

FIRST REGULAR SESSION

HOUSE BILL NO. 685

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SOMMER.

0911L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 162.203 and 167.131, RSMo, and to enact in lieu thereof five new sections relating to elementary and secondary education.

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

Section A. Sections 162.203 and 167.131, RSMo, are repealed and five new sections
2 enacted in lieu thereof, to be known as sections 162.082, 162.086, 162.203, 167.131, and
3 167.137, to read as follows:

162.082. School boards in provisionally accredited and unaccredited school districts
2 **with buildings performing at unaccredited levels shall enter into a contract with the state**
3 **board of education to commit to certain interventions for each school building that is**
4 **performing at an unaccredited or provisionally accredited level. At the discretion of the**
5 **state board of education, a district that is accredited without provision that has one or**
6 **more buildings that are performing at unaccredited or provisionally accredited levels may**
7 **enter into a contract to commit to certain interventions for each such school building.**
8 **When a contract is executed, the state board of education shall not accredit such district**
9 **at a level below provisionally accredited for the term of the contract. Such contract shall**
10 **require intensive professional development as stipulated in the contract for all board**
11 **members, administrators, and teachers. When the state board of education deems it**
12 **necessary, the contract shall include provisions requiring the school district to engage**
13 **community partners to support school improvement projects within thirty days of the**
14 **contract execution, or the contract shall be null and void.**

162.086. 1. When a school district is declared to be provisionally accredited or
2 **unaccredited, when a building in an accredited district is performing at an unaccredited**

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.

3 or provisionally accredited level and is so designated by the state board of education, and
4 when a district is deemed needing additional support by the department of elementary and
5 secondary education, a review team shall be assigned by the department of elementary and
6 secondary education to perform a thorough review of the district or school. The review
7 team shall then issue a report to the state board of education and the district on
8 appropriate improvement strategies and shall identify priority areas for the district or
9 school. The review team shall work with other local, state, or federal sources to assist in
10 the procurement of additional supports and resources that have been identified as
11 necessary for the improvement of the schools and the students. If the district achieves
12 annual growth in its priority areas as identified by the review team and continues to score
13 at a provisionally accredited level on its annual performance report, it shall continue to be
14 designated at a provisionally accredited level.

15 **2. For a school that is designated unaccredited, the department of elementary and**
16 **secondary education and a leadership team composed of regional educational leaders and**
17 **representatives from the school community chosen by the department shall study**
18 **instructional programs, share options with the community, and facilitate the selection of**
19 **a new design model for a school that is a research-based or evidence-based model. The**
20 **department and the school district shall agree to a set of common instructional goals as well**
21 **as student achievement outcomes for regaining accreditation without provision for**
22 **individual schools. The department and the school district shall oversee the**
23 **implementation of the model and assessment of the model's success.**

162.203. 1. Board members initially elected or appointed under section 162.291,
2 162.459, 162.471, or 162.581, **and those who have been reelected after a breach in service,**
3 **after August 28, [1993] 2015,** in addition to the qualifications prescribed in those sections, shall
4 successfully complete orientation and training requirements within one year of the date of the
5 election or appointment. The orientation and training shall consist of at least sixteen hours with
6 the cost of such training to be paid by the district.

7 **2. All incumbent board members who have served on the board in the immediately**
8 **preceding term shall complete at least six hours of continuing education training within the**
9 **first year of each additional term of office. Board members serving in districts that are**
10 **unaccredited or provisionally accredited, districts with a school building or buildings**
11 **scoring at the unaccredited or provisionally accredited level, or districts that are deemed**
12 **needing additional support by the department of elementary and secondary education,**
13 **shall annually complete at least twelve hours of continuing education training, with at least**
14 **six hours of training on improving student outcomes and academic success including, but**
15 **not limited to, governance, personnel, policies and practices, curriculum and instruction,**

16 **use of data in planning and decision making, and current issues in education as part of**
17 **their service on the local board. The training required under this subsection shall not**
18 **replace the training required under subsection 1 of this section, and is in addition to the**
19 **orientation and training required for new school board members and members who have**
20 **been reelected after a breach in service.**

21 **3.** All programs providing the orientation and training required under the provisions of
22 this section shall be offered by a statewide association organized for the benefit of members of
23 boards of education or be approved by the state board of education.

