

FIRST REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 604
100TH GENERAL ASSEMBLY

1373S.10T

2019

AN ACT

To repeal sections 160.410, 160.415, 160.545, 160.2500, 161.700, 162.068, 162.081, 162.203, 163.018, 163.031, 167.125, 167.131, 167.151, 167.241, 168.133, 168.221, 171.031, 171.033, 177.086, 178.530, and 210.110, RSMo, and to enact in lieu thereof thirty-nine 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 160.410, 160.415, 160.545, 160.2500, 161.700, 162.068, 162.081, 2 162.203, 163.018, 163.031, 167.125, 167.131, 167.151, 167.241, 168.133, 168.221, 171.031, 3 171.033, 177.086, 178.530, and 210.110, RSMo, are repealed and thirty-nine new sections 4 enacted in lieu thereof, to be known as sections 160.410, 160.415, 160.545, 160.2500, 161.700, 5 161.1080, 161.1085, 161.1090, 161.1095, 161.1100, 161.1105, 161.1110, 161.1115, 161.1120, 6 161.1125, 161.1130, 162.068, 162.081, 162.203, 163.018, 163.031, 167.125, 167.131, 167.132, 7 167.151, 167.241, 167.890, 167.895, 167.898, 168.025, 168.133, 168.221, 170.020, 170.045, 8 171.031, 171.033, 177.086, 178.530, and 210.110, and to read as follows:

160.410. 1. A charter school shall enroll:
2 (1) All pupils resident in the district in which it operates;
3 (2) Nonresident pupils eligible to attend a district's school under an urban voluntary
4 transfer program;

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.

5 (3) Nonresident pupils who transfer from an unaccredited district under section
6 ~~[167.131]~~ **167.895**, provided that the charter school is an approved charter school, as defined in
7 section ~~[167.131]~~ **167.895**, and subject to all other provisions of section ~~[167.131]~~ **167.895**;

8 (4) In the case of a charter school whose mission includes student drop-out prevention
9 or recovery, any nonresident pupil from the same or an adjacent county who resides in a
10 residential care facility, a transitional living group home, or an independent living program
11 whose last school of enrollment is in the school district where the charter school is established,
12 who submits a timely application; and

13 (5) In the case of a workplace charter school, any student eligible to attend under
14 subdivision (1) or (2) of this subsection whose parent is employed in the business district, who
15 submits a timely application, unless the number of applications exceeds the capacity of a
16 program, class, grade level or building. The configuration of a business district shall be set forth
17 in the charter and shall not be construed to create an undue advantage for a single employer or
18 small number of employers.

19 2. If capacity is insufficient to enroll all pupils who submit a timely application, the
20 charter school shall have an admissions process that assures all applicants of an equal chance of
21 gaining admission and does not discriminate based on parents' ability to pay fees or tuition
22 except that:

23 (1) A charter school may establish a geographical area around the school whose residents
24 will receive a preference for enrolling in the school, provided that such preferences do not result
25 in the establishment of racially or socioeconomically isolated schools and provided such
26 preferences conform to policies and guidelines established by the state board of education;

27 (2) A charter school may also give a preference for admission of children whose siblings
28 attend the school or whose parents are employed at the school or in the case of a workplace
29 charter school, a child whose parent is employed in the business district or at the business site
30 of such school; ~~and]~~

31 (3) Charter schools may also give a preference for admission to high-risk students, as
32 defined in subdivision (5) of subsection 2 of section 160.405, when the school targets these
33 students through its proposed mission, curriculum, teaching methods, and services;

34 **(4) A charter school may also give a preference for admission to students who will**
35 **be eligible for the free and reduced price lunch program in the upcoming school year.**

36 3. A charter school shall not limit admission based on race, ethnicity, national origin,
37 disability, income level, **except as allowed under subdivision (4) of subsection 2 of this**
38 **section**, proficiency in the English language or athletic ability, but may limit admission to pupils
39 within a given age group or grade level. Charter schools may limit admission based on gender
40 only when the school is a single-gender school. Students of a charter school who have been
41 enrolled for a full academic year shall be counted in the performance of the charter school on the

42 statewide assessments in that calendar year, unless otherwise exempted as English language
43 learners. For purposes of this subsection, "full academic year" means the last Wednesday in
44 September through the administration of the Missouri assessment program test without
45 transferring out of the school and re-enrolling.

46 4. A charter school shall make available for public inspection, and provide upon request,
47 to the parent, guardian, or other custodian of any school-age pupil resident in the district in which
48 the school is located the following information:

49 (1) The school's charter;

50 (2) The school's most recent annual report card published according to section 160.522;

51 (3) The results of background checks on the charter school's board members; and

52 (4) If a charter school is operated by a management company, a copy of the written
53 contract between the governing board of the charter school and the educational management
54 organization or the charter management organization for services. The charter school may
55 charge reasonable fees, not to exceed the rate specified in section 610.026 for furnishing copies
56 of documents under this subsection.

57 5. When a student attending a charter school who is a resident of the school district in
58 which the charter school is located moves out of the boundaries of such school district, the
59 student may complete the current semester and shall be considered a resident student. The
60 student's parent or legal guardian shall be responsible for the student's transportation to and from
61 the charter school.

62 6. If a change in school district boundary lines occurs under section 162.223, 162.431,
63 162.441, or 162.451, or by action of the state board of education under section 162.081,
64 including attachment of a school district's territory to another district or dissolution, such that a
65 student attending a charter school prior to such change no longer resides in a school district in
66 which the charter school is located, then the student may complete the current academic year at
67 the charter school. The student shall be considered a resident student. The student's parent or
68 legal guardian shall be responsible for the student's transportation to and from the charter school.

69 7. The provisions of sections 167.018 and 167.019 concerning foster children's
70 educational rights are applicable to charter schools.

160.415. 1. For the purposes of calculation and distribution of state school aid under
2 section 163.031, pupils enrolled in a charter school shall be included in the pupil enrollment of
3 the school district within which each pupil resides. Each charter school shall report the names,
4 addresses, and eligibility for free and reduced price lunch, special education, or limited English
5 proficiency status, as well as eligibility for categorical aid, of pupils resident in a school district
6 who are enrolled in the charter school to the school district in which those pupils reside. The
7 charter school shall report the average daily attendance data, free and reduced price lunch count,
8 special education pupil count, and limited English proficiency pupil count to the state department

9 of elementary and secondary education. Each charter school shall promptly notify the state
10 department of elementary and secondary education and the pupil's school district when a student
11 discontinues enrollment at a charter school.

12 2. Except as provided in subsections 3 and 4 of this section, the aid payments for charter
13 schools shall be as described in this subsection.

14 (1) A school district having one or more resident pupils attending a charter school shall
15 pay to the charter school an annual amount equal to the product of the charter school's weighted
16 average daily attendance and the state adequacy target, multiplied by the dollar value modifier
17 for the district, plus local tax revenues per weighted average daily attendance from the incidental
18 and teachers' funds in excess of the performance levy as defined in section 163.011 plus all other
19 state aid attributable to such pupils.

20 (2) The district of residence of a pupil attending a charter school shall also pay to the
21 charter school any other federal or state aid that the district receives on account of such child.

22 (3) If the department overpays or underpays the amount due to the charter school, such
23 overpayment or underpayment shall be repaid by the public charter school or credited to the
24 public charter school in twelve equal payments in the next fiscal year.

25 (4) The amounts provided pursuant to this subsection shall be prorated for partial year
26 enrollment for a pupil.

27 (5) A school district shall pay the amounts due pursuant to this subsection as the
28 disbursal agent and no later than twenty days following the receipt of any such funds. The
29 department of elementary and secondary education shall pay the amounts due when it acts as the
30 disbursal agent within five days of the required due date.

31 3. A workplace charter school shall receive payment for each eligible pupil as provided
32 under subsection 2 of this section, except that if the student is not a resident of the district and
33 is participating in a voluntary interdistrict transfer program, the payment for such pupils shall be
34 the same as provided under section 162.1060.

35 4. A charter school that has declared itself as a local educational agency shall receive
36 from the department of elementary and secondary education an annual amount equal to the
37 product of the charter school's weighted average daily attendance and the state adequacy target,
38 multiplied by the dollar value modifier for the district, plus local tax revenues per weighted
39 average daily attendance from the incidental and teachers funds in excess of the performance
40 levy as defined in section 163.011 plus all other state aid attributable to such pupils. If a charter
41 school declares itself as a local educational agency, the department of elementary and secondary
42 education shall, upon notice of the declaration, reduce the payment made to the school district
43 by the amount specified in this subsection and pay directly to the charter school the annual
44 amount reduced from the school district's payment.

45 5. If a school district fails to make timely payments of any amount for which it is the
46 disbursal agent, the state department of elementary and secondary education shall authorize
47 payment to the charter school of the amount due pursuant to subsection 2 of this section and shall
48 deduct the same amount from the next state school aid apportionment to the owing school
49 district. If a charter school is paid more or less than the amounts due pursuant to this section,
50 the amount of overpayment or underpayment shall be adjusted equally in the next twelve
51 payments by the school district or the department of elementary and secondary education, as
52 appropriate. Any dispute between the school district and a charter school as to the amount owing
53 to the charter school shall be resolved by the department of elementary and secondary education,
54 and the department's decision shall be the final administrative action for the purposes of review
55 pursuant to chapter 536. During the period of dispute, the department of elementary and
56 secondary education shall make every administrative and statutory effort to allow the continued
57 education of children in their current public charter school setting.

58 6. The charter school and a local school board may agree by contract for services to be
59 provided by the school district to the charter school. The charter school may contract with any
60 other entity for services. Such services may include but are not limited to food service, custodial
61 service, maintenance, management assistance, curriculum assistance, media services and libraries
62 and shall be subject to negotiation between the charter school and the local school board or other
63 entity. Documented actual costs of such services shall be paid for by the charter school.

64 7. In the case of a proposed charter school that intends to contract with an education
65 service provider for substantial educational services or management services, the request for
66 proposals shall additionally require the charter school applicant to:

67 (1) Provide evidence of the education service provider's success in serving student
68 populations similar to the targeted population, including demonstrated academic achievement
69 as well as successful management of nonacademic school functions, if applicable;

70 (2) Provide a term sheet setting forth the proposed duration of the service contract; roles
71 and responsibilities of the governing board, the school staff, and the service provider; scope of
72 services and resources to be provided by the service provider; performance evaluation measures
73 and time lines; compensation structure, including clear identification of all fees to be paid to the
74 service provider; methods of contract oversight and enforcement; investment disclosure; and
75 conditions for renewal and termination of the contract;

76 (3) Disclose any known conflicts of interest between the school governing board and
77 proposed service provider or any affiliated business entities;

78 (4) Disclose and explain any termination or nonrenewal of contracts for equivalent
79 services for any other charter school in the United States within the past five years;

80 (5) Ensure that the legal counsel for the charter school shall report directly to the charter
81 school's governing board; and

82 (6) Provide a process to ensure that the expenditures that the education service provider
83 intends to bill to the charter school shall receive prior approval of the governing board or its
84 designee.

85 8. A charter school may enter into contracts with community partnerships and state
86 agencies acting in collaboration with such partnerships that provide services to children and their
87 families linked to the school.

88 9. A charter school shall be eligible for transportation state aid pursuant to section
89 163.161 and shall be free to contract with the local district, or any other entity, for the provision
90 of transportation to the students of the charter school.

91 10. (1) The proportionate share of state and federal resources generated by students with
92 disabilities or staff serving them shall be paid in full to charter schools enrolling those students
93 by their school district where such enrollment is through a contract for services described in this
94 section. The proportionate share of money generated under other federal or state categorical aid
95 programs shall be directed to charter schools serving such students eligible for that aid.

96 (2) A charter school shall provide the special services provided pursuant to section
97 162.705 and may provide the special services pursuant to a contract with a school district or any
98 provider of such services.

99 11. A charter school may not charge tuition or impose fees that a school district is
100 prohibited from charging or imposing, except that a charter school may receive tuition payments
101 from districts in the same or an adjoining county for nonresident students who transfer to an
102 approved charter school, as defined in section [~~167.131~~] **167.895**, from an unaccredited district.

103 12. A charter school is authorized to incur debt in anticipation of receipt of funds. A
104 charter school may also borrow to finance facilities and other capital items. A school district
105 may incur bonded indebtedness or take other measures to provide for physical facilities and other
106 capital items for charter schools that it sponsors or contracts with. Except as otherwise
107 specifically provided in sections 160.400 to 160.425, upon the dissolution of a charter school,
108 any liabilities of the corporation will be satisfied through the procedures of chapter 355. A
109 charter school shall satisfy all its financial obligations within twelve months of notice from the
110 sponsor of the charter school's closure under subsection 8 of section 160.405. After satisfaction
111 of all its financial obligations, a charter school shall return any remaining state and federal funds
112 to the department of elementary and secondary education for disposition as stated in subdivision
113 (17) of subsection 1 of section 160.405. The department of elementary and secondary education
114 may withhold funding at a level the department determines to be adequate during a school's last
115 year of operation until the department determines that school records, liabilities, and reporting
116 requirements, including a full audit, are satisfied.

117 13. Charter schools shall not have the power to acquire property by eminent domain.

118 14. The governing body of a charter school is authorized to accept grants, gifts or
119 donations of any kind and to expend or use such grants, gifts or donations. A grant, gift or
120 donation may not be accepted by the governing body if it is subject to any condition contrary to
121 law applicable to the charter school or other public schools, or contrary to the terms of the
122 charter.

160.545. 1. There is hereby established within the department of elementary and
2 secondary education the "A+ Schools Program" to be administered by the commissioner of
3 education. The program shall consist of grant awards made to public secondary schools that
4 demonstrate a commitment to ensure that:

5 (1) All students be graduated from school;

6 (2) All students complete a selection of high school studies that is challenging and for
7 which there are identified learning expectations; and

8 (3) All students:

9 **(a) Earn credits toward any type of college degree while in high school; or**

10 **(b) Proceed from high school graduation to a college or postsecondary vocational or**
11 **technical school or high-wage job with work place skill development opportunities.**

12 2. The state board of education shall promulgate rules and regulations for the approval
13 of grants made under the program to schools that:

14 (1) Establish measurable districtwide performance standards for the goals of the program
15 outlined in subsection 1 of this section; and

16 (2) Specify the knowledge, skills and competencies, in measurable terms, that students
17 must demonstrate to successfully complete any individual course offered by the school, and any
18 course of studies which will qualify a student for graduation from the school; and

19 (3) Do not offer a general track of courses that, upon completion, can lead to a high
20 school diploma; and

21 (4) Require rigorous coursework with standards of competency in basic academic
22 subjects for students pursuing vocational and technical education as prescribed by rule and
23 regulation of the state board of education; and

24 (5) Have a partnership plan developed in cooperation and with the advice of local
25 business persons, labor leaders, parents, and representatives of college and postsecondary
26 vocational and technical school representatives, with the plan then approved by the local board
27 of education. The plan shall specify a mechanism to receive information on an annual basis from
28 those who developed the plan in addition to senior citizens, community leaders, and teachers to
29 update the plan in order to best meet the goals of the program as provided in subsection 1 of this
30 section. Further, the plan shall detail the procedures used in the school to identify students that
31 may drop out of school and the intervention services to be used to meet the needs of such
32 students. The plan shall outline counseling and mentoring services provided to students who will

33 enter the work force upon graduation from high school, address apprenticeship and intern
34 programs, and shall contain procedures for the recruitment of volunteers from the community
35 of the school to serve in schools receiving program grants.

