

FIRST REGULAR SESSION

HOUSE BILL NO. 1358

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE JOHNSON.

2698L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 161, RSMo, by adding thereto one new section relating to the establishment of a school oversight board within the department of elementary and secondary education.

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

Section A. Chapter 161, RSMo, is amended by adding thereto one new section, to be known as section 161.1200, to read as follows:

161.1200. 1. There is hereby established within the department of elementary and secondary education an oversight board to study school district performance in the urban school district located in a home rule city with more than seventy-one thousand but fewer than seventy-nine thousand inhabitants. The board shall focus on factors leading to the state auditor's classification of the school district's performance as "poor" during the state audit released in February 2015, including, but not limited to, the use of school district moneys by the superintendent and the district's chief operating officer and concerns over general financial control within the district.

2. The oversight board shall have a membership of nine members, appointed by the commissioner of education through an application process developed by the department of elementary and secondary education. No member of the oversight board shall be a current member of any Missouri school board. At least five members shall have a minimum of five years of experience in the field of education and at least two members shall be certified public accountants. All members shall be appointed no later than September 15, 2015. Membership may include, but not be limited to, representatives of the following groups:

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 **(1) Local government;**
18 **(2) School administrators;**
19 **(3) Teachers; and**
20 **(4) Parents of children in the school district.**

21 **3. The commissioner of education or the commissioner's designee shall convene the**
22 **first meeting of the oversight board for the purpose of establishing the bylaws of the board**
23 **and electing officers to include a chairperson, vice chairperson, and secretary. All**
24 **meetings of the oversight board shall be conducted in the county of the first classification**
25 **with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and**
26 **with a home rule city with more than seventy-six thousand but fewer than ninety-one**
27 **thousand inhabitants as the county seat.**

28 **4. The first meeting of the oversight board shall be conducted no later than October**
29 **1, 2015. At the first meeting, the oversight board shall draft a mission statement to ensure**
30 **all recommendations of the state audit are being implemented. Within fifteen days of each**
31 **meeting of the oversight board, the board shall prepare a written report to be submitted**
32 **to the commissioner of education detailing the steps that are being taken to following the**
33 **state auditor's report and recommendations.**

34 **5. The oversight committee shall meet once a month for twelve months until**
35 **October, 1, 2016, at which point in the time the board shall begin meeting every three**
36 **months for the next year. Beginning October 1, 2017, the board shall meet once every six**
37 **months. The oversight board shall submit its final recommendations to the department by**
38 **October 1, 2018, and at such time the oversight board shall be dissolved.**

39 **6. The department of elementary and secondary education may promulgate all**
40 **necessary rules and regulations for the administration of this section. Any rule or portion**
41 **of a rule, as that term is defined in section 536.010, that is created under the authority**
42 **delegated in this section shall become effective only if it complies with and is subject to all**
43 **of the provisions of chapter 536 and, if applicable, section 536.028. This section and**
44 **chapter 536 are nonseverable and if any of the powers vested with the general assembly**
45 **pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul**
46 **a rule are subsequently held unconstitutional, then the grant of rulemaking authority and**
47 **any rule proposed or adopted after August 28, 2015, shall be invalid and void.**

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