

FIRST REGULAR SESSION

HOUSE BILL NO. 953

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HURST.

1975L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 162.431, RSMo, and to enact in lieu thereof one new section relating to school boundary changes.

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

Section A. Section 162.431, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 162.431, to read as follows:

162.431. 1. When it is necessary to change the boundary lines between seven-director school districts, in each district affected, ten percent of the voters by number of those voting for school board members in the last annual school election in each district may petition the district boards of education in the districts affected, regardless of county lines, for a change in boundaries. The question shall be submitted at the next election, as the term election is referenced and defined in section 115.123.

2. The voters shall decide the question by a majority vote of those who vote upon the question. If assent to the change is given by each of the various districts voting, each voting separately, the boundaries are changed from that date.

3. If one of the districts votes against the change and the other votes for the change, the matter may be appealed to the state board of education, in writing, within fifteen days of the submission of the question by either one of the districts affected, or in the above event by a majority of the signers of the petition requesting a vote on the proposal. At the first meeting of the state board following the appeal, a board of arbitration composed of three members, none of whom shall be a resident of any district affected, shall be appointed. In determining whether it is necessary to change the boundary line between seven-director districts, the board of arbitration shall base its decision upon the following:

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.

18 (1) The presence of school-aged children in the affected area;

19 (2) The presence of actual educational harm to school-aged children, either due to a
20 significant difference in the time involved in transporting students or educational deficiencies
21 in the district which would have its boundary adversely affected; and

22 (3) The presence of an educational necessity, not of a commercial benefit to landowners
23 or to the district benefitting for the proposed boundary adjustment. For purposes of subdivision
24 (2) of this subsection, "significant difference in the time involved in transporting students" shall
25 mean a difference of forty-five minutes or more per trip in travel time. "Travel time" is the
26 period of time required to transport a pupil from the pupil's place of residence or other designated
27 pick-up point to the site of the pupil's educational placement.

28 4. Within twenty days after notification of appointment, the board of arbitration shall
29 meet and consider the necessity for the proposed changes and shall decide whether the
30 boundaries shall be changed as requested in the petition or be left unchanged, which decision
31 shall be final. The decision by the board of arbitration shall be rendered not more than thirty
32 days after the matter is referred to the board. The chairman of the board of arbitration shall
33 transmit the decision to the secretary of each district affected who shall enter the same upon the
34 records of his district and the boundaries shall thereafter be in accordance with the decision of
35 the board of arbitration. The members of the board of arbitration shall be allowed a fee of fifty
36 dollars each, to be paid at the time the appeal is made by the district taking the appeal or by the
37 petitioners should they institute the appeal.

38 5. If the board of arbitration decides that the boundaries shall be left unchanged, no new
39 petition for the same, or substantially the same, boundary change between the same districts shall
40 be filed until after the expiration of two years from the date of the municipal election at which
41 the question was submitted to the voters of the districts.

42 **6. Not more than two appeals of a boundary change matter provided under**
43 **subsection 3 of this section shall be allowed for any petition which calls for the same or**
44 **substantially the same change in boundaries between districts. The limitation provided in**
45 **this subsection shall specifically include all appeals under this section which predate**
46 **enactment of this subsection.**

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