36 3. Any nonpublic school in this state may apply to the state board of education for
37 certification that it meets the requirements of this section subject to the same criteria as public
38 high schools. Every nonpublic school that applies and has met the requirements of this section
39 shall have its students eligible for reimbursement of postsecondary education under subsection
40 8 of this section on an equal basis to students who graduate from public schools that meet the
41 requirements of this section. Any nonpublic school that applies shall not be eligible for any
42 grants under this section. Students of certified nonpublic schools shall be eligible for
43 reimbursement of postsecondary education under subsection 8 of this section so long as they
44 meet the other requirements of such subsection. For purposes of subdivision (5) of subsection
45 2 of this section, the nonpublic school shall be included in the partnership plan developed by the
46 public school district in which the nonpublic school is located. For purposes of subdivision (1)
47 of subsection 2 of this section, the nonpublic school shall establish measurable performance
48 standards for the goals of the program for every school and grade level over which the nonpublic
49 school maintains control.

50 4. A school district may participate in the program irrespective of its accreditation
51 classification by the state board of education, provided it meets all other requirements.

52 5. By rule and regulation, the state board of education may determine a local school
53 district variable fund match requirement in order for a school or schools in the district to receive
54 a grant under the program. However, no school in any district shall receive a grant under the
55 program unless the district designates a salaried employee to serve as the program coordinator,
56 with the district assuming a minimum of one-half the cost of the salary and other benefits
57 provided to the coordinator. Further, no school in any district shall receive a grant under the
58 program unless the district makes available facilities and services for adult literacy training as
59 specified by rule of the state board of education.

60 6. For any school that meets the requirements for the approval of the grants authorized
61 by this section and specified in subsection 2 of this section for three successive school years, by
62 August first following the third such school year, the commissioner of education shall present
63 a plan to the superintendent of the school district in which such school is located for the waiver
64 of rules and regulations to promote flexibility in the operations of the school and to enhance and
65 encourage efficiency in the delivery of instructional services in the school. The provisions of
66 other law to the contrary notwithstanding, the plan presented to the superintendent shall provide
67 a summary waiver, with no conditions, for the pupil testing requirements pursuant to section
68 160.257 in the school. Further, the provisions of other law to the contrary notwithstanding, the
69 plan shall detail a means for the waiver of requirements otherwise imposed on the school related

70 to the authority of the state board of education to classify school districts pursuant to subdivision
71 (9) of section 161.092 and such other rules and regulations as determined by the commissioner
72 of education, except such waivers shall be confined to the school and not other schools in the
73 school district unless such other schools meet the requirements of this subsection. However, any
74 waiver provided to any school as outlined in this subsection shall be void on June thirtieth of any
75 school year in which the school fails to meet the requirements for the approval of the grants
76 authorized by this section as specified in subsection 2 of this section.

77 7. For any school year, grants authorized by subsections 1, 2, and 5 of this section shall
78 be funded with the amount appropriated for this program, less those funds necessary to reimburse
79 eligible students pursuant to subsection 8 **or 9** of this section.

80 8. The department of higher education shall, by rule, establish a procedure for the
81 reimbursement of the cost of tuition, books and fees to any public community college or
82 vocational or technical school or within the limits established in subsection ~~[10]~~ **11** of this
83 section for any two-year private vocational or technical school for any student:

84 (1) Who has attended a high school in the state for at least ~~[three]~~ **two** years ~~[prior to~~
85 ~~graduation]~~ that meets the requirements of subsection 2 of this section and who has graduated
86 from such a school; except that, students who are active duty military dependents, and students
87 who are ~~[dependants]~~ **dependents** of retired military who relocate to Missouri within one year
88 of the date of the parent's retirement from active duty~~],~~ who ~~], in the school year immediately~~
89 ~~preceding graduation,~~ meet all other requirements of this subsection and are attending a school
90 that meets the requirements of subsection 2 of this section shall be exempt from the ~~[three-year]~~
91 **two-year** attendance requirement of this subdivision; and

92 (2) Who has made a good faith effort to first secure all available federal sources of
93 funding that could be applied to the reimbursement described in this subsection; and

94 (3) Who has earned a minimal grade average while in high school **or through the**
95 **semester immediately before taking the course for which reimbursement is sought** as
96 determined by rule of the department of higher education, and other requirements for the
97 reimbursement authorized by this subsection as determined by rule and regulation of the
98 department; and

99 (4) Who is a citizen or permanent resident of the United States.

100 9. **The department of higher education shall, by rule, establish a procedure for the**
101 **reimbursement of the cost of tuition, and fees for any dual-credit or dual-enrollment course**
102 **offered to a student in high school in association with an institution of higher education or**
103 **vocational or technical school, subject to the requirements of subsection 11 of this section,**
104 **for any student who meets the requirements established in subsection 8 of this section**
105 **immediately before taking the course for which reimbursement is sought.**

106 **10.** The commissioner of education shall develop a procedure for evaluating the
107 effectiveness of the program described in this section. Such evaluation shall be conducted
108 annually with the results of the evaluation provided to the governor, speaker of the house, and
109 president pro tempore of the senate.

110 ~~[10-]~~ **11.** For a two-year private vocational or technical school to obtain reimbursements
111 under subsection 8 **or** 9 of this section, the following requirements shall be satisfied:

112 (1) Such two-year private vocational or technical school shall be a member of the North
113 Central Association and be accredited by the Higher Learning Commission as of July 1, 2008,
114 and maintain such accreditation;

115 (2) Such two-year private vocational or technical school shall be designated as a
116 501(c)(3) nonprofit organization under the Internal Revenue Code of 1986, as amended;

117 (3) No two-year private vocational or technical school shall receive tuition
118 reimbursements in excess of the tuition rate charged by a public community college for course
119 work offered by the private vocational or technical school within the service area of such college;
120 and

121 (4) The reimbursements provided to any two-year private vocational or technical school
122 shall not violate the provisions of Article IX, Section 8, or Article I, Section 7, of the Missouri
123 Constitution or the first amendment of the United States Constitution.

124 **12. The department of higher education shall distribute reimbursements in the**
125 **following manner:**

126 **(1) To community college or vocational or technical school students;**

127 **(2) After all students from subdivision (1) of this subsection have been reimbursed,**
128 **to any dual-credit or dual-enrollment student on the basis of financial need.**

160.2500. 1. This section shall be known and may be cited as the "Missouri Student
2 Religious Liberties Act".

3 2. A public school district shall not discriminate against ~~[students or parents]~~ **any person**
4 on the basis of a religious viewpoint or religious expression. A school district shall treat a
5 student's voluntary expression of a religious viewpoint, if any, on an otherwise permissible
6 subject in the same manner the district treats a student's voluntary expression of a secular or
7 other viewpoint on an otherwise permissible subject and shall not discriminate against the
8 student based on a religious viewpoint expressed by the student on an otherwise permissible
9 subject.

10 3. Students may express their beliefs about religion in homework, artwork, and other
11 written and oral assignments free from discrimination based on the religious content of their
12 submissions. Homework and classroom assignments shall be judged by ordinary academic
13 standards of substance and relevance and against other legitimate pedagogical concerns identified
14 by the school district. Students shall not be penalized or rewarded on account of the religious

15 content of their work. If an assignment requires a student's viewpoints to be expressed in course
16 work, artwork or other written or oral assignments, a public school district shall not penalize or
17 reward a student on the basis of religious content or a religious viewpoint. In such an
18 assignment, a student's academic work that expresses a religious viewpoint shall be evaluated
19 based on ordinary academic standards of substance and relevance to the course curriculum or
20 requirements of the course work or assignment.

21 4. Students in public schools may pray or engage in religious activities or religious
22 expression before, during and after the school day in the same manner and to the same extent that
23 students may engage in nonreligious activities or expression, provided that such religious
24 expression or religious activities are not disruptive of scheduled instructional time or other
25 educational activities and do not impede access to school facilities or mobility on school
26 premises. Students may organize prayer groups, religious clubs, or other religious gatherings
27 before, during and after school to the same extent that students are permitted to organize other
28 noncurricular student activities and groups. Religious groups shall be given the same access to
29 school facilities for assembling as is given to other noncurricular groups without discrimination
30 based on the religious content of the student's expression. If student groups that meet for
31 nonreligious activities are permitted to advertise or announce meetings of the groups, the school
32 district shall not discriminate against groups that meet for prayer or other religious speech. A
33 school district may disclaim school sponsorship of noncurricular groups and events in a manner
34 that neither favors nor disfavors groups that meet to engage in prayer or religious speech.

35 5. Students in public schools may wear clothing, accessories and jewelry that display
36 religious messages or religious symbols in the same manner and to the same extent that other
37 types of clothing, accessories and jewelry that display messages or symbols are permitted, as
38 specified in subsection 7 of section 167.166.

39 6. (1) To ensure that the school district does not discriminate against a student's publicly
40 stated voluntary expression of a religious viewpoint, if any, and to eliminate any actual or
41 perceived affirmative school sponsorship or attribution to the district of a student's expression
42 of a religious viewpoint, if any, a school district shall adopt a policy, which shall include the
43 establishment of a limited public forum for student speakers at all school events at which a
44 student is to publicly speak. The policy regarding the limited public forum shall also require the
45 school district to:

46 (a) Provide the forum in a manner that does not discriminate against a student's voluntary
47 expression of a religious viewpoint, if any, on an otherwise permissible subject;

48 (b) Provide a method, based on neutral criteria, for the selection of student speakers at
49 school events and graduation ceremonies;

50 (c) Ensure that a student speaker does not engage in obscene, vulgar, offensively lewd
51 or indecent speech; and

52 (d) State, in writing, orally, or both, that the student's speech does not reflect the
53 endorsement, sponsorship, position or expression of the district.

54 (2) The school district disclaimer required by paragraph (d) of subdivision (1) of this
55 subsection shall be provided at all graduation ceremonies. The school district shall also continue
56 to provide the disclaimer at any other event in which a student speaks publicly for as long as a
57 need exists to dispel confusion over the district's nonsponsorship of the student's speech.

58 (3) Student expression on an otherwise permissible subject shall not be excluded from
59 the limited public forum because the subject is expressed from a religious viewpoint.

60 (4) All public school districts shall adopt and implement a local policy regarding a
61 limited public forum and voluntary student expression of religious viewpoints.

62 7. The provisions of this section shall not be construed to authorize this state or any of
63 its political subdivisions to either:

64 (1) Require any person to participate in prayer or in any other religious activity; or

65 (2) Violate the constitutional rights of any person.

66 8. The provisions of this section shall not be construed to limit the authority of any
67 public school to do any of the following:

68 (1) Maintain order and discipline on the campus of the public school in a content and
69 viewpoint neutral manner;

70 (2) Protect the safety of students, employees and visitors of the public school;

71 (3) Adopt and enforce policies and procedures regarding student speech at school,
72 provided that the policies and procedures do not violate the rights of students as guaranteed by
73 law.

74 9. The provisions of section 1.140 are applicable to this section.

161.700. 1. This section shall be known as the "Holocaust Education and Awareness
2 Commission Act".

3 2. There is hereby created a permanent state commission known as the "Holocaust
4 Education and Awareness Commission". The commission shall be housed in the department of
5 elementary and secondary education and shall promote implementation of holocaust education
6 and awareness programs in Missouri in order to encourage understanding of the holocaust and
7 discourage bigotry.

8 3. The commission shall be composed of twelve members to be appointed by the
9 governor with advice and consent of the senate. The makeup of the commission shall be:

10 (1) The commissioner of higher education;

11 (2) The commissioner of elementary and secondary education;

12 (3) The president of the University of Missouri system; and

13 (4) Nine members of the public, representative of the diverse religious and ethnic
14 heritage groups populating Missouri.

15 4. The holocaust education and awareness commission may receive such funds as
16 appropriated from public moneys or contributed to it by private sources. It may sponsor
17 programs or publications to educate the public about the crimes of genocide in an effort to deter
18 indifference to crimes against humanity and human suffering wherever they occur.

19 5. The term "holocaust" shall be defined as the period from 1933 through 1945 when six
20 million Jews and millions of others were murdered [~~in Nazi concentration camps~~] by **Nazi**
21 **Germany and its collaborators** as part of a structured, state-sanctioned program of genocide.

22 6. The commission may employ an executive director and such other persons to carry
23 out its functions.

161.1080. Sections 161.1080 to 161.1130 shall be known and may be cited as the
2 **"School Turnaround Act".**

161.1085. For purposes of sections 161.1080 to 161.1130, the following terms mean:

2 (1) "Department", the department of elementary and secondary education;

3 (2) "Governing board", the board of education of a district or the governing board
4 of a charter school that has declared itself a local educational agency;

5 (3) "Initial remedial year", the year in which a district school or charter school is
6 designated as a school in need of intervention under section 161.1090;

7 (4) "Local educational agency", any school district and any charter school that has
8 declared itself a local educational agency;

9 (5) "School", a public school under the control of a local educational agency;

10 (6) "School in need of intervention", a school that has been designated as in need
11 of intervention by the department according to an outcome-based measure as determined
12 by the department under section 161.1090, which may include, but shall not be required
13 to include, schools identified for intervention under the state's Every Student Succeeds Act
14 plan;

15 (7) "Statewide assessment", any test of student achievement in English language
16 arts, mathematics, or science, including any such test administered in a computer-adaptive
17 format, that is administered statewide under section 160.518.

161.1090. 1. Subject to appropriation, the department shall establish a school
2 **turnaround program to assist schools designated by the department as in need of**
3 **intervention in accordance with the provisions of sections 161.1080 to 161.1130.**

4 **2. The department shall use an outcome-based measure to set criteria for the**
5 **designation of schools in need of intervention.**

6 **3. No more than one month after statewide assessment results are made public, the**
7 **department shall designate specific schools as in need of intervention. The department**
8 **shall designate a school as in need of intervention only if sufficient funds are available in**

9 the school turnaround fund established in section 161.1105 to pay an independent school
10 turnaround expert.

11 4. The department shall determine the specific criteria that a school shall be
12 required to meet in order to exit the school turnaround program based on the same
13 outcome-based measure that was used to designate the school as in need of intervention.

14 5. The department shall not designate any school as in need of intervention before
15 September 1, 2020.

16 6. Nothing in this section shall prohibit the criteria established under this section
17 from satisfying a school's requirement for intervention under the Every Student Succeeds
18 Act.

161.1095. 1. Before October first of an initial remedial year, the governing board
2 of any local educational agency with a school in need of intervention shall establish a school
3 turnaround committee composed of the following members:

4 (1) One member of the governing board;

5 (2) The school principal;

6 (3) Three parents of students enrolled in the school, appointed by the local parent-
7 teacher association;

8 (4) Four teachers at the school, appointed by the principal; and

9 (5) The district's chief financial officer or equivalent.

