state board of education. Thereafter, such powers

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1 shall immediately revert to the board of directors of the school district for any period of time for  
2 which no transitional school district containing the city not within a county is in existence. The  
3 board of directors of the school district shall, at all times, retain auditing and public reporting  
4 powers.

5 162.1100. 1. There is hereby established within each city not within a county a school  
6 district to be known as the "Transitional School District of (name of city)", which shall be a body  
7 corporate and politic and a subdivision of the state. The transitional school district shall be  
8 coterminous with the boundaries of the city in which the district is located. Except as otherwise  
9 provided in this section and section 162.621, the transitional school district shall be subject to all  
10 laws pertaining to "seven-director districts", as defined in section 160.011. The transitional school  
11 district shall have the responsibility for educational programs and policies determined by a final  
12 judgment of a federal school desegregation case to be needed in providing for a transition of the  
13 educational system of the city from control and jurisdiction of a federal court school desegregation  
14 order, decree or agreement and such other programs and policies as designated by the governing  
15 body of the school district.

16 2. (1) The governing board of the transitional school district shall consist of three residents  
17 of the district: one shall be appointed by the governing body of the district, one shall be appointed  
18 by the mayor of the city not within a county and one shall be appointed by the president of the  
19 board of aldermen of the city not within a county. The members of the governing board shall serve  
20 without compensation for a term of three years, or until their successors have been appointed, or  
21 until the transitional district is dissolved or terminated. Any tax approved for the transitional district  
22 shall be assigned to the governing body of the school district in a city not within a county after  
23 dissolution or termination of the transitional district.

24 (2) In the event that the state board of education shall declare the school district of a city not  
25 within a county to be unaccredited, the member of the governing board of the transitional district  
26 appointed by the governing body of the district as provided in subdivision (1) of this subsection  
27 shall, within ninety days, be replaced by a chief executive officer nominated by the state board of  
28 education and appointed by the governor with the advice and consent of the senate. The chief  
29 executive officer need not be a resident of the district but shall be a person of recognized  
30 administrative ability, shall be paid in whole or in part with funds from the district, and shall have  
31 all other powers and duties of any other general superintendent of schools, including appointment of  
32 staff. The chief executive officer shall serve for a term of three years or until his or her successor is  
33 appointed or until the transitional district is dissolved or terminated. His or her salary shall be set  
34 by the state board of education.

35 3. In the event that the school district loses its accreditation, upon the appointment of a chief  
36 executive officer, any powers granted to any existing school board in a city not within a county on  
37 or before August 28, 1998, shall be vested with the special administrative board of the transitional  
38 school district containing such school district so long as the transitional school district exists, except  
39 as otherwise provided in section 162.621.

40 4. The special administrative board's powers and duties shall include:

41 (1) Creating an academic accountability plan, taking corrective action in underperforming

1 schools, and seeking relief from state-mandated programs;

2 (2) Exploration of alternative forms of governance for the district;

3 (3) Authority to contract with nonprofit corporations to provide for the operation of schools;

4 (4) Oversight of facility planning, construction, improvement, repair, maintenance and  
5 rehabilitation;

6 (5) Authority to establish school site councils to facilitate site-based school management  
7 and to improve the responsiveness of the schools to the needs of the local geographic attendance  
8 region of the school;

9 (6) Authority to submit a proposal to district voters pursuant to section 162.666 regarding  
10 establishment of neighborhood schools.

11 5. (1) The provisions of a final judgment as to the state of Missouri and its officials in a  
12 school desegregation case which subjects a district in which a transitional district is located in this  
13 state to a federal court's jurisdiction may authorize or require the governing body of a transitional  
14 school district established under this section to establish the transitional district's operating levy for  
15 school purposes, as defined pursuant to section 163.011, at a level not to exceed eighty-five cents  
16 per one hundred dollars assessed valuation in the district or a sales tax equivalent amount as  
17 determined by the department of elementary and secondary education which may be substituted for  
18 all or part of such property tax.

19 (2) Any other statute to the contrary notwithstanding, no tax authorized pursuant to this  
20 subsection shall:

21 (a) Be subject to any certificate of tax abatement issued after August 28, 1998, pursuant to  
22 sections 99.700 to 99.715; and

23 (b) Effective January 1, 2002, be subject to any new or existing tax increment financing  
24 adopted by a city not within a county pursuant to sections 99.800 to 99.865 except that any  
25 redevelopment plan and redevelopment project concerning a convention headquarters hotel adopted  
26 by ordinance by a city not within a county prior to August 28, 2003, shall be subject to such tax  
27 increment financing.