24 **4. Notwithstanding any other provision of law, failure to comply with the**
25 **orientation and training requirements of this section shall result in forfeiture of any**
26 **member's position on any school board.**

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] **a high school serving grades nine through twelve** shall pay
4 [the] tuition [of] and provide transportation consistent with the provisions of section 167.241 for
5 each pupil resident therein who **has completed the work of the highest grade offered in the**
6 **schools of the district and who** attends [an accredited] **a public high** school in another district
7 of the same or an adjoining county.

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

20 **3. Notwithstanding any provision of this section or any other law, students who**
21 **attended school in a district other than the student's home district during the 2014-15**
22 **school year due to the home district's accreditation status under the provisions of law**
23 **governing student transfers prior to August 28, 2015, shall be permitted to continue to**
24 **attend in the receiving district until the student graduates, unless the student's home**
25 **district regains accreditation without provision under the provisions of section 161.092, in**

26 which case the provisions of subsection 5 of this section shall apply. In order to continue
27 attending school in a receiving district when a student's home district remains
28 unaccredited, students shall:

- 29 (1) Maintain residency in the sending district;
30 (2) Continuously attend school in the receiving district.

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32 Once a student ceases attending school in a receiving district, the student shall no longer
33 be eligible to participate in the transfer program, nor shall he or she transfer to any other
34 school district.

35 4. Notwithstanding any other provision of law, the test scores of students attending
36 school in districts other than their district of residence shall not be counted as part of the
37 receiving district's test scores for the first two years the student attends school in the
38 receiving district.

39 5. When a sending district regains accreditation without provision, students shall
40 return to their home district when they transition to schools serving different grade levels.
41 The sending district's obligation to provide transportation under section 167.241 shall
42 cease upon the sending district regaining provisionally accredited status.

167.137. 1. There is hereby established a "School Transfer Corporation", which
2 shall be a public body corporate, for the purpose of implementing a voluntary school
3 transfer program to serve students transferring to other districts due to a district's status
4 as provisionally accredited or unaccredited. The provisions of this section shall apply to
5 student transfers initiated after August 28, 2015, and shall not apply to any students
6 qualified to transfer under the provisions of section 167.131. Participation by a school
7 district in the voluntary school transfer program is at the option of the school district; a
8 district not opting into the program shall be excluded from the program and shall not be
9 required to accept transfer students from any other district. The corporation shall be
10 governed by a board of directors consisting of one representative selected by the governing
11 body of each district that participates in the voluntary school transfer program. The vote
12 of each member of the board shall be weighted proportionately to the percentage of the
13 total of transfer students who attend school in the member's district.

14 2. The corporation's board of directors shall design and operate a voluntary school
15 transfer program for all participating districts.

16 3. Notwithstanding any other provision of law, for each student participating in the
17 voluntary transfer program, the corporation shall receive the total of all state and federal
18 aid that would otherwise be paid to the student's district of residence, including, but not
19 limited to, state aid provided under sections 148.360, 149.015, 163.031, and 163.087. The

20 corporation shall pay a school district that receives a nonresident student from the funds
21 of the corporation in accordance with the provisions of this section and agreements
22 between the corporation and the participating school districts.

23 4. The corporation created under this section shall have all powers of a public body
24 corporate, except that it shall have no paid employees. The corporation, by contract with
25 any public entity, school district, or private entity, may retain the services of a fiscal agent,
26 make provisions for accounting, transportation management, or other assistance that the
27 corporation may need to carry out its functions.

28 5. All funds received by the corporation shall become funds of the corporation and
29 paid for the purposes set forth in this section and in accordance with agreements entered
30 into between the corporation and participating school districts and other entities, provided
31 that funds received for particular purposes, under federal or state categorical programs
32 benefitting individual students, shall be paid to the district or entity providing services to
33 the students entitled to such services. The proportionate share of federal and state
34 resources generated by students with disabilities, or the staff serving them, shall be paid
35 to the district where the child is attending school, unless the district of residence is required
36 by law to provide such services to the individual students, except that a special school
37 district containing the district where the child is attending school shall be paid for all
38 unreimbursed expenses for special education services provided to students with disabilities.
39 Funds held by the corporation at the close of a fiscal year may be carried over and utilized
40 by the corporation in subsequent fiscal years for the purposes set forth in this section.

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