10 2. Before October fifteenth of an initial remedial year, the governing board of any
11 local educational agency with a school in need of intervention shall partner with the school
12 turnaround committee to select an independent school turnaround expert from the experts
13 identified by the department under section 161.1100.

14 3. The governing board shall not select an independent school turnaround expert
15 that is:

16 (1) The local educational agency with the school in need of intervention; or

17 (2) An employee of the local educational agency with the school in need of
18 intervention.

19 4. A school turnaround committee shall partner with the independent school
20 turnaround expert selected under subsection 2 of this section to develop and implement a
21 school turnaround plan that includes:

22 (1) The findings of the analysis conducted by the independent school turnaround
23 expert on the data described in subdivision (1) of subsection 1 of section 161.1100;

24 (2) Recommendations regarding changes to the school's personnel, culture,
25 curriculum, assessments, instructional practices, digital tools and other methods for
26 teaching and learning, governance, leadership, finances, policies, or other areas that may
27 be necessary to implement the school turnaround plan;

- 28 **(3) Measurable student achievement goals and objectives;**
29 **(4) A professional development plan that identifies a strategy to address problems**
30 **of instructional practice;**
31 **(5) A leadership development plan focused on proven strategies to turn around**
32 **schools in need of intervention that align with administrator standards developed under**
33 **section 168.410;**
34 **(6) A detailed budget specifying how the school turnaround plan will be funded;**
35 **(7) A plan to assess and monitor progress;**
36 **(8) A plan to communicate and report data on progress to stakeholders; and**
37 **(9) A time line for implementation.**
38 **5. Any local educational agency with a school in need of intervention shall:**
39 **(1) Prioritize funding and resources to the school in need of intervention; and**
40 **(2) Grant the school in need of intervention streamlined authority over staff,**
41 **schedule, policies, budget, and academic programs to implement the school turnaround**
42 **plan.**
43 **6. Before March first of an initial remedial year, a school turnaround committee**
44 **shall submit the school turnaround plan to the governing board for approval.**
45 **7. Except as provided in subsection 8 of this section, before April first of an initial**
46 **remedial year, the governing board shall submit the school turnaround plan to the**
47 **department for approval.**
48 **8. If the governing board does not approve the school turnaround plan submitted**
49 **under subsection 6 of this section, the school turnaround committee may submit a new or**
50 **revised school turnaround plan to the governing board for approval. In order to allow**
51 **additional time for the governing board to consider a new or revised school turnaround**
52 **plan, the rules may extend the April first deadline for the governing board to submit the**
53 **school turnaround plan to the department. The department shall not approve a school**
54 **turnaround plan unless such plan has been approved by the governing board of the school**
55 **in need of intervention.**
- 161.1100. 1. Before August 30, 2020, the department shall identify two or more**
2 **approved independent school turnaround experts, through a request for proposals process,**
3 **that a school in need of intervention may select from to partner with, to:**
4 **(1) Collect and analyze data on the school's student achievement, personnel,**
5 **culture, curriculum, assessments, instructional practices, digital tools and other methods**
6 **for teaching and learning, governance, leadership, finances, and policies;**
7 **(2) Recommend changes to the school's culture, curriculum, assessments,**
8 **instructional practices, governance, finances, policies, or other areas based on data**
9 **collected under subdivision (1) of this subsection;**

10 **(3) Develop and implement, in partnership with the school turnaround committee,**
11 **a school turnaround plan that meets the criteria described in section 161.1095;**

12 **(4) Monitor the effectiveness of a school turnaround plan through reliable means**
13 **of evaluation including, but not limited to, on-site visits, observations, surveys, analysis of**
14 **student achievement data, and interviews;**

15 **(5) Provide ongoing implementation support and project management for a school**
16 **turnaround plan;**

17 **(6) Provide high-quality professional development and coaching personalized for**
18 **school staff that is designed to build:**

19 **(a) The leadership capacity of the school principal;**

20 **(b) The instructional capacity of school staff; and**

21 **(c) The collaborative practices of teacher and leadership teams;**

22 **(7) Provide job-embedded professional learning and coaching for all instructional**
23 **staff on a weekly basis, at a minimum;**

24 **(8) Provide job-embedded professional learning and coaching for the school**
25 **principal at least twice monthly, focused on proven strategies to turn around schools in**
26 **need of intervention that are aligned with administrator standards developed under section**
27 **168.410; and**

28 **(9) Leverage support from community partners to coordinate an efficient delivery**
29 **of supports to students both inside and outside the classroom.**

30 **2. In identifying independent school turnaround experts under subsection 1 of this**
31 **section, the department shall identify experts who:**

32 **(1) Have a credible track record of improving student academic achievement in**
33 **public schools with various demographic characteristics, as measured by statewide**
34 **assessments;**

35 **(2) Have experience designing, implementing, and evaluating data-driven**
36 **instructional systems in public schools;**

37 **(3) Have experience coaching public school administrators and teachers on**
38 **designing and implementing data-driven school improvement plans;**

39 **(4) Have experience collaborating with the various education entities that govern**
40 **public schools;**

41 **(5) Have experience delivering high-quality professional development and coaching**
42 **in instructional effectiveness to public school administrators and teachers;**

43 **(6) Are willing to be compensated for professional services based on performance**
44 **as described in section 161.1105; and**

45 **(7) Are willing to partner with any school in need of intervention in the state,**
46 **regardless of location.**

161.1105. 1. The department shall award contracts to independent school turnaround experts. Governing boards shall not be required to pay independent school turnaround experts.

2. When awarding a contract to an independent school turnaround expert selected by the governing board under section 161.1095, the department shall ensure that a contract between the governing board and the independent school turnaround expert specifies that the department shall:

(1) Pay an independent school turnaround expert no more than fifty percent of the expert's professional fees during the time period the school turnaround expert is providing services to the school in need of intervention; and

(2) Pay the remainder of the independent school turnaround expert's professional fees upon the independent school turnaround expert successfully helping a school in need of intervention meet exit criteria as determined by the department under section 161.1090 within four school years after a school is designated as needing intervention.

3. In negotiating a contract with an independent school turnaround expert, the department shall offer:

(1) An average of six hundred and fifty thousand dollars for the entirety of the project;

(2) Differentiated amounts of funding based on student enrollment; and

(3) A higher amount of funding for schools that are in the lowest-performing one percent of schools statewide according to the outcome-based measure determined by the department under section 161.1090.

4. There is hereby created in the state treasury the "School Turnaround Fund". The fund shall consist of all moneys that may be appropriated to it by the general assembly and any gifts, contributions, grants, or bequests received from federal, private, or other sources. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements of public moneys in accordance with distribution requirements and procedures developed by the department of elementary and secondary education. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely for payments to independent school turnaround experts and for administrative expenses for the school turnaround program. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

161.1110. 1. The department shall review a school turnaround plan submitted for approval under section 161.1095 within thirty days of submission.

2. The department shall approve a school turnaround plan that:

(1) Is timely;

(2) Is well-developed; and

(3) Meets the criteria described in section 161.1095.

3. The department shall promulgate rules to establish an appeals process for a governing board that does not receive approval of its school turnaround plan from the department under section 161.1095.

4. The department shall ensure that the rules require the appeals process, described in subsection 3 of this section, be resolved before May fifteenth of the initial remedial year.

5. There is hereby created in the state treasury the "School Intervention Fund". The fund shall consist of all moneys that may be appropriated to it by the general assembly and any gifts, contributions, grants, or bequests received from federal, private, or other sources for the purpose of distributing grants to local educational agencies as described in this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements of public moneys in accordance with distribution requirements and procedures developed by the department of elementary and secondary education. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely for the administration of grants to local educational agencies as described in this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

6. The department shall award grants from the school intervention fund to local educational agencies for the purpose of funding interventions identified in approved school turnaround plans. A local educational agency shall be eligible for a grant only if it provides matching funds or an in-kind contribution of goods or services in an amount equal to the grant award it would receive from the department.

161.1115. 1. A school in need of intervention that does not meet the exit criteria determined by the department under section 161.1090 within four school years after the day on which the school is designated a school in need of intervention may petition the department for an extension to continue school improvement efforts for up to two years.

2. The department shall grant an extension under subsection 1 of this section only if the school in need of intervention:

- 7 **(1) Has demonstrated at least fifty percent of the improvement necessary to exit the**
8 **turnaround process; or**
- 9 **(2) Submits an appeal to the department.**
- 10 **3. The department may extend the contract of an independent school turnaround**
11 **expert for a school in need of intervention that is granted an extension under this section.**
- 12 **4. A school that has been granted an extension under this section is eligible for**
13 **continued funding under subsection 3 of this section.**
- 14 **5. The department shall promulgate rules establishing additional interventions for:**
- 15 **(1) A school in need of intervention that:**
- 16 **(a) Does not meet the predetermined exit criteria within four school years after the**
17 **day on which the school is designated in need of intervention; and**
- 18 **(b) Is not granted an extension under this section; and**
- 19 **(2) A school in need of intervention that:**
- 20 **(a) Is granted an extension under this section; and**
- 21 **(b) Does not meet the predetermined exit criteria within four school years after the**
22 **day on which the school in need of intervention is granted an extension.**

- 161.1120. 1. For purposes of this section, the term "eligible school" means a school**
2 **in need of intervention that:**
- 3 **(1) Meets predetermined exit criteria within four school years after the day on**
4 **which the school is designated a school in need of intervention; or**
- 5 **(2) If granted an extension under section 161.1115, meets predetermined exit**
6 **criteria within the extension period.**
- 7 **2. Subject to appropriation, the department shall establish a statewide program to**
8 **be known as the "School Recognition and Reward Program" to provide incentives to**
9 **schools and teachers to improve schools in need of intervention.**
- 10 **3. There is hereby created in the state treasury the "School Recognition and**
11 **Reward Fund". The fund shall consist of all moneys that may be appropriated to it by the**
12 **general assembly and any gifts, contributions, grants, or bequests received from federal,**
13 **private, or other sources for the purpose of distributing grants to local educational agencies**
14 **as described in this section. The state treasurer shall be custodian of the fund. In**
15 **accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements**
16 **of public moneys in accordance with distribution requirements and procedures developed**
17 **by the department of elementary and secondary education. The fund shall be a dedicated**
18 **fund and, upon appropriation, moneys in the fund shall be used solely for the**
19 **administration of grants to local educational agencies as described in this section.**
20 **Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining**
21 **in the fund at the end of the biennium shall not revert to the credit of the general revenue**

22 **fund. The state treasurer shall invest moneys in the fund in the same manner as other**
23 **funds are invested. Any interest and moneys earned on such investments shall be credited**
24 **to the fund.**

25 **4. The department shall award grants from the school recognition and reward fund**
26 **to local educational agencies with eligible schools. The department shall require, as a**
27 **condition of awarding a grant, that the local educational agency use the grant moneys to**
28 **reward eligible schools, teachers employed by eligible schools, or both the eligible schools**
29 **and the teachers.**

161.1125. Before November 30, 2021, and before November thirtieth of each year
2 **thereafter, the department shall report to the joint committee on education on the**
3 **implementation of sections 161.1080 to 161.1130.**

161.1130. The department shall promulgate rules to implement the provisions of
2 **sections 161.1080 to 161.1130. Any rule or portion of a rule, as that term is defined in**
3 **section 536.010, that is created under the authority delegated in sections 161.1080 to**
4 **161.1130 shall become effective only if it complies with and is subject to all of the**
5 **provisions of chapter 536, and, if applicable, section 536.028. Sections 161.1080 to 161.1130**
6 **and chapter 536 are nonseverable, and if any of the powers vested with the general**
7 **assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove**
8 **and annul a rule are subsequently held unconstitutional, then the grant of rule making**
9 **authority and any rule proposed or adopted after August 28, 2019, shall be invalid and**
10 **void.**

162.068. 1. (1) By July 1, 2012, every school district shall adopt a written policy on
2 **information that the district provides about former employees, both certificated and**
3 **noncertificated, to other public schools. By July 1, 2014, every charter school shall adopt a**
4 **written policy on information that the charter school provides about former employees, both**
5 **certificated and noncertificated, to other public schools. The policy shall include who is**
6 **permitted to respond to requests for information from potential employers and the information**
7 **the district or charter school would provide when responding to such a request. The policy shall**
8 **require that notice of this provision be provided to all current employees and to all potential**
9 **employers who contact the school district or charter school regarding the possible employment**
10 **of an employee.**

(2) The policy described under this subsection shall require the district or charter
12 **school to disclose, to any public school that contacts such district or charter school about**
13 **a former employee, information regarding any violation of the published regulations of the**
14 **board of education of the district or the governing body of the charter school by the former**
15 **employee if such violation related to sexual misconduct with a student and was determined**

16 **to be an actual violation by the board of the district or the governing body of the charter**
17 **school after a contested case due process hearing conducted pursuant to board policy.**

18 2. Any school district or charter school that employs a person about whom the children's
19 division conducts an investigation involving allegations of sexual misconduct with a student and
20 reaches a finding of substantiated shall immediately suspend the employment of such person,
21 notwithstanding any other provision of law, but the district or charter school may return the
22 person to his or her employment if the child abuse and neglect review board's finding that the
23 allegation is substantiated is reversed by a court on appeal and becomes final. Nothing shall
24 preclude a school district or charter school from otherwise lawfully terminating the employment
25 of any employee about whom there has been a finding of unsubstantiated resulting from an
26 investigation by the children's division involving allegations of sexual misconduct with a student.

27 3. Any employee who is permitted to respond to requests for information regarding
28 former employees under a policy adopted by his or her school district or charter school under
29 ~~[subsection 2 of]~~ this section and who communicates only the information which such policy
30 directs, and who acts in good faith and without malice shall be immune against any civil action
31 for damages brought by the former employee arising out of the communication of such
32 information. If any such action is brought, the employee may, at his or her option, request the
33 attorney general to defend him or her in such suit and the attorney general shall provide such
34 defense, except that if the attorney general represents the school district or the department of
35 elementary and secondary education in a pending licensing matter under section 168.071 the
36 attorney general shall not represent the school district employee.

37 4. Notwithstanding the provisions of subsection 2 of this section, if a district or charter
38 school that has employed any employee whose job involves contact with children receives
39 allegations of sexual misconduct, **as provided in section 566.083**, concerning the employee and,
40 as a result of such allegations or as a result of such allegations being substantiated by the child
41 abuse and neglect review board, dismisses the employee or allows the employee to resign in lieu
42 of being fired and fails to disclose the allegations of sexual misconduct when furnishing a
43 reference for the former employee or responding to a potential employer's request for information
44 regarding such employee, the district or charter school shall be directly liable for damages to any
45 student of a subsequent employing district or charter school who is found by a court of
46 competent jurisdiction to be a victim of the former employee's sexual misconduct, and the
47 district or charter school shall bear third-party liability to the employing district or charter school
48 for any legal liability, legal fees, costs, and expenses incurred by the employing district or charter
49 school caused by the failure to disclose such information to the employing district or charter
50 school.