28 (3) The transitional school district shall not be subject to the provisions of section 162.081,  
29 sections 163.021 and 163.023 with respect to any requirements to maintain a minimum value of  
30 operating levy or any consequences provided by law for failure to levy at least such minimum rate.  
31 No operating levy or increase in the operating levy or sales tax established pursuant to this section  
32 shall be collected for a transitional school district unless prior approval is obtained from a simple  
33 majority of the district's voters. The board of the transitional district shall place the matter before  
34 the voters prior to March 15, 1999.

35 6. (1) The special administrative board established in this section shall develop, implement,  
36 monitor and evaluate a comprehensive school improvement plan, and such plan shall be subject to  
37 review and approval of the state board of education. The plan shall ensure that all students meet or  
38 exceed grade-level standards established by the state board of education pursuant to section  
39 160.514;

40 (2) The special administrative board shall establish student performance standards  
41 consistent with the standards established by the state board of education pursuant to section 160.514

1 for preschool through grade twelve in all skill and subject areas, subject to review and approval of  
2 the state board of education for the purpose of determining whether the standards are consistent with  
3 standards established by the state board of education pursuant to section 160.514;

4 (3) All students in the district who do not achieve grade-level standards shall be required to  
5 attend summer school; except that the provisions of this subsection shall not apply to students  
6 receiving special education services pursuant to sections 162.670 to 162.999;

7 (4) No student shall be promoted to a higher grade level unless that student has a reading  
8 ability at or above one grade level below the student's grade level; except that the provisions of this  
9 subsection shall not apply to students receiving special education services pursuant to sections  
10 162.670 to 162.999;

11 (5) The special administrative board established in this section shall develop, implement and  
12 annually update a professional development plan for teachers and other support staff, subject to  
13 review and approval of the state board of education.

14 7. The school improvement plan established pursuant to this section shall ensure open  
15 enrollment and program access to all students in the district, and, consistent with the Missouri and  
16 United States Constitutions, shall give first priority to residents of the city for admission to magnet  
17 schools. The school board shall take all practicable and constitutionally permissible steps to ensure  
18 that all magnet schools operate at full capacity. Students who change residence within the district  
19 shall be allowed to continue to attend the school in which they were initially enrolled for the  
20 remainder of their education at grade levels served by that school, and transportation shall be  
21 provided by the district to allow such students to continue to attend such school of initial  
22 enrollment.

23 8. To the extent practicable, the special administrative board shall ensure that per pupil  
24 expenditures and pupil-teacher ratios shall be the same for all schools serving students at a given  
25 grade level.

26 9. The special administrative board shall ensure that early childhood education is available  
27 throughout the district.

28 10. The special administrative board shall ensure that vocational education instruction is  
29 provided within the district.

30 11. The special administrative board shall establish an accountability officer whose duty  
31 shall be to ensure that academically deficient schools within the district are raised to acceptable  
32 condition within two years.

33 12. The transitional school district in any city not within a county shall be dissolved on July  
34 1, 2008, unless the state board determines, prior to that date, that it is necessary for the transitional  
35 district to continue to accomplish the purposes for which it was created. The state board of  
36 education may cause the termination of the transitional school district at any time upon a  
37 determination that the transitional district has accomplished the purposes for which it was  
38 established and is no longer needed. If the transitional school district is classified as fully  
39 accredited, the state board of education shall terminate it and return governance to the elected board  
40 of the school district containing the territory of the dissolved transitional school district within thirty  
41 days. If the transitional school district is fully accredited before August 28, 2018, the state board of

1 education shall terminate it at its first meeting to occur on or after August 28, 2018. The state board  
2 of education may cause the reestablishment of the transitional school district at any time upon a  
3 determination that it is necessary for the transitional district to be reestablished to accomplish the  
4 purposes established in this section. The state board of education shall provide notice to the  
5 governor and general assembly of the termination or reestablishment of the transitional school  
6 district and the termination or reestablishment shall become effective thirty days following such  
7 determination. Upon dissolution of a transitional school district pursuant to this section, nothing in  
8 this section shall be construed to reduce or eliminate any power or duty of any school district or  
9 districts containing the territory of the dissolved transitional school district unless such transitional  
10 school district is reestablished by the state board of education pursuant to this section."; and

11  
12 Further amend said bill by amending the title, enacting clause, and intersectional references  
13 accordingly.