

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 550, Page 1, In the Title, Line 3, by
2 deleting the words "charter schools" and inserting in lieu thereof the words "elementary and
3 secondary education"; and

4
5 Further amend said bill, Page 25, Section 160.417, Line 41, by inserting after all of said section and
6 line the following:

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8 "161.091. 1. As authorized under its duty to classify the schools of the state under section
9 161.092, the state board of education shall adopt a system of classification that accredits attendance
10 centers within a district separately from the district as a whole.

11 2. The state board of education may consider the classification designation of an attendance
12 center in its accreditation classification system to exempt attendance centers, as defined in subsection
13 4 of this section, with classification numbers outside the range of numbers assigned to high schools,
14 middle schools, junior high schools, or elementary schools. Public separate special education
15 schools within a special school district are exempted from the accreditation requirements of this
16 section. While not applicable for the purpose of accreditation, a special school district shall continue
17 to report all scores on its annual performance report to the department of elementary and secondary
18 education for all of its schools. Juvenile detention centers within a special school district are also
19 exempted from the accreditation standards of this section.

20 3. Notwithstanding the provisions of subdivision (9) of section 161.092, the rules and
21 regulations promulgated under this section shall be effective thirty days after publication in the code
22 of state regulations as provided in section 536.021 and shall not be subject to the two-year delay
23 contained in subdivision (9) of section 161.092.

24 4. For purposes of this section, "attendance center" means a public school building or
25 buildings or part of a school building that constitutes one unit for accountability purposes under the
26 Missouri school improvement program.

27 5. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
28 under the authority delegated in this section shall become effective only if it complies with and is
29 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and
30 chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to
31 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently
32 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
33 the effective date of this section, shall be invalid and void."; and

34 167.131. 1. The board of education of each district in this state that does not maintain [an
35 accredited] a high school [pursuant to the authority of the state board of education to classify schools
36 as established in section 161.092] offering work through the twelfth grade shall pay [the] tuition [of

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1 and provide transportation consistent with the provisions of section 167.241] as calculated by the
 2 receiving district under subsection 2 of this section for each pupil resident therein who has completed
 3 the work of the highest grade offered in the schools of the district and who attends [an accredited] a
 4 public high school in another district of the same or an adjoining county.

5 2. The rate of tuition to be charged by the district attended and paid by the sending district is
 6 the per pupil cost of maintaining the district's grade level grouping which includes the school
 7 attended. The cost of maintaining a grade level grouping shall be determined by the board of
 8 education of the district but in no case shall it exceed all amounts spent for teachers' wages,
 9 incidental purposes, debt service, maintenance and replacements. The term "debt service", as used in
 10 this section, means expenditures for the retirement of bonded indebtedness and expenditures for
 11 interest on bonded indebtedness. Per pupil cost of the grade level grouping shall be determined by
 12 dividing the cost of maintaining the grade level grouping by the average daily pupil attendance. If
 13 there is disagreement as to the amount of tuition to be paid, the facts shall be submitted to the state
 14 board of education, and its decision in the matter shall be final. Subject to the limitations of this
 15 section, each pupil shall be free to attend the public school of his or her choice.

16 167.132. 1. The board of education of each district in this state that has been declared
 17 unaccredited pursuant to the authority of the state board of education to classify schools as
 18 established in section 161.092 shall pay tuition for each resident therein who is assigned to an
 19 unaccredited school in the district who meets the criteria of this section.

20 2. In school year 2015-16 and subsequent years, tuition shall be calculated as follows:

21 (1) Multiply the full-time equivalent membership, as defined in section 163.011, of the
 22 transfer students to any receiving district by the amount of the state adequacy target used by the
 23 department of elementary and secondary education in calculating the current year formula
 24 apportionments under section 163.031;

25 (2) Multiply the amount derived in subdivision (1) of this subsection by the dollar value
 26 modifier of the receiving district used in calculating the current year formula apportionment;

27 (3) Multiply the amount derived in subdivision (2) of this subsection by the percentage
 28 formula adjustment, if any, used by the department in calculating the current year formula
 29 apportionment; and

30 (4) Add to the amount derived in subdivision (3) of this subsection the payment amount
 31 based on full-time equivalent membership used in the prior year for distribution of the funds from
 32 the school district trust fund under section 163.087 multiplied by the full-time equivalent
 33 membership of the transfer students attending the receiving district.

