

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 904,
2 Page 1, Section A, Line 3, by inserting after all of said section and line the following:

3
4 "160.011. As used in chapters 160, 161, 162, 163, 164, 165, 167, 168, 170, 171, 177 and
5 178, the following terms mean:

6 (1) "District" or "school district", when used alone, may include seven-director, urban, and
7 metropolitan school districts;

8 (2) "Elementary school", a public school giving instruction in a grade or grades not higher
9 than the eighth grade;

10 (3) "Family literacy programs", services of sufficient intensity in terms of hours, and of
11 sufficient duration, to make sustainable changes in families that include:

12 (a) Interactive literacy activities between parents and their children;

13 (b) Training of parents regarding how to be the primary teacher of their children and full
14 partners in the education of their children;

15 (c) Parent literacy training that leads to high school completion and economic self
16 sufficiency; and

17 (d) An age-appropriate education to prepare children of all ages for success in school;

18 (4) "Graduation rate", the quotient of the number of graduates in the current year as of June
19 thirtieth divided by the sum of the number of graduates in the current year as of June thirtieth plus
20 the number of twelfth graders who dropped out in the current year plus the number of eleventh
21 graders who dropped out in the preceding year plus the number of tenth graders who dropped out in
22 the second preceding year plus the number of ninth graders who dropped out in the third preceding
23 year;

24 (5) "High school", a public school giving instruction in a grade or grades not lower than the
25 ninth nor higher than the twelfth grade;

26 (6) "Metropolitan school district", any school district the boundaries of which are
27 coterminous with the limits of any city which is not within a county;

28 (7) "Public school" includes all elementary and high schools operated at public expense;

29 (8) "School board", the board of education having general control of the property and affairs
30 of any school district;

31 (9) "School term", a minimum of one hundred seventy-four school days, as that term is
32 defined in section 160.041, for schools with a five-day school week or a minimum of one hundred
33 forty-two school days, as that term is defined in section 160.041, for schools with a four-day school
34 week, and one thousand forty-four hours of actual pupil attendance as scheduled by the board
35 pursuant to section 171.031 during a twelve-month period in which the academic instruction of
36 pupils is actually and regularly carried on for a group of students in the public schools of any school

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1 district. In the school year 2017-18 and subsequent years, one thousand forty-four hours of actual
 2 pupil attendance shall be required with no minimum number of school days required. A school
 3 term may be within a school year or may consist of parts of two consecutive school years, but does
 4 not include summer school. A district may choose to operate two or more terms for different groups
 5 of children. A school term for students participating in a school flex program as established in
 6 section 160.539 may consist of a combination of actual pupil attendance and attendance at college
 7 or technical career education or approved employment aligned with the student's career academic
 8 plan for a total of [one thousand forty-four] the required number of hours as provided in this
 9 subdivision;

10 (10) "Secretary", the secretary of the board of a school district;

11 (11) "Seven-director district", any school district which has seven directors and includes
 12 urban districts regardless of the number of directors an urban district may have unless otherwise
 13 provided by law;

14 (12) "Taxpayer", any individual who has paid taxes to the state or any subdivision thereof
 15 within the immediately preceding twelve-month period or the spouse of such individual;

16 (13) "Town", any town or village, whether or not incorporated, the plat of which has been
 17 filed in the office of the recorder of deeds of the county in which it is situated;

18 (14) "Urban school district", any district which includes more than half of the population or
 19 land area of any city which has not less than seventy thousand inhabitants, other than a city which is
 20 not within a county.

21 160.041. 1. The "minimum school day" consists of three hours for schools with a five-day
 22 school week or four hours for schools with a four-day school week in which the pupils are under the
 23 guidance and direction of teachers in the teaching process. A "school month" consists of four weeks
 24 of five days each for schools with a five-day school week or four weeks of four days each for
 25 schools with a four-day school week. In the school year 2017-18 and subsequent years, no
 26 minimum number of school days shall be required, and each school district shall define, for itself,
 27 the term "school day" or "minimum school day". The "school year" commences on the first day of
 28 July and ends on the thirtieth day of June following.

29 2. Notwithstanding the provisions of subsection 1 of this section, the commissioner of
 30 education is authorized to reduce the required number of hours [and] or days in which the pupils are
 31 under the guidance and direction of teachers in the teaching process if:

32 (1) There is damage to or destruction of a public school facility which requires the dual
 33 utilization of another school facility; or

34 (2) Flooding or other inclement weather as defined in subsection 1 of section 171.033
 35 prevents students from attending the public school facility.