51 5. If a school district or charter school has previously employed a person about whom
52 the children's division has conducted an investigation involving allegations of sexual misconduct

53 with a student and has reached a finding of substantiated and another public school contacts the
 54 district or charter school for a reference for the former employee, the district or charter school
 55 shall disclose the results of the children's division's investigation to the public school.

56 6. Any school district or charter school employee, acting in good faith, who reports
 57 alleged sexual misconduct on the part of a teacher or other school employee shall not be
 58 discharged or otherwise discriminated against in any fashion because of such reporting.

59 7. **Any school district or charter school shall, before offering employment to any**
 60 **teacher who was employed by a Missouri school district or charter school, contact the**
 61 **department of elementary and secondary education to determine the school district or**
 62 **charter school that previously employed such employee. School districts and charter**
 63 **school contacting the department under this subsection shall request, from the most recent,**
 64 **information as outlined in this section regarding the former employee.**

162.081. 1. Whenever any school district in this state fails or refuses in any school year
 2 to provide for the minimum school term required by section 163.021 or is classified
 3 unaccredited, the state board of education shall, upon a district's initial classification or
 4 reclassification as unaccredited:

5 (1) Review the governance of the district to establish the conditions under which the
 6 existing school board shall continue to govern; or

7 (2) Determine the date the district shall lapse and determine an alternative governing
 8 structure for the district.

9 2. If at the time any school district in this state shall be classified as unaccredited, the
 10 department of elementary and secondary education shall conduct at least two public hearings at
 11 a location in the unaccredited school district regarding the accreditation status of the school
 12 district. The hearings shall provide an opportunity to convene community resources that may
 13 be useful or necessary in supporting the school district as it attempts to return to accredited
 14 status, continues under revised governance, or plans for continuity of educational services and
 15 resources upon its attachment to a neighboring district. The department may request the
 16 attendance of stakeholders and district officials to review the district's plan to return to accredited
 17 status, if any; offer technical assistance; and facilitate and coordinate community resources.
 18 Such hearings shall be conducted at least twice annually for every year in which the district
 19 remains unaccredited or provisionally accredited.

20 3. Upon classification of a district as unaccredited, the state board of education may:

21 (1) Allow continued governance by the existing school district board of education under
 22 terms and conditions established by the state board of education; or

23 (2) Lapse the corporate organization of **all or part of** the unaccredited district and:

24 (a) Appoint a special administrative board for the operation of all or part of the district.

25 **If a special administrative board is appointed for the operation of a part of a school**

26 **district, the state board of education shall determine an equitable apportionment of state**
27 **and federal aid for the part of the district and the school district shall provide local revenue**
28 **in proportion to the weighted average daily attendance of the part.** The number of members
29 of the special administrative board shall not be less than five, the majority of whom shall be
30 residents of the district. The members of the special administrative board shall reflect the
31 population characteristics of the district and shall collectively possess strong experience in
32 school governance, management and finance, and leadership. **The state board of education**
33 **may appoint members of the district's elected school board to the special administrative**
34 **board, but members of the elected school board shall not comprise more than forty-nine**
35 **percent of the special administrative board's membership.** Within fourteen days after the
36 appointment by the state board of education, the special administrative board shall organize by
37 the election of a president, vice president, secretary and a treasurer, with their duties and
38 organization as enumerated in section 162.301. The special administrative board shall appoint
39 a superintendent of schools to serve as the chief executive officer of the school district, **or a**
40 **subset of schools,** and to have all powers and duties of any other general superintendent of
41 schools in a seven-director school district. Any special administrative board appointed under this
42 section shall be responsible for the operation of the district **or part of the district** until such time
43 that the district is classified by the state board of education as provisionally accredited for at least
44 two successive academic years, after which time the state board of education may provide for
45 a transition pursuant to section 162.083; or

46 (b) Determine an alternative governing structure for the district including, at a minimum:

47 a. A rationale for the decision to use an alternative form of governance and in the
48 absence of the district's achievement of full accreditation, the state board of education shall
49 review and recertify the alternative form of governance every three years;

50 b. A method for the residents of the district to provide public comment after a stated
51 period of time or upon achievement of specified academic objectives;

52 c. Expectations for progress on academic achievement, which shall include an
53 anticipated time line for the district to reach full accreditation; and

54 d. Annual reports to the general assembly and the governor on the progress towards
55 accreditation of any district that has been declared unaccredited and is placed under an
56 alternative form of governance, including a review of the effectiveness of the alternative
57 governance; or

58 (c) Attach the territory of the lapsed district to another district or districts for school
59 purposes; or

60 (d) Establish one or more school districts within the territory of the lapsed district, with
61 a governance structure specified by the state board of education, with the option of permitting
62 a district to remain intact for the purposes of assessing, collecting, and distributing property

63 taxes, to be distributed equitably on a weighted average daily attendance basis, but to be divided
64 for operational purposes, which shall take effect sixty days after the adjournment of the regular
65 session of the general assembly next following the state board's decision unless a statute or
66 concurrent resolution is enacted to nullify the state board's decision prior to such effective date.

67 4. If a district remains under continued governance by the school board under
68 subdivision (1) of subsection 3 of this section and either has been unaccredited for three
69 consecutive school years and failed to attain accredited status after the third school year or has
70 been unaccredited for two consecutive school years and the state board of education determines
71 its academic progress is not consistent with attaining accredited status after the third school year,
72 then the state board of education shall proceed under subdivision (2) of subsection 3 of this
73 section in the following school year.

74 5. A special administrative board **or any other form of governance** appointed under
75 this section shall retain the authority granted to a board of education for the operation of the
76 lapsed school district under the laws of the state in effect at the time of the lapse and may enter
77 into contracts with accredited school districts or other education service providers in order to
78 deliver high-quality educational programs to the residents of the district. If a student graduates
79 while attending a school building in the district that is operated under a contract with an
80 accredited school district as specified under this subsection, the student shall receive his or her
81 diploma from the accredited school district. The authority of the special administrative board
82 **or any other form of governance appointed under this section** shall expire at the end of the
83 third full school year following its appointment, unless extended by the state board of education.
84 If the lapsed district is reassigned, the ~~[special administrative board]~~ **governing board prior to**
85 **lapse** shall provide an accounting of all funds, assets and liabilities of the lapsed district and
86 transfer such funds, assets, and liabilities of the lapsed district as determined by the state board
87 of education. Neither the special administrative board **nor any other form of governance**
88 **appointed under this section** nor its members or employees shall be deemed to be the state or
89 a state agency for any purpose, including section 105.711, et seq. The state of Missouri, its
90 agencies and employees shall be absolutely immune from liability for any and all acts or
91 omissions relating to or in any way involving the lapsed district, ~~[the]~~ **a special administrative**
92 **board, [its] any other form of governance appointed under this section, or the** members or
93 employees **of the lapsed district, a special administrative board, or any other form of**
94 **governance appointed under this section.** Such immunities, and immunity doctrines as exist
95 or may hereafter exist benefitting boards of education, their members and their employees shall
96 be available to the special administrative board~~[, its]~~ **or any other form of governance**
97 **appointed under this section and the** members and employees **of the special administrative**
98 **board or any other form of governance appointed under this section** members and
99 employees.

100 6. Neither the special administrative board **nor any other form of governance**
101 **appointed under this section** nor any district or other entity assigned territory, assets or funds
102 from a lapsed district shall be considered a successor entity for the purpose of employment
103 contracts, unemployment compensation payment pursuant to section 288.110, or any other
104 purpose.

105 7. If additional teachers are needed by a district as a result of increased enrollment due
106 to the annexation of territory of a lapsed or dissolved district, such district shall grant an
107 employment interview to any permanent teacher of the lapsed or dissolved district upon the
108 request of such permanent teacher.

109 8. In the event that a school district with an enrollment in excess of five thousand pupils
110 lapses, no school district shall have all or any part of such lapsed school district attached without
111 the approval of the board of the receiving school district.

112 **9. If the state board of education reasonably believes that a school district is**
113 **unlikely to provide for the minimum school term required by section 163.021 because of**
114 **financial difficulty, the state board of education may, prior to the start of the school term:**

115 **(1) Allow continued governance by the existing district school board under terms**
116 **and conditions established by the state board of education; or**

117 **(2) Lapse the corporate organization of the district and implement one of the**
118 **options available under subdivision (2) of subsection 3 of this section.**

119 **10. The provisions of subsection 9 of this section shall not apply to any district**
120 **solely on the basis of financial difficulty resulting from paying tuition and providing**
121 **transportation for transfer students under sections 167.895 and 167.898.**

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

7 **2. The orientation and training required under subsection 1 of this section shall**
8 **include two hours and thirty minutes of training that provides up-to-date and reliable**
9 **information on identifying signs of sexual abuse in children and danger signals of**
10 **potentially abusive relationships between children and adults. The training shall**
11 **emphasize how to establish an atmosphere of trust so that students feel their school has**
12 **concerned adults with whom students can feel comfortable discussing matters related to**
13 **abuse. If, before August 28, 2019, a board member completed the orientation and training**
14 **requirements of this section as they existed before August 28, 2019, the board member shall**

15 not be required to complete any additional training other than the refresher training
16 described in subsection 3 of this section.

17 **3. Any school board member serving a term as of August 28, 2019, or elected or**
18 **appointed after August 28, 2019, shall complete at least one hour of refresher training each**
19 **year of any term in office; except that, the refresher training shall not be required in the**
20 **year in which the member completes the initial orientation and training under subsection**
21 **1 of this section. The refresher training shall address concepts covered in the initial**
22 **training including, but not limited to, the prevention of sexual abuse of children.**

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

163.018. 1. (1) Notwithstanding the definition of "average daily attendance" in
2 subdivision (2) of section 163.011 to the contrary, pupils between the ages of three and five who
3 are eligible for free and reduced price lunch and attend an early childhood education program:

4 **(a) That is operated by and in a district or by a charter school that has declared itself as**
5 **a local educational agency providing full-day kindergarten and that meets standards established**
6 **by the state board of education; or**

7 **(b) That is under contract with a district or charter school that has declared itself**
8 **as a local educational agency and that meets standards established by the state board of**
9 **education;**

10

11 shall be included in the district's or charter school's calculation of average daily attendance. The
12 total number of such pupils included in the district's or charter school's calculation of average
13 daily attendance shall not exceed four percent of the total number of pupils who are eligible for
14 free and reduced price lunch between the ages of five and eighteen who are included in the
15 district's or charter school's calculation of average daily attendance.

16 (2) If a pupil described under subdivision (1) of this subsection leaves an early childhood
17 education program during the school year, a district or charter school shall be allowed to fill the
18 vacant enrollment spot with another pupil between the ages of three and five who is eligible for
19 free and reduced price lunch without affecting the district's or charter school's calculation of
20 average daily attendance.

21 **2. In establishing standards for any early childhood education program that is**
22 **under contract with a district or charter school that has declared itself as a local**
23 **educational agency, the state board of education shall consider:**

24 **(1) Whether a program offers full-day and full-year programming;**

25 **(2) Whether a program has teacher-to-child ratios consistent with reasonable**
26 **standards set by early childhood education program accrediting agencies;**

27 **(3) Whether a program offers professional development supports for educators and**
28 **the type of supports offered;**

29 **(4) Whether a program uses appropriately credentialed educators;**

30 **(5) Whether a program uses an early childhood education curriculum that has been**
31 **approved by the department of elementary and secondary education and whether the**
32 **curriculum is developmentally appropriate; and**

33 **(6) Any other factor that the state board of education determines to be significant**
34 **in ensuring that children achieve high levels of kindergarten readiness.**

35

36 **The state board of education shall require that staff members of any early childhood**
37 **education program that is under contract with a district or charter school that has declared**
38 **itself as a local educational agency undergo background checks as described in section**
39 **168.133.**

40 **3.** This section shall not require school attendance beyond that mandated under section
41 167.031 and shall not change or amend the provisions of sections 160.051, 160.053, 160.054,
42 and 160.055 relating to kindergarten attendance.

 163.031. 1. The department of elementary and secondary education shall calculate and
2 distribute to each school district qualified to receive state aid under section 163.021 an amount
3 determined by multiplying the district's weighted average daily attendance by the state adequacy
4 target, multiplying this product by the dollar value modifier for the district, and subtracting from
5 this product the district's local effort and subtracting payments from the classroom trust fund
6 under section 163.043.

7 2. Other provisions of law to the contrary notwithstanding:

8 (1) For districts with an average daily attendance of more than three hundred fifty in the
9 school year preceding the payment year:

10 (a) For the 2008-09 school year, the state revenue per weighted average daily attendance
11 received by a district from the state aid calculation under subsections 1 and 4 of this section, as
12 applicable, and the classroom trust fund under section 163.043 shall not be less than the state
13 revenue received by a district in the 2005-06 school year from the foundation formula, line 14,
14 gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts
15 multiplied by the dollar value modifier, and dividing this product by the weighted average daily
16 attendance computed for the 2005-06 school year;

17 (b) For each year subsequent to the 2008-09 school year, the amount shall be no less than
18 that computed in paragraph (a) of this subdivision, multiplied by the weighted average daily
19 attendance pursuant to section 163.036, less any increase in revenue received from the classroom
20 trust fund under section 163.043;

21 (2) For districts with an average daily attendance of three hundred fifty or less in the
22 school year preceding the payment year:

23 (a) For the 2008-09 school year, the state revenue received by a district from the state
24 aid calculation under subsections 1 and 4 of this section, as applicable, and the classroom trust
25 fund under section 163.043 shall not be less than the greater of state revenue received by a
26 district in the 2004-05 or 2005-06 school year from the foundation formula, line 14, gifted,
27 remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts
28 multiplied by the dollar value modifier;

29 (b) For each year subsequent to the 2008-09 school year, the amount shall be no less than
30 that computed in paragraph (a) of this subdivision;

31 (3) The department of elementary and secondary education shall make an addition in the
32 payment amount specified in subsection 1 of this section to assure compliance with the
33 provisions contained in this subsection.

34 3. School districts that meet the requirements of section 163.021 shall receive categorical
35 add-on revenue as provided in this subsection. The categorical add-on for the district shall be
36 the sum of: seventy-five percent of the district allowable transportation costs under section
37 163.161; the career ladder entitlement for the district, as provided for in sections 168.500 to
38 168.515; the vocational education entitlement for the district, as provided for in section 167.332;
39 and the district educational and screening program entitlements as provided for in sections
40 178.691 to 178.699. The categorical add-on revenue amounts may be adjusted to accommodate
41 available appropriations.

42 4. For any school district meeting the eligibility criteria for state aid as established in
43 section 163.021, but which is considered an option district under section 163.042 and therefore
44 receives no state aid, the commissioner of education shall present a plan to the superintendent
45 of the school district for the waiver of rules and the duration of said waivers, in order to promote
46 flexibility in the operations of the district and to enhance and encourage efficiency in the delivery
47 of instructional services as provided in section 163.042.