34
 35 If there is disagreement as to the amount of tuition to be paid, the facts shall be submitted to the state
 36 board of education, and its decision in the matter shall be final. Subject to the limitations of this
 37 section, each student shall be free to attend the public school of his or her choice.

38 3. A student who is assigned to an unaccredited building in an unaccredited district may
 39 transfer to a public school in another district of the same or an adjoining county if the receiving
 40 district is accredited without provisions by the state board of education and the student follows the
 41 procedures required by this section. Before a student who attends a public school in an unaccredited
 42 district may transfer to an accredited district in the same or an adjoining county, the unaccredited
 43 district shall determine if there is sufficient capacity in a district school offering the student's grade
 44 level of enrollment that is classified as accredited by the state board of education at the individual
 45 building level. If such capacity exists, the student shall remain enrolled in the unaccredited district
 46 and attend the accredited school, provided that the student meets any admissions requirements
 47 criteria if the school is a magnet school, academically selective school, or school with a competitive
 48 entrance process.

1 4. The parent or guardian of a student who seeks to transfer to an accredited district in the
2 same or an adjoining county shall provide proof that the student has resided in the unaccredited
3 district for at least twelve months prior to seeking to transfer out of the district. Any student who has
4 transferred to an accredited district shall maintain residency in his or her unaccredited district of
5 residence to continue eligibility for enrollment in the accredited district. If a student does not
6 maintain such residency, the student shall no longer be eligible to attend the accredited district. If a
7 transfer student voluntarily withdraws from the accredited district in which he or she has enrolled,
8 the student shall be permanently ineligible to reenroll in such accredited district and the student shall
9 be ineligible to transfer to another district.

10 5. By August 1, 2015, each local school board shall establish specific criteria through board
11 policy for the admission of nonresident pupils from districts that have been classified as unaccredited
12 by the state board of education who seek admission into a school district under this section. Each
13 school board shall adopt and publish a policy for reasonable student and teacher ratios and
14 reasonable class sizes. When adopting its policy, each school board shall consider previous years'
15 student enrollment, student and teacher ratios, and class size. Each school board shall take into
16 account the district's resident student population growth or decrease, based on demographic
17 projections provided by the office of socioeconomic data analysis, such that the receiving district
18 shall not be required to employ additional teachers or construct new classrooms to accommodate
19 such transfer pupils. No resident pupil shall be displaced from a school to which he or she would
20 otherwise be assigned to accommodate the admission of a nonresident pupil. The assignment of a
21 student to a particular building shall be the decision of the receiving district.

22 6. If an unaccredited district becomes classified as provisionally accredited or accredited
23 without provisions by the state board of education, resident students of the unaccredited districts who
24 are enrolled in an accredited district in the same or an adjoining county under this section shall be
25 permitted to continue their educational program in the accredited district through the highest grade
26 level offered at the school building currently attended; however, such students shall be required to
27 return to their resident district at the time they would normally matriculate to a building offering
28 higher grade levels.

29 Section B. Because of the importance of improving and sustaining Missouri's elementary and
30 secondary education system and establishing standards for student transfers to school districts,
31 sections 161.091, 167.131, and 167.132 of section A of this act is deemed necessary for the
32 immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be
33 an emergency act within the meaning of the constitution, and sections 161.091, 167.131, and
34 167.132 of section A of this this act shall be in full force and effect upon its passage and approval.";
35 and

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37 Further amend said bill by amending the title, enacting clause, and intersectional references
38 accordingly.