36 Such reduction shall not extend beyond two calendar years in duration."; and

37 Further amend said bill, Page 6, Section 170.048, Line 17, by inserting immediately after said line
 38 the following:

39 "171.031. 1. Each school board shall prepare annually a calendar for the school term,
 40 specifying the opening date, days of planned attendance, and providing a minimum term of at least
 41 one hundred seventy-four days for schools with a five-day school week or one hundred forty-two
 42 days for schools with a four-day school week, and one thousand forty-four hours of actual pupil
 43 attendance. In the school year 2017-18 and subsequent years, one thousand forty-four hours of
 44 actual pupil attendance shall be required for the school term with no minimum number of school
 45 days. In addition, such calendar shall include six make-up days for possible loss of attendance due
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1 to inclement weather as defined in subsection 1 of section 171.033. In the school year 2017-18 and
 2 subsequent years, such calendar shall include thirty-six make-up hours for possible loss of
 3 attendance due to inclement weather, as defined under subsection 1 of section 171.033, with no
 4 minimum number of make-up days.

5 2. Each local school district may set its opening date each year, which date shall be no
 6 earlier than ten calendar days prior to the first Monday in September. No public school district shall
 7 select an earlier start date unless the district follows the procedure set forth in subsection 3 of this
 8 section.

9 3. A district may set an opening date that is more than ten calendar days prior to the first
 10 Monday in September only if the local school board first gives public notice of a public meeting to
 11 discuss the proposal of opening school on a date more than ten days prior to the first Monday in
 12 September, and the local school board holds said meeting and, at the same public meeting, a
 13 majority of the board votes to allow an earlier opening date. If all of the previous conditions are
 14 met, the district may set its opening date more than ten calendar days prior to the first Monday in
 15 September. The condition provided in this subsection must be satisfied by the local school board
 16 each year that the board proposes an opening date more than ten days before the first Monday in
 17 September.

18 4. If any local district violates the provisions of this section, the department of elementary
 19 and secondary education shall withhold an amount equal to one quarter of the state funding the
 20 district generated under section 163.031 for each date the district was in violation of this section.

21 5. The provisions of subsections 2 to 4 of this section shall not apply to school districts in
 22 which school is in session for twelve months of each calendar year.

23 6. The state board of education may grant an exemption from this section to a school district
 24 that demonstrates highly unusual and extenuating circumstances justifying exemption from the
 25 provisions of subsections 2 to 4 of this section. Any exemption granted by the state board of
 26 education shall be valid for one academic year only.

27 7. [No school day for schools with a five-day school week shall be longer than seven hours
 28 except for vocational schools which may adopt an eight-hour day in a metropolitan school district
 29 and a school district in a first class county adjacent to a city not within a county, and any school that
 30 adopts a four-day school week in accordance with section 171.029.] No cap on the number of hours
 31 in a school day shall be imposed on school districts.

32 171.033. 1. "Inclement weather", for purposes of this section, shall be defined as ice, snow,
 33 extreme cold, flooding, or a tornado, but such term shall not include excessive heat.

34 2. A district shall be required to make up the first six days of school lost or cancelled due to
 35 inclement weather and half the number of days lost or cancelled in excess of six days if the makeup
 36 of the days is necessary to ensure that the district's students will attend a minimum of one hundred
 37 forty-two days and a minimum of one thousand forty-four hours for the school year except as
 38 otherwise provided in this section. Schools with a four-day school week may schedule such make-
 39 up days on Fridays. Notwithstanding the above, in the school year 2017-18 and subsequent years, a
 40 district shall be required to make up the first thirty-six hours of school lost or cancelled due to
 41 inclement weather and half the number of hours lost or cancelled in excess of thirty-six if the
 42 makeup of the hours is necessary to ensure that the district's students attend a minimum of one
 43 thousand forty-four hours for the school year.

44 3. In the 2009-10 school year and all subsequent years through the 2016-17 school year, a
 45 school district may be exempt from the requirement to make up days of school lost or cancelled due
 46 to inclement weather in the school district when the school district has made up the six days
 47 required under subsection 2 of this section and half the number of additional lost or cancelled days
 48 up to eight days, resulting in no more than ten total make-up days required by this section.

1 4. The commissioner of education may provide, for any school district [in which schools are
2 in session for twelve months of each calendar year] that cannot meet the minimum school calendar
3 requirement of at least one hundred seventy-four days for schools with a five-day school week or
4 one hundred forty-two days for schools with a four-day school week and one thousand forty-four
5 hours of actual pupil attendance or, in the school year 2017-18 and subsequent years, one thousand
6 forty-four hours of actual pupil attendance, upon request, a waiver to be excused from such
7 requirement. This waiver shall be requested from the commissioner of education and may be
8 granted if the school was closed due to circumstances beyond school district control, including
9 inclement weather, flooding or fire."; and

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