48 5. (1) No less than seventy-five percent of the state revenue received under the
49 provisions of subsections 1 and 2 of this section shall be placed in the teachers' fund, and the
50 remaining percent of such moneys shall be placed in the incidental fund. No less than
51 seventy-five percent of one-half of the funds received from the school district trust fund
52 distributed under section 163.087 shall be placed in the teachers' fund. One hundred percent of
53 revenue received under the provisions of section 163.161 shall be placed in the incidental fund.
54 One hundred percent of revenue received under the provisions of sections 168.500 to 168.515
55 shall be placed in the teachers' fund.

56 (2) A school district shall spend for certificated compensation and tuition expenditures
57 each year:

58 (a) An amount equal to at least seventy-five percent of the state revenue received under
59 the provisions of subsections 1 and 2 of this section;

60 (b) An amount equal to at least seventy-five percent of one-half of the funds received
61 from the school district trust fund distributed under section 163.087 during the preceding school
62 year; and

63 (c) Beginning in fiscal year 2008, as much as was spent per the second preceding year's
64 weighted average daily attendance for certificated compensation and tuition expenditures the
65 previous year from revenue produced by local and county tax sources in the teachers' fund, plus
66 the amount of the incidental fund to teachers' fund transfer calculated to be local and county tax
67 sources by dividing local and county tax sources in the incidental fund by total revenue in the
68 incidental fund.

69

70 In the event a district fails to comply with this provision, the amount by which the district fails
71 to spend funds as provided herein shall be deducted from the district's state revenue received
72 under the provisions of subsections 1 and 2 of this section for the following year, provided that
73 the state board of education may exempt a school district from this provision if the state board
74 of education determines that circumstances warrant such exemption.

75 6. (1) If a school district's annual audit discloses that students were inappropriately
76 identified as eligible for free and reduced price lunch, special education, or limited English
77 proficiency and the district does not resolve the audit finding, the department of elementary and
78 secondary education shall require that the amount of aid paid pursuant to the weighting for free
79 and reduced price lunch, special education, or limited English proficiency in the weighted
80 average daily attendance on the inappropriately identified pupils be repaid by the district in the
81 next school year and shall additionally impose a penalty of one hundred percent of such aid paid
82 on such pupils, which penalty shall also be paid within the next school year. Such amounts may
83 be repaid by the district through the withholding of the amount of state aid.

84 (2) In the 2017-18 school year and in each subsequent school year, if a district
85 experiences a decrease in its gifted program enrollment of twenty percent or more from the
86 previous school year, an amount equal to the product of the difference between the number of
87 students enrolled in the gifted program in the current school year and the number of students
88 enrolled in the gifted program in the previous school year multiplied by six hundred eighty
89 dollars shall be subtracted from the district's current year payment amount. The provisions of
90 this subdivision shall apply to districts entitled to receive state aid payments under both
91 subsections 1 and 2 of this section but shall not apply to any school district with an average daily
92 attendance of three hundred fifty or less.

93 7. Notwithstanding any provision of law to the contrary, in any fiscal year during which
94 the total formula appropriation is insufficient to fully fund the entitlement calculation of this

95 section, the department of elementary and secondary education shall adjust the state adequacy
96 target in order to accommodate the appropriation level for the given fiscal year. In no manner
97 shall any payment modification be rendered for any district qualified to receive payments under
98 subsection 2 of this section based on insufficient appropriations.

99 **8. Notwithstanding any provision of law to the contrary, school districts that**
100 **receive revenue from the tax authorized under sections 148.030, 148.140, 148.620, and**
101 **148.720 shall, beginning January 1, 2020, and every January first thereafter, report the**
102 **amount of said revenue received by the district to the department. The department shall,**
103 **based on the data submitted by the district, determine the total amount of revenue the**
104 **district would have received from the tax authorized under sections 148.030, 148.140,**
105 **148.620, and 148.720 absent the provisions of section 148.720, and remit the following**
106 **amount to each applicable district not less than thirty days after the conclusion of each**
107 **calendar year. The amount remitted to each district shall be the total of the revenue**
108 **received by the district from the tax authorized under sections 148.030, 148.140, 148.620,**
109 **and 148.720 during the applicable calendar year times one and five thousand six hundred**
110 **and twenty-five ten thousandths minus the total of the revenue received by the district**
111 **from the tax authorized under sections 148.030, 148.140, 148.620, and 148.720 during the**
112 **same calendar year. This payment shall be in addition to payments authorized under**
113 **subsections 1, 2, and 7 of this section and shall be made from the annual appropriation to**
114 **fund this section.**

167.125. 1. (1) For the purposes of this section, the term "attendance center" shall mean
2 a public school building or buildings or part of a school building that constitutes one unit for
3 accountability purposes under the Missouri school improvement program.

4 (2) For any pupil residing in any unincorporated area located in any county of the first
5 classification with more than one hundred one thousand but fewer than one hundred fifteen
6 thousand inhabitants that also borders on any county with a charter form of government and with
7 more than nine hundred fifty thousand inhabitants and any county with a charter form of
8 government and with more than three hundred thousand but fewer than four hundred fifty
9 thousand inhabitants, and for any pupil residing in any village with more than three hundred
10 twenty but fewer than three hundred sixty inhabitants and located in any county of the third
11 classification without a township form of government and with more than twenty-three thousand
12 but fewer than twenty-six thousand inhabitants and with a village with more than two hundred
13 but fewer than two hundred fifty inhabitants as the county seat, **and for any pupil residing in**
14 **an unincorporated area of a county of the third classification without a township form of**
15 **government and with more than nine thousand but fewer than ten thousand inhabitants**
16 **and with a city of the fourth classification with more than five hundred fifty but fewer than**
17 **six hundred fifty inhabitants as the county seat, the commissioner of education or his or her**

18 designee shall, upon proper application by the parent or guardian of the pupil, assign the pupil
19 and any sibling of the pupil to another school district if the pupil is eligible as described under
20 subsection 2 of this section and the following conditions are met:

21 (a) The actual driving distance from the pupil's residence to the attendance center in the
22 district of residence is fifteen miles or more by the shortest route available as determined by the
23 commissioner or his or her designee;

24 (b) The attendance center to which the pupil would be assigned in the receiving district
25 is at least five miles closer in actual driving distance by the shortest route available to the pupil's
26 residence than the current attendance center in the district of residence as determined by the
27 commissioner or his or her designee; and

28 (c) The attendance of the pupil will not cause the classroom in the receiving district to
29 exceed the maximum number of pupils per class as determined by the receiving district.

30 2. (1) For pupils applying to the commissioner of education under this section, the
31 commissioner, or his or her designee, shall assign pupils in the order in which applications are
32 received, provided the applications are properly completed and the conditions of subsection 1
33 of this section are met.

34 (2) Once granted, the hardship assignment shall continue until the pupil, and any sibling
35 of the pupil who attends the same attendance center, completes his or her course of study in the
36 receiving district or the parent or guardian withdraws the pupil. If a parent or guardian
37 withdraws a pupil from a hardship assignment, the granting of a subsequent application is
38 discretionary.

39 (3) A pupil shall be eligible to apply to the commissioner of education to be assigned to
40 another district under this section if the pupil has been enrolled in and attending a public school
41 in his or her district of residence during the school year prior to the application. Any pupil shall
42 be eligible to apply to the commissioner of education to be assigned to another district under this
43 section if the pupil has been enrolled in and attending a public school in a district other than his
44 or her district of residence and paid nonresident tuition for such enrollment during the school
45 year prior to the application, **or, in the case where a pupil is applying under subdivision (2)**
46 **of subsection 1 of this section, if the pupil has applied for enrollment in a public school in**
47 **a district other than his or her district of residence but whose application was denied.**
48 Pupils who reside in the district who become eligible for kindergarten or first grade shall also
49 be eligible to apply to the commissioner of education to be assigned to another district.

50 (4) A pupil who is not currently enrolled in a public school district shall become eligible
51 to apply to the commissioner of education to be assigned to another district after the pupil has
52 enrolled in and completed a full school year in a public school in his or her district of residence.

53 3. The board of education of the district in which the pupil resides shall pay the tuition
54 of the pupil assigned. The tuition amount shall not exceed the pro rata cost of instruction.

55 However, if the tuition of the receiving district is greater than the tuition of the pupil's district
56 of residence, the pupil's parent or guardian shall pay the difference in tuition.

57 4. A receiving district shall not be required to alter its transportation route to
58 accommodate pupils that are assigned to the receiving district under the provisions of this
59 section.

167.131. 1. The board of education of each district in this state that does not maintain
2 ~~[an accredited]~~ **a high school** ~~[pursuant to the authority of the state board of education to classify~~
3 ~~schools as established in section 161.092]~~ **offering work through the twelfth grade** shall pay
4 ~~[the]~~ tuition ~~[of]~~ **as calculated by the receiving district under subsection 2 of this section** and
5 provide transportation consistent with the provisions of section 167.241 for each pupil resident
6 therein **who has completed the work of the highest grade offered in the schools of the**
7 **district and** who attends an accredited **public high** school in another district of the same or an
8 adjoining county ~~[or who attends an approved charter school in the same or an adjoining county].~~

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

26 ~~[3. For purposes of this section, "approved charter school" means a charter school that~~
27 ~~has existed for less than three years or a charter school with a three-year average score of seventy~~
28 ~~percent or higher on its annual performance report.]~~

167.132. 1. For purposes of this section, the following terms mean:

2 (1) **"Receiving approved charter school", an approved charter school, as defined**
3 **under section 167.895, receiving transfer students under section 167.895;**

4 **(2) "Receiving district", a school district receiving transfer students under section**
 5 **167.895;**

6 **(3) "Sending district", a school district from which students are transferring to a**
 7 **receiving district or approved charter school, as allowed under section 167.895;**

8 **(4) "State adequacy target", the same meaning given to the term under section**
 9 **163.011.**

10 **2. Notwithstanding any other provision of law, the tuition rate paid by a sending**
 11 **district to the receiving district or the receiving approved charter school for transfer**
 12 **students shall be the lesser of:**

13 **(1) The tuition rate set by the receiving district or the receiving approved charter**
 14 **school under the policy adopted in accordance with section 167.895; or**

15 **(2) The state adequacy target plus the average sum produced per child by the local**
 16 **tax effort above the state adequacy target of the sending district.**

167.151. 1. The school board of any district, in its discretion, may admit to the school
 2 pupils not entitled to free instruction and prescribe the tuition fee to be paid by them, except as
 3 provided in sections 167.121 ~~[and]~~ , 167.131, **167.132, and 167.895.**

4 2. Orphan children, children with only one parent living, and children whose parents do
 5 not contribute to their support—if the children are between the ages of six and twenty years and
 6 are unable to pay tuition—may attend the schools of any district in the state in which they have
 7 a permanent or temporary home without paying a tuition fee.

8 3. Any person who pays a school tax in any other district than that in which he resides
 9 may send his children to any public school in the district in which the tax is paid and receive as
 10 a credit on the amount charged for tuition the amount of the school tax paid to the district; except
 11 that any person who owns real estate of which eighty acres or more are used for agricultural
 12 purposes and upon which his residence is situated may send his children to public school in any
 13 school district in which a part of such real estate, contiguous to that upon which his residence
 14 is situated, lies and shall not be charged tuition therefor; so long as thirty-five percent of the real
 15 estate is located in the school district of choice. The school district of choice shall count the
 16 children in its average daily attendance for the purpose of distribution of state aid through the
 17 foundation formula.

18 4. Any owner of agricultural land who, pursuant to subsection 3 of this section, has the
 19 option of sending his children to the public schools of more than one district shall exercise such
 20 option as provided in this subsection. Such person shall send written notice to all school districts
 21 involved specifying to which school district his children will attend by June thirtieth in which
 22 such a school year begins. If notification is not received, such children shall attend the school
 23 in which the majority of his property lies. Such person shall not send any of his children to the
 24 public schools of any district other than the one to which he has sent notice pursuant to this

25 subsection in that school year or in which the majority of his property lies without paying tuition
26 to such school district.

27 5. If a pupil is attending school in a district other than the district of residence and the
28 pupil's parent is teaching in the school district or is a regular employee of the school district
29 which the pupil is attending, then the district in which the pupil attends school shall allow the
30 pupil to attend school upon payment of tuition in the same manner in which the district allows
31 other pupils not entitled to free instruction to attend school in the district. The provisions of this
32 subsection shall apply only to pupils attending school in a district which has an enrollment in
33 excess of thirteen thousand pupils and not in excess of fifteen thousand pupils and which district
34 is located in a county of the first classification with a charter form of government which has a
35 population in excess of six hundred thousand persons and not in excess of nine hundred thousand
36 persons.

167.241. **1. Except as otherwise provided under this section,** transportation for pupils
2 whose tuition the district of residence is required to pay by section 167.131 or who are assigned
3 as provided in section 167.121 shall be provided by the district of residence~~[-however,]~~.

4 **2.** In the case of pupils covered by section 167.131, the district of residence shall be
5 required to provide transportation only to ~~[approved charter schools as defined in section~~
6 ~~167.131,]~~ school districts accredited by the state board of education pursuant to the authority of
7 the state board of education to classify schools as established in section 161.092, and those
8 school districts designated by the board of education of the district of residence.

9 **3. (1) For purposes of this subsection, "approved charter school" has the same**
10 **meaning given to the term under section 167.895.**

11 **(2) For pupils covered by section 167.895, the district of residence shall be required**
12 **to provide transportation only to school districts or approved charter schools designated**
13 **by the department of elementary and secondary education or its designee. For pupils**
14 **covered by section 167.895, the department of elementary and secondary education or its**
15 **designee shall designate at least one accredited district or approved charter school to which**
16 **the district of residence shall provide transportation. If the designated district or charter**
17 **school reaches full student capacity and is unable to receive additional students, the**
18 **department of elementary and secondary education or its designee shall designate at least**
19 **one additional accredited district or approved charter school to which the district of**
20 **residence shall provide transportation.**

167.890. **1. The department of elementary and secondary education shall compile**
2 **and maintain student performance data scores of all students enrolled in districts other**
3 **than their resident districts as provided under section 167.895 and make such data**
4 **available on the Missouri comprehensive data system. No personally identifiable data shall**
5 **be accessible on the database.**

6 **2. The department of elementary and secondary education may promulgate all**
7 **necessary rules and regulations for the administration of this section. Any rule or portion**
8 **of a rule, as that term is defined in section 536.010, that is created under the authority**
9 **delegated in this section shall become effective only if it complies with and is subject to all**
10 **of the provisions of chapter 536, and, if applicable, section 536.028. This section and**
11 **chapter 536 are nonseverable, and if any of the powers vested with the general assembly**
12 **pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul**
13 **a rule are subsequently held unconstitutional, then the grant of rule making authority and**
14 **any rule proposed or adopted after the effective date of this section shall be invalid and**
15 **void.**

167.895. 1. For purposes of this section and section 167.898, the following terms
2 **mean:**

3 **(1) "Approved charter school", a charter school that has existed for less than three**
4 **years or a charter school with a three-year average score consistent with a classification**
5 **of accredited without provisions on its annual performance report;**

6 **(2) "Attendance center", a public school building, public school buildings, or part**
7 **of a public school building that offers education in a grade or grades not higher than the**
8 **twelfth grade and that constitutes one unit for accountability and reporting purposes for**
9 **the department of elementary and secondary education;**

10 **(3) "Available receiving district", a school district able to receive transfer students**
11 **under this section;**

12 **(4) "Receiving district", a school district receiving transfer students under this**
13 **section;**

14 **(5) "Sending district", a school district from which students are transferring to a**
15 **receiving district or approved charter school, as allowed under this section.**

16 **2. (1) Any student may transfer to another public school in the student's district**
17 **of residence if such student is enrolled in and has attended, for the full semester**
18 **immediately prior to requesting the transfer, an attendance center:**

19 **(a) That is located within an unaccredited district; and**

20 **(b) That has an annual performance report score consistent with a classification**
21 **of unaccredited.**

22

23 **However, no such transfer shall result in a class size and assigned enrollment in a receiving**
24 **school that exceeds the standards for class size and assigned enrollment as promulgated**
25 **in the Missouri school improvement program's resource standards. If the student chooses**
26 **to attend a magnet school, an academically selective school, or a school with a competitive**

27 entrance process within his or her district of residence that has admissions requirements,
28 the student shall meet the admissions requirements in order to attend.

29 (2) The school board of each unaccredited district shall determine the capacity at
30 each of the district's attendance centers that has an annual performance report score
31 consistent with a classification of accredited. The district's school board shall be
32 responsible for coordinating transfers within the district as allowed under this subsection.

33 (3) The school board of each unaccredited district shall annually report to the
34 department of elementary and secondary education or its designee the number of available
35 slots in attendance centers within the district that have annual performance report scores
36 consistent with a classification of accredited, the number of students who request to
37 transfer within the district, and the number of such transfer requests that are granted.

38 3. (1) Any student who is eligible to transfer within his or her district under
39 subsection 2 of this section but who is unable to do so due to a lack of capacity in the
40 attendance centers in his or her district of residence may apply to the department of
41 elementary and secondary education or its designee to transfer to:

42 (a) An attendance center:

43 a. That is located within an accredited district that is located in the same or an
44 adjoining county; and

45 b. That has an annual performance report score consistent with a classification of
46 accredited; or

47 (b) An approved charter school located in another district in the same or an
48 adjoining county.

49 (2) A student who is eligible to begin kindergarten or first grade at an attendance
50 center:

51 (a) That is located within an unaccredited district;

52 (b) That has an annual performance report score consistent with a classification
53 of unaccredited; and

54 (c) That offers classes above the second grade level

55

56 may apply to the department of elementary and secondary education or its designee for a
57 transfer to a school described under paragraph (a) or (b) of subdivision (1) of this
58 subsection if he or she resides in the attendance area of the attendance center described
59 under this subdivision on March first preceding the school year of first attendance. A
60 student who does not apply by March first for enrollment in any school year after the 2019-
61 20 school year shall be required to enroll and attend the attendance center described under
62 this subdivision for one semester to become eligible.

63 **(3) If a student who is eligible to transfer under this subsection chooses to apply to**
64 **attend a magnet school, an academically selective school, or a school with a competitive**
65 **entrance process that has admissions requirements, the student shall furnish proof that he**
66 **or she meets the admissions requirements.**

67 **(4) Any student who does not maintain residency in the attendance area of his or**
68 **her attendance center in the district of residence shall lose eligibility to transfer.**

69 **(5) Except as provided under subsection 7 of this section, any student who transfers**
70 **but later withdraws shall lose eligibility to transfer.**

71 **(6) The transfer provisions of this subsection shall not apply to a district created**
72 **under sections 162.815 to 162.840 or to any early childhood programs or early childhood**
73 **special education programs.**

74 **4. (1) No student enrolled in and attending an attendance center that does not offer**
75 **classes above the second grade level shall be eligible to transfer under this section.**

76 **(2) No student who is eligible to begin kindergarten or first grade at an attendance**
77 **center that does not offer classes above the second grade level shall be eligible to transfer**
78 **under this section.**

79 **5. (1) (a) No provisionally accredited district shall be eligible to receive transfer**
80 **students.**

81 **(b) Except as provided under paragraph (c) of this subdivision, no attendance**
82 **center that has an annual performance report score consistent with a classification of**
83 **provisionally accredited shall be eligible to receive transfer students.**

84 **(c) A transfer student who chooses to attend an attendance center that has an**
85 **annual performance report score consistent with a classification of provisionally accredited**
86 **and that is located within his or her unaccredited district of residence shall be allowed to**
87 **transfer to such attendance center if there is an available slot.**

88 **(2) (a) No unaccredited district shall be eligible to receive transfer students.**

89 **(b) No attendance center that has an annual performance report score consistent**
90 **with a classification of unaccredited shall be eligible to receive transfer students.**

91 **(3) No district or attendance center that has received two consecutive annual**
92 **performance reports consistent with a classification of provisionally accredited for the**
93 **years immediately preceding the year in which it seeks to enroll transfer students shall be**
94 **eligible to receive any transfer students, irrespective of its state board of education**
95 **classification designation; except that, any student who was granted a transfer to such a**
96 **district or attendance center prior to the effective date of this section may remain enrolled**
97 **in that district or attendance center.**

98 **6. Notwithstanding the provisions of subsection 5 of this section, a student may**
99 **transfer to an attendance center:**

100 **(1) That is located within an unaccredited or provisionally accredited district; and**
101 **(2) That has an annual performance report score consistent with a classification of**
102 **accredited**

103

104 **if the attendance center applies for and is granted a waiver by the department of**
105 **elementary and secondary education or its designee to allow the attendance center to**
106 **accept transfer students.**

107 **7. If a receiving district becomes unaccredited or provisionally accredited, or if an**
108 **approved charter school loses its status as an approved charter school, any students who**
109 **previously transferred to the district or charter school shall receive the opportunity to**
110 **remain enrolled in the district or charter school or to transfer to another district or**
111 **approved charter school without losing their eligibility to transfer.**

112 **8. For a receiving district, no acceptance of a transfer student shall require any of**
113 **the following actions, unless the board of education of the receiving district has approved**
114 **the action:**

115 **(1) The hiring of additional classroom teachers;**

116 **(2) The construction of additional classrooms; or**

117 **(3) A class size and assigned enrollment in a receiving school that exceeds the**
118 **standards for class size and assigned enrollment as promulgated in the Missouri school**
119 **improvement program's resource standards.**

120 **9. (1) By July 15, 2019, the board of education of each available receiving district**
121 **and the governing board of each approved charter school eligible to receive transfer**
122 **students under this section shall set the number of transfer students the district or charter**
123 **school is able to receive for the 2019-20 school year.**

124 **(2) By February first annually, the board of education of each available receiving**
125 **district and the governing board of each approved charter school eligible to receive**
126 **transfer students under this section shall set the number of transfer students the district**
127 **or charter school is able to receive for the following school year.**

128 **(3) An available receiving district or approved charter school eligible to receive**
129 **transfer students under this section shall publish the number set under this subsection and**
130 **shall not be required to accept any transfer students under this section that would cause**
131 **it to exceed the published number.**

132 **10. (1) Each available receiving district shall adopt a policy establishing a tuition**
133 **rate for transfer students by February first annually.**

134 **(2) Each approved charter school eligible to receive transfer students under this**
135 **section shall adopt a policy establishing a tuition rate for transfer students by February**
136 **first annually.**

137 **(3) A sending district shall pay the receiving district or the approved charter school**
138 **the amount specified under section 167.132 for each transfer student.**

139 **11. A student whose transfer application has been denied by a receiving district**
140 **shall have the right to appeal the decision of the receiving district to the department of**
141 **elementary and secondary education. The appeal shall be taken within fifteen days after**
142 **the decision of the department and may be taken by filing notice of appeal with the**
143 **department. Such appeal shall be heard as provided in chapter 536.**

144 **12. If an unaccredited district becomes classified as provisionally accredited or**
145 **accredited without provisions by the state board of education, or if an attendance center**
146 **within an unaccredited district improves its annual performance report score from a score**
147 **that is consistent with a classification of unaccredited to a score that is consistent with a**
148 **classification of provisionally accredited or accredited, any resident student of the**
149 **unaccredited district who has transferred to an approved charter school or to an**
150 **accredited district in the same or an adjoining county, as allowed under subsection 3 of this**
151 **section, shall be permitted to continue his or her educational program in the receiving**
152 **district or charter school through the completion of middle school, junior high school, or**
153 **high school, whichever occurs first; except that, a student who attends any school serving**
154 **students through high school graduation but starting at grades lower than ninth grade**
155 **shall be permitted to complete high school in the school to which he or she has transferred.**

156 **13. Notwithstanding the provisions of subsection 10 of this section, if costs**
157 **associated with the provision of special education and related services to a student with a**
158 **disability exceed the tuition amount established under this section, the unaccredited district**
159 **shall remain responsible for paying the excess cost to the receiving district. If the receiving**
160 **district is a component district of a special school district, the unaccredited district,**
161 **including any metropolitan school district, shall contract with the special school district for**
162 **the entirety of the costs to provide special education and related services, excluding**
163 **transportation in accordance with this section. The special school district may contract**
164 **with an unaccredited district, including any metropolitan district, for the provision of**
165 **transportation of a student with a disability or the unaccredited district may provide**
166 **transportation on its own.**

167 **14. A special school district shall continue to provide special education and related**
168 **services, with the exception of transportation under this section, to a student with a**
169 **disability transferring from an attendance center with an annual performance report score**
170 **consistent with a classification of unaccredited that is within a component district to an**
171 **attendance center with an annual performance report score consistent with a classification**
172 **of accredited that is within the same or a different component district within the special**
173 **school district.**

174 **15. If any metropolitan school district is classified as unaccredited, it shall remain**
175 **responsible for the provision of special education and related services, including**
176 **transportation, to students with disabilities. A special school district in an adjoining**
177 **county to a metropolitan school district may contract with the metropolitan school district**
178 **for the reimbursement of special education services under sections 162.705 and 162.710**
179 **provided by the special school district for transfer students who are residents of the**
180 **unaccredited district.**

181 **16. Regardless of whether transportation is identified as a related service within**
182 **a student's individualized education program, a receiving district that is not part of a**
183 **special school district shall not be responsible for providing transportation to a student**
184 **transferring under this section. An unaccredited district may contract with a receiving**
185 **district that is not part of a special school district under sections 162.705 and 162.710 for**
186 **transportation of students with disabilities.**

187 **17. If a seven-director school district or urban school district is classified as**
188 **unaccredited, it may contract with a receiving district that is not part of a special school**
189 **district in the same or an adjoining county for the reimbursement of special education and**
190 **related services under sections 162.705 and 162.710 provided by the receiving district for**
191 **transfer students who are residents of the unaccredited district.**

167.898. 1. (1) By July 15, 2019, and by January first annually, each accredited
2 **district, any portion of which is located in the same county as or in an adjoining county to**
3 **an unaccredited district, shall report to the department of elementary and secondary**
4 **education or its designee the number of available enrollment slots by grade level.**

5 **(2) By July 15, 2019, and by January first annually, each unaccredited district shall**
6 **report to the department of elementary and secondary education or its designee the**
7 **number of available enrollment slots in the schools of its district that have received annual**
8 **performance report scores consistent with a classification of accredited.**

9 **(3) By July 15, 2019, and by January first annually, each approved charter school**
10 **that is eligible to receive transfer students under section 167.895 shall report to the**
11 **department of elementary and secondary education or its designee the number of available**
12 **enrollment slots.**

13 **2. The department of elementary and secondary education or its designee shall**
14 **make information and assistance available to parents or guardians who intend to transfer**
15 **their child to an accredited district or to an approved charter school as described under**
16 **section 167.895.**

17 **3. The parent or guardian of a student who intends to transfer his or her child to**
18 **an accredited district or to an approved charter school as described under section 167.895**
19 **for enrollment in that district or charter school in any school year after the 2019-20 school**

20 year shall send initial notification to the department of elementary and secondary
21 education or its designee by March first for enrollment in the subsequent school year.

22 4. The department of elementary and secondary education or its designee shall
23 assign those students who seek to transfer to an accredited district or to an approved
24 charter school as described under section 167.895. When assigning transfer students to
25 approved charter schools, the department of elementary and secondary education or its
26 designee shall coordinate with each approved charter school and its admissions process if
27 capacity is insufficient to enroll all students who submit a timely application. An approved
28 charter school shall not be required to institute a lottery procedure for determining the
29 admission of resident students. The department of elementary and secondary education
30 or its designee shall give first priority to students who live in the same household with any
31 family member within the first or second degree of consanguinity or affinity who already
32 attends a school with an annual performance report score consistent with a classification
33 of accredited and who apply to attend the same school. If insufficient grade-appropriate
34 enrollment slots are available for a student to be able to transfer, the student shall receive
35 first priority the following school year. The department of elementary and secondary
36 education or its designee shall consider the following factors in assigning school districts
37 and charter schools:

38 (1) The student's or parent's choice of the receiving school district or charter
39 school;

40 (2) The best interests of the student;

41 (3) The availability of transportation funding, as provided under section 167.241;
42 and

43 (4) Distance and travel time to a receiving school.
44

45 The department of elementary and secondary education or its designee shall not consider
46 student academic performance, free and reduced price lunch status, or athletic ability in
47 assigning a student to a school. The parent or guardian may make an application for a
48 specific building assignment within the district or approved charter school. Final building
49 assignment shall be determined by the receiving school district or approved charter school.

50 5. (1) The department of elementary and secondary education or its designee may
51 deny a transfer to a student who in the most recent school year has been suspended from
52 school two or more times or who has been suspended for an act of school violence under
53 subsection 2 of section 160.261. A student whose transfer is initially precluded under this
54 subsection may be permitted to transfer on a provisional basis as a probationary transfer
55 student, subject to no further disruptive behavior, upon a statement from the student's
56 current school that the student is not disruptive. A student who is denied a transfer under

57 this subsection has the right to an in-person meeting with an employee of the department
58 of elementary and secondary education or its designee.

59 (2) The department of elementary and secondary education shall promulgate rules
60 to provide common standards for determining disruptive behavior that shall include, but
61 not be limited to, criteria under section 160.261. Any rule or portion of a rule, as that term
62 is defined in section 536.010, that is created under the authority delegated in this section
63 shall become effective only if it complies with and is subject to all of the provisions of
64 chapter 536 and, if applicable, section 536.028. This section and chapter 536 are
65 nonseverable, and if any of the powers vested with the general assembly pursuant to
66 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are
67 subsequently held unconstitutional, then the grant of rule making authority and any rule
68 proposed or adopted after the effective date of this section shall be invalid and void.

168.025. 1. For purposes of this section, "teacher externship" means an experience
2 in which a teacher, supervised by his or her school or school district, gains practical
3 experience at a business located in Missouri through observation and interaction with
4 employers and employees.

5 2. The department of economic development and the department of elementary and
6 secondary education shall develop and recommend:

7 (1) Requirements for teacher externships that can be considered the equivalent of
8 the completion of credit hours in graduate-level courses for purposes of salary schedules;
9 and

10 (2) An equivalency schedule that sets forth the number of credit hours in graduate-
11 level courses that shall be considered equivalent to and awarded for each type of teacher
12 externship. To classify teacher externships and determine the number of credit hours that
13 would be appropriate for each type, the length of the teacher externship, the practical
14 experience gained, or any other factor deemed relevant may be considered.

15 3. The department of economic development and the department of elementary and
16 secondary education shall adopt and publish on their websites, before July 1, 2020,
17 requirements for teacher externships that can be considered the equivalent of the
18 completion of credit hours in graduate-level courses for purposes of salary schedules and
19 an equivalency schedule as described in subsection 2 of this section. Any teacher
20 externship that meets the published requirements shall be known as and considered a
21 certified teacher externship for purposes of this section.

22 4. If a school district or charter school uses a salary schedule in which a teacher
23 receives a higher salary if he or she has earned credit hours in graduate-level courses, the
24 school district or charter school shall consider any teacher who has completed a certified
25 teacher externship to have completed credit hours in graduate-level courses on its salary

26 schedule in the manner prescribed by the equivalency schedule developed under this
27 section and compensate the teacher accordingly.

28 **5. The department of elementary and secondary education and the department of**
29 **economic development may promulgate rules to implement the provisions of this section.**
30 **Any rule or portion of a rule, as that term is defined in section 536.010, that is created**
31 **under the authority delegated in this section shall become effective only if it complies with**
32 **and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.**
33 **This section and chapter 536 are nonseverable, and if any of the powers vested with the**
34 **general assembly pursuant to chapter 536 to review, to delay the effective date, or to**
35 **disapprove and annul a rule are subsequently held unconstitutional, then the grant of**
36 **rulemaking authority and any rule proposed or adopted after August 28, 2019, shall be**
37 **invalid and void.**

38 **6. Under section 23.253 of the Missouri sunset act:**

39 **(1) The provisions of the new program authorized under this section shall**
40 **automatically sunset five years after the effective date of this section unless reauthorized**
41 **by an act of the general assembly;**

42 **(2) If such program is reauthorized, the program authorized under this section**
43 **shall automatically sunset ten years after the effective date of the reauthorization of this**
44 **section; and**

45 **(3) This section shall terminate on September first of the calendar year immediately**
46 **following the calendar year in which the program authorized under this section is sunset.**

168.133. 1. As used in this section, "screened volunteer" shall mean any person
2 who assists a school by providing uncompensated service and who may periodically be left
3 alone with students. The school district shall ensure that a criminal background check is
4 conducted for all screened volunteers, who shall complete the criminal background check
5 prior to being left alone with a student. Screened volunteers include, but are not limited
6 to, persons who regularly assist in the office or library, mentor or tutor students, coach or
7 supervise a school-sponsored activity before or after school, or chaperone students on an
8 overnight trip. Screened volunteers may only access student education records when
9 necessary to assist the district and while supervised by staff members. Volunteers that are
10 not screened shall not be left alone with a student or have access to student records.

11 **2. The school district shall ensure that a criminal background check is conducted on any**
12 **person employed after January 1, 2005, authorized to have contact with pupils and prior to the**
13 **individual having contact with any pupil. Such persons include, but are not limited to,**
14 **administrators, teachers, aides, paraprofessionals, assistants, secretaries, custodians, cooks,**
15 **screened volunteers, and nurses. The school district shall also ensure that a criminal**
16 **background check is conducted for school bus drivers. The district may allow such drivers to**

17 operate buses pending the result of the criminal background check. For bus drivers, the school
18 district shall be responsible for conducting the criminal background check on drivers employed
19 by the school district. For drivers employed by a pupil transportation company under contract
20 with the school district, the criminal background check shall be conducted pursuant to section
21 43.540 and conform to the requirements established in the National Child Protection Act of
22 1993, as amended by the Volunteers for Children Act. Personnel who have successfully
23 undergone a criminal background check and a check of the family care safety registry as part of
24 the professional license application process under section 168.021 and who have received
25 clearance on the checks within one prior year of employment shall be considered to have
26 completed the background check requirement. A criminal background check under this section
27 shall include a search of any information publicly available in an electronic format through a
28 public index or single case display.

29 ~~[2-]~~ **3.** In order to facilitate the criminal history background check, the applicant shall
30 submit a set of fingerprints collected pursuant to standards determined by the Missouri highway
31 patrol. The fingerprints shall be used by the highway patrol to search the criminal history
32 repository and shall be forwarded to the Federal Bureau of Investigation for searching the federal
33 criminal history files.

34 ~~[3-]~~ **4.** The applicant shall pay the fee for the state criminal history record information
35 pursuant to section 43.530 and sections 210.900 to 210.936 and pay the appropriate fee
36 determined by the Federal Bureau of Investigation for the federal criminal history record when
37 he or she applies for a position authorized to have contact with pupils pursuant to this section.
38 The department shall distribute the fees collected for the state and federal criminal histories to
39 the Missouri highway patrol.

40 ~~[4-]~~ **5.** The department of elementary and secondary education shall facilitate an annual
41 check of employed persons holding current active certificates under section 168.021 against
42 criminal history records in the central repository under section 43.530, the sexual offender
43 registry under sections 589.400 to ~~[589.475]~~ **589.426**, and child abuse central registry under
44 sections 210.109 to 210.183. The department of elementary and secondary education shall
45 facilitate procedures for school districts to submit personnel information annually for persons
46 employed by the school districts who do not hold a current valid certificate who are required by
47 subsection 1 of this section to undergo a criminal background check, sexual offender registry
48 check, and child abuse central registry check. The Missouri state highway patrol shall provide
49 ongoing electronic updates to criminal history background checks of those persons previously
50 submitted, both those who have an active certificate and those who do not have an active
51 certificate, by the department of elementary and secondary education. This shall fulfill the
52 annual check against the criminal history records in the central repository under section 43.530.

53 ~~[5-]~~ **6.** The school district may adopt a policy to provide for reimbursement of expenses
54 incurred by an employee for state and federal criminal history information pursuant to section
55 43.530.

56 ~~[6-]~~ **7.** If, as a result of the criminal history background check mandated by this section,
57 it is determined that the holder of a certificate issued pursuant to section 168.021 has pled guilty
58 or nolo contendere to, or been found guilty of a crime or offense listed in section 168.071, or a
59 similar crime or offense committed in another state, the United States, or any other country,
60 regardless of imposition of sentence, such information shall be reported to the department of
61 elementary and secondary education.

62 ~~[7-]~~ **8.** Any school official making a report to the department of elementary and
63 secondary education in conformity with this section shall not be subject to civil liability for such
64 action.

65 ~~[8-]~~ **9.** For any teacher who is employed by a school district on a substitute or part-time
66 basis within one year of such teacher's retirement from a Missouri school, the state of Missouri
67 shall not require such teacher to be subject to any additional background checks prior to having
68 contact with pupils. Nothing in this subsection shall be construed as prohibiting or otherwise
69 restricting a school district from requiring additional background checks for such teachers
70 employed by the school district.

71 ~~[9-]~~ **10.** A criminal background check and fingerprint collection conducted under
72 subsections 1 ~~and 2~~ **to 3** of this section shall be valid for at least a period of one year and
73 transferrable from one school district to another district. A school district may, in its discretion,
74 conduct a new criminal background check and fingerprint collection under subsections 1 ~~and~~
75 **2** **to 3** for a newly hired employee at the district's expense. A teacher's change in type of
76 certification shall have no effect on the transferability or validity of such records.

77 ~~[10-]~~ **11.** Nothing in this section shall be construed to alter the standards for suspension,
78 denial, or revocation of a certificate issued pursuant to this chapter.

79 ~~[11-]~~ **12.** The state board of education may promulgate rules for criminal history
80 background checks made pursuant to this section. Any rule or portion of a rule, as that term is
81 defined in section 536.010, that is created under the authority delegated in this section shall
82 become effective only if it complies with and is subject to all of the provisions of chapter 536
83 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of
84 the powers vested with the general assembly pursuant to chapter 536 to review, to delay the
85 effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the
86 grant of rulemaking authority and any rule proposed or adopted after January 1, 2005, shall be
87 invalid and void.

168.221. 1. The first five years of employment of all teachers entering the employment
2 of the metropolitan school district shall be deemed a period of probation during which period all

3 appointments of teachers shall expire at the end of each school year. During the probationary
4 period any probationary teacher whose work is unsatisfactory shall be furnished by the
5 superintendent of schools with a written statement setting forth the nature of his or her
6 incompetency. If improvement satisfactory to the superintendent is not made within one
7 semester after the receipt of the statement, the probationary teacher shall be dismissed. The
8 semester granted the probationary teacher in which to improve shall not in any case be a means
9 of prolonging the probationary period beyond five years and six months from the date on which
10 the teacher entered the employ of the board of education. The superintendent of schools on or
11 before the fifteenth day of April in each year shall notify probationary teachers who will not be
12 retained by the school district of the termination of their services. Any probationary teacher who
13 is not so notified shall be deemed to have been appointed for the next school year. Any principal
14 who prior to becoming a principal had attained permanent employee status as a teacher shall
15 upon ceasing to be a principal have a right to resume his or her permanent teacher position with
16 the time served as a principal being treated as if such time had been served as a teacher for the
17 purpose of calculating seniority and pay scale. The rights and duties and remuneration of a
18 teacher who was formerly a principal shall be the same as any other teacher with the same level
19 of qualifications and time of service.

20 2. After completion of satisfactory probationary services, appointments of teachers shall
21 become permanent, subject to removal for any one or more causes herein described and to the
22 right of the board to terminate the services of all who attain the age of compulsory retirement
23 fixed by the retirement system. In determining the duration of the probationary period of
24 employment in this section specified, the time of service rendered as a substitute teacher shall
25 not be included.

26 3. No teacher whose appointment has become permanent may be removed except for one
27 or more of the following causes: immorality, incompetency, or inefficiency in line of duty,
28 violation of the published regulations of the school district, violation of the laws of Missouri
29 governing the public schools of the state, or physical or mental condition which incapacitates
30 him for instructing or associating with children, and then only by a vote of not less than a
31 majority of all the members of the board, upon written charges presented by the superintendent
32 of schools, to be heard by the board after thirty days' notice, with copy of the charges served upon
33 the person against whom they are preferred, who shall have the privilege of being present at the
34 hearing, together with counsel, offering evidence and making defense thereto. At the request of
35 any person so charged the hearing shall be public. During any time in which powers granted to
36 the district's board of education are vested in a special administrative board, the special
37 administrative board may appoint a hearing officer to conduct the hearing. **Should the special**
38 **administrative board relinquish power to the district's elected board of education, such**
39 **board of education may also appoint a hearing officer to conduct the hearing.** The hearing

40 officer shall conduct the hearing as a contested case under chapter 536 and shall issue a written
41 recommendation to the board rendering the charges against the teacher. The board shall render
42 a decision on the charges upon the review of the hearing officer's recommendations and the
43 record from the hearing. The action and decision of the board upon the charges shall be final.
44 Pending the hearing of the charges, the person charged may be suspended if the rules of the board
45 so prescribe, but in the event the board does not by a majority vote of all the members remove
46 the teacher upon charges presented by the superintendent, the person shall not suffer any loss of
47 salary by reason of the suspension. Incompetency or inefficiency in line of duty is cause for
48 dismissal only after the teacher has been notified in writing at least thirty days prior to the
49 presentment of charges against him by the superintendent. The notification shall specify the
50 nature of the incompetency or inefficiency with such particularity as to enable the teacher to be
51 informed of the nature of his or her incompetency or inefficiency.

52 4. No teacher whose appointment has become permanent shall be demoted nor shall his
53 or her salary be reduced unless the same procedure is followed as herein stated for the removal
54 of the teacher because of inefficiency in line of duty, and any teacher whose salary is reduced or
55 who is demoted may waive the presentment of charges against him by the superintendent and a
56 hearing thereon by the board. The foregoing provision shall apply only to permanent teachers
57 prior to the compulsory retirement age under the retirement system. Nothing herein contained
58 shall in any way restrict or limit the power of the board of education to make reductions in the
59 number of teachers or principals, or both, because of insufficient funds, decrease in pupil
60 enrollment, or abolition of particular subjects or courses of instruction, except that the abolition
61 of particular subjects or courses of instruction shall not cause those teachers who have been
62 teaching the subjects or giving the courses of instruction to be placed on leave of absence as
63 herein provided who are qualified to teach other subjects or courses of instruction, if positions
64 are available for the teachers in the other subjects or courses of instruction.

65 5. Whenever it is necessary to decrease the number of teachers because of insufficient
66 funds or a substantial decrease of pupil population within the school district, the board of
67 education upon recommendation of the superintendent of schools may cause the necessary
68 number of teachers beginning with those serving probationary periods to be placed on leave of
69 absence without pay, but only in the inverse order of their appointment. Nothing herein stated
70 shall prevent a readjustment by the board of education of existing salary schedules. No teacher
71 placed on a leave of absence shall be precluded from securing other employment during the
72 period of the leave of absence. Each teacher placed on leave of absence shall be reinstated in
73 inverse order of his or her placement on leave of absence. Such reemployment shall not result
74 in a loss of status or credit for previous years of service. No appointment of new teachers shall
75 be made while there are available teachers on unrequested leave of absence who are properly
76 qualified to fill such vacancies. Such leave of absence shall not impair the tenure of a teacher.

77 The leave of absence shall continue for a period of not more than three years unless extended by
78 the board.

79 6. If any regulation which deals with the promotion of teachers is amended by increasing
80 the qualifications necessary to be met before a teacher is eligible for promotion, the amendment
81 shall fix an effective date which shall allow a reasonable length of time within which teachers
82 may become qualified for promotion under the regulations.

83 7. A teacher whose appointment has become permanent may give up the right to a
84 permanent appointment to participate in the teacher choice compensation package under sections
85 168.745 to 168.750.

86 8. Should the state mandate that professional development for teachers be provided in
87 local school districts and any funds be utilized for such, a metropolitan school district shall be
88 allowed to utilize a professional development plan for teachers which is known within the
89 administration as the "St. Louis Plan", should the district and the teacher decide jointly to
90 participate in such plan.

**170.020. 1. (1) The department of elementary and secondary education, through
2 its school counseling section, shall be authorized to establish a voluntary pilot program,
3 beginning in the 2020-2021 school year, to provide for social and emotional health
4 education in elementary schools in the state. The purpose of the pilot program shall be to
5 determine whether and how to implement an elementary social and emotional health
6 education program statewide.**

7 **(2) The department, through its employees who work in the school counseling
8 section, is authorized to select from among applications submitted by the public elementary
9 schools a minimum of sixteen public elementary schools for participation in the pilot
10 program. If fewer than sixteen schools apply for participation in the program, the
11 department shall select as many eligible schools possible for partnership in the pilot
12 program. The department shall develop an application process for public elementary
13 schools to apply to participate in the pilot program. The local school board for each
14 elementary school selected to be in the pilot program shall agree to implement and fully
15 fund an elementary social and emotional health program in such school and to continue
16 to provide such elementary social and emotional health education program for a period no
17 shorter than three years. The local school district may employ a social and emotional
18 health teacher to provide such program for the elementary school.**

19 **(3) The department, through its employees who work in the school counseling
20 section, and local school districts shall collaborate to establish the instructional model for
21 each elementary social and emotional health education program. Such instructional model
22 shall be grade-appropriate and include instruction in an organized classroom, including
23 instruction on how to set and achieve positive goals, how to utilize coping strategies to**

24 **handle stress, and shall have an increased emphasis on protective factors, such as problem-**
25 **solving skills, social support and social connectedness through positive relationships and**
26 **teamwork.**

27 **(4) The department, through its school counseling section, shall provide for a**
28 **program evaluation regarding the success and impact of the pilot program upon**
29 **completion of the third year of the pilot program and shall report the results of such**
30 **evaluation to the relevant house and senate committees on health and mental health, and**
31 **education.**

32 **2. The department shall maintain an adequate number of full-time employees,**
33 **certified in social and emotional health education and distributed regionally throughout**
34 **the state, to provide accountability for program delivery of social and emotional health**
35 **education, to continue to develop and maintain pertinent social and emotional health**
36 **education instructional model and standards, to assist local school districts on matters**
37 **related to social and emotional health education, and to coordinate regional and state-wide**
38 **activities supporting K-12 social and emotional health education programming.**

39 **3. Nothing in this section shall be construed to require public elementary schools**
40 **to participate in the pilot program.**

170.045. 1. In school year 2020-21 and in each school year thereafter, each school
2 **district shall provide trauma-informed, developmentally-appropriate sexual abuse training**
3 **to students in all grades not lower than sixth grade. School districts must include in the**
4 **training the following:**

5 **(1) Instruction providing students with the knowledge and tools to recognize sexual**
6 **abuse;**

7 **(2) Instruction providing students with the knowledge and tools to report an**
8 **incident of sexual abuse;**

9 **(3) Actions that a student who is a victim of sexual abuse could take to obtain**
10 **assistance and intervention; and**

11 **(4) Available resources for students affected by sexual abuse.**

12 **2. The department of elementary and secondary education shall provide guidance**
13 **and training materials school districts may use to comply with the provisions of this**
14 **section. The training materials shall be developed in consultation with the task force on**
15 **the prevention of sexual abuse of children as established in section 210.1200.**

16 **3. The school district shall notify parents or guardians in advance of the training**
17 **required under this section, of the content of the instruction, and the parent or guardian's**
18 **right to have the student excused from the instruction. Upon written request of the parent**
19 **or guardian of a student, the student shall be excused from instruction.**

20 **4. The department of elementary and secondary education may promulgate rules**
21 **to implement the provisions of this section. Any rule or portion of a rule, as that term is**
22 **defined in section 536.010, that is created under the authority delegated in this section shall**
23 **become effective only if it complies with and is subject to all of the provisions of chapter**
24 **536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and**
25 **if any of the powers vested with the general assembly pursuant to chapter 536 to review,**
26 **to delay the effective date, or to disapprove and annul a rule are subsequently held**
27 **unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted**
28 **after August 28, 2019, shall be invalid and void.**

171.031. 1. Each school board shall prepare annually a calendar for the school term,
2 specifying the opening date, days of planned attendance, and providing a minimum term of at
3 least one hundred seventy-four days for schools with a five-day school week or one hundred
4 forty-two days for schools with a four-day school week, and one thousand forty-four hours of
5 actual pupil attendance. In school year 2019-20 and subsequent years, one thousand forty-four
6 hours of actual pupil attendance shall be required for the school term with no minimum number
7 of school days. In addition, such calendar shall include six make-up days for possible loss of
8 attendance due to inclement weather as defined in subsection 1 of section 171.033. In school
9 year 2019-20 and subsequent years, such calendar shall include thirty-six make-up hours for
10 possible loss of attendance due to inclement weather, as defined in subsection 1 of section
11 171.033, with no minimum number of make-up days.

12 2. Each local school district may set its opening date each year, which date shall be no
13 earlier than ~~ten~~ **fourteen** calendar days prior to the first Monday in September. No public
14 school district shall select an earlier start date unless, **for calendars for school years before**
15 **school year 2020-21**, the district follows the procedure set forth in subsection 3 of this section.
16 **The procedure set forth in subsection 3 of this section shall be unavailable to school**
17 **districts in preparing their calendars for school year 2020-21 and for subsequent years.**

18 3. **For calendars for school years before school year 2020-21**, a district may set an
19 opening date that is more than ~~ten~~ **fourteen** calendar days prior to the first Monday in
20 September only if the local school board first gives public notice of a public meeting to discuss
21 the proposal of opening school on a date more than ~~ten~~ **fourteen** days prior to the first Monday
22 in September, and the local school board holds said meeting and, at the same public meeting, a
23 majority of the board votes to allow an earlier opening date. If all of the previous conditions are
24 met, the district may set its opening date more than ~~ten~~ **fourteen** calendar days prior to the first
25 Monday in September. The condition provided in this subsection must be satisfied by the local
26 school board each year that the board proposes an opening date more than ~~ten~~ **fourteen** days
27 before the first Monday in September.

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

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

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

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

4 2. (1) A district shall be required to make up the first six days of school lost or cancelled
5 due to inclement weather and half the number of days lost or cancelled in excess of six days if
6 the makeup of the days is necessary to ensure that the district's students will attend a minimum
7 of one hundred forty-two days and a minimum of one thousand forty-four hours for the school
8 year except as otherwise provided in this section. Schools with a four-day school week may
9 schedule such make-up days on Fridays.

10 (2) Notwithstanding subdivision (1) of this subsection, in school year 2019-20 and
11 subsequent years, a district shall be required to make up the first thirty-six hours of school lost
12 or cancelled due to inclement weather and half the number of hours lost or cancelled in excess
13 of thirty-six if the makeup of the hours is necessary to ensure that the district's students attend
14 a minimum of one thousand forty-four hours for the school year, except as otherwise provided
15 under subsections 3 and 4 of this section.

16 3. (1) In the 2009-10 school year and subsequent years, a school district may be exempt
17 from the requirement to make up days of school lost or cancelled due to inclement weather in
18 the school district when the school district has made up the six days required under subsection
19 2 of this section and half the number of additional lost or cancelled days up to eight days,
20 resulting in no more than ten total make-up days required by this section.

21 (2) In school year 2019-20 and subsequent years, a school district may be exempt from
22 the requirement to make up school lost or cancelled due to inclement weather in the school
23 district when the school district has made up the thirty-six hours required under subsection 2 of
24 this section and half the number of additional lost or cancelled hours up to forty-eight, resulting
25 in no more than sixty total make-up hours required by this section.

26 4. The commissioner of education may provide, for any school district that cannot meet
27 the minimum school calendar requirement of at least one hundred seventy-four days for schools

28 with a five-day school week or one hundred forty-two days for schools with a four-day school
29 week and one thousand forty-four hours of actual pupil attendance or, in school year 2019-20 and
30 subsequent years, one thousand forty-four hours of actual pupil attendance, upon request, a
31 waiver to be excused from such requirement. This waiver shall be requested from the
32 commissioner of education and may be granted if the school was closed due to circumstances
33 beyond school district control, including inclement weather or fire.

34 **5. (1) Except as otherwise provided in this subsection, in school year 2020-21 and**
35 **subsequent years, a district shall not be required to make up any hours of school lost or**
36 **cancelled due to exceptional or emergency circumstances during a school year if the district**
37 **has an alternative methods of instruction plan approved by the department of elementary**
38 **and secondary education for such school year. Exceptional or emergency circumstances**
39 **shall include, but not be limited to, inclement weather, a utility outage, or an outbreak of**
40 **a contagious disease. The department of elementary and secondary education shall not**
41 **approve any such plan unless the district demonstrates that the plan will not negatively**
42 **impact teaching and learning in the district.**

43 **(2) If school is closed due to exceptional or emergency circumstances and the**
44 **district has an approved alternative methods of instruction plan, the district shall notify**
45 **students and parents on each day of the closure whether the alternative methods of**
46 **instruction plan is to be implemented for that day. If the plan is to be implemented on any**
47 **day of the closure, the district shall ensure that each student receives assignments for that**
48 **day in hard copy form or receives instruction through virtual learning or another method**
49 **of instruction.**

50 **(3) A district with an approved alternative methods of instruction plan shall not use**
51 **alternative methods of instruction as provided for in the plan for more than thirty-six**
52 **hours during a school year. A district that has used such alternative methods of instruction**
53 **for thirty-six hours during a school year shall be required, notwithstanding subsections 2**
54 **and 3 of this section, to make up any subsequent hours of school lost or cancelled due to**
55 **exceptional or emergency circumstances during such school year.**

56 **(4) The department of elementary and secondary education shall give districts with**
57 **approved alternative methods of instruction plans credit for the hours in which they use**
58 **alternative methods of instruction by considering such hours as hours in which school was**
59 **actually in session.**

60 **(5) Any district wishing to use alternative methods of instruction under this**
61 **subsection shall submit an application to the department of elementary and secondary**
62 **education. The application shall describe:**

- 63 **(a) The manner in which the district intends to strengthen and reinforce**
64 **instructional content while supporting student learning outside the classroom environment;**
65 **(b) The process the district intends to use to communicate to students and parents**
66 **the decision to implement alternative methods of instruction on any day of a closure;**
67 **(c) The manner in which the district intends to communicate the purpose and**
68 **expectations for a day in which alternative methods of instruction will be implemented to**
69 **students and parents;**
70 **(d) The assignments and materials to be used within the district for days in which**
71 **alternative methods of instruction will be implemented to effectively facilitate teaching and**
72 **support learning for the benefit of the students;**
73 **(e) The manner in which student attendance will be determined for a day in which**
74 **alternative methods of instruction will be implemented. The method chosen shall be linked**
75 **to completion of lessons and activities;**
76 **(f) The instructional methods, which shall include instruction through electronic**
77 **means and instruction through other means for students who have no access to internet**
78 **services or a computer;**
79 **(g) Instructional plans for students with individualized education programs; and**
80 **(h) The role and responsibility of certified personnel to be available to communicate**
81 **with students.**

82 **6. For the 2018-2019 school year, a district shall be exempt from the requirements**
83 **of subsections 2 and 3 of this section, and only be required to make up the first six days of**
84 **school lost or cancelled due to inclement weather.**

177.086. 1. Any school district authorizing the construction of facilities which may
2 exceed an expenditure of [~~fifteen~~] **fifty** thousand dollars shall publicly advertise, once a week
3 for two consecutive weeks, in a newspaper of general circulation, qualified pursuant to chapter
4 493, located within the city in which the school district is located, or if there be no such
5 newspaper, in a qualified newspaper of general circulation in the county, or if there be no such
6 newspaper, in a qualified newspaper of general circulation in an adjoining county, and may
7 advertise in business, trade, or minority newspapers, for bids on said construction.

8 2. No bids shall be entertained by the school district which are not made in accordance
9 with the specifications furnished by the district and all contracts shall be let to the lowest
10 responsible bidder complying with the terms of the letting, provided that the district shall have
11 the right to reject any and all bids.

12 3. All bids must be submitted sealed and in writing, to be opened publicly at time and
13 place of the district's choosing.

178.530. 1. The state board of education shall establish standards and annually inspect,
2 as a basis for approval, all public prevocational, vocational schools, State Technical College of

3 Missouri, departments and classes receiving state or federal moneys for giving training in
4 agriculture, industrial, home economics and commercial subjects and all schools, departments
5 and classes receiving state or federal moneys for the preparation of teachers and supervisors of
6 such subjects. The public prevocational and vocational schools, State Technical College of
7 Missouri, departments, and classes, and the training schools, departments and classes are entitled
8 to the state or federal moneys so long as they are approved by the state board of education, as to
9 site, plant, equipment, qualifications of teachers, admission of pupils, courses of study and
10 methods of instruction. All disbursements of state or federal moneys for the benefit of the
11 approved prevocational and vocational schools, State Technical College of Missouri,
12 departments and classes shall be made semiannually. The school board of each approved school
13 or the governing body of State Technical College of Missouri shall file a report with the state
14 board of education at the times and in the form that the state board requires. Upon receipt of a
15 satisfactory report, the state board of education shall certify to the commissioner of
16 administration for his approval the amount of the state and federal moneys due the school district
17 or State Technical College of Missouri. The amount due the school district shall be certified by
18 the commissioner of administration and proper warrant therefor shall be issued to the district
19 treasurer or State Technical College of Missouri.

20 2. Notwithstanding the provisions of subsection 1 of this section, the state board of
21 education shall establish standards for agricultural education that may be adopted by a private
22 school accredited by an agency recognized by the United States Department of Education as an
23 accreditor of private schools that wishes to provide quality vocational programming outside the
24 requirements of, but consistent with, the federal Vocational Education Act. Such standards shall
25 be sufficient to qualify a private school to apply to the state chapter for approval of a local
26 chapter of a federally chartered national agricultural education association on a form developed
27 for that purpose by the department of elementary and secondary education without eligibility to
28 receive state or federal funding for agricultural vocational education. The provisions of this
29 subsection shall not be construed to create eligibility for a private school to receive state or
30 federal funding for agricultural vocational education, but shall not prohibit a private school from
31 receiving state or federal funds for which such private school would otherwise be eligible for
32 agricultural vocational education. Any such private school shall reimburse the department
33 annually for the cost of oversight and maintenance of the program.

34 **3. (1) The department of elementary and secondary education, through its**
35 **agricultural education section, shall be authorized to establish a pilot program, beginning**
36 **in the 2020-2021 school year, to provide for agricultural education in elementary schools**
37 **in the state. The purpose of the pilot program shall be to determine whether and how to**
38 **implement an elementary agricultural education program statewide.**

39 **(2) The department, through its employees who work in the agricultural education**
40 **section, is authorized to select from among applications submitted by the public elementary**
41 **schools a minimum of sixteen public elementary schools for participation in the pilot**
42 **program. The department shall develop an application process for public elementary**
43 **schools to apply to participate in the pilot program. The local school board for each**
44 **elementary school selected to be in the pilot program shall agree to implement and fully**
45 **fund an elementary agricultural education program in such school and to continue to**
46 **provide such elementary agricultural education program for a period no shorter than three**
47 **years. The local school district may employ an agricultural education teacher to provide**
48 **such program for the elementary school.**

49 **(3) The department, through its employees who work in the agricultural education**
50 **section, and local school districts shall collaborate to establish the instructional model for**
51 **each elementary agricultural education program. Such instructional model shall be grade-**
52 **appropriate and include instruction in an organized classroom, collaborative learning**
53 **experiences through investigation and inquiry, including laboratory and site-based**
54 **learning activities, and personal, leadership, and career development opportunities.**

55 **(4) The department, through its agricultural education section, shall provide for**
56 **a program evaluation regarding the success and impact of the pilot program upon**
57 **completion of the third year of the pilot program and shall report the results of such**
58 **evaluation to the relevant house and senate committees on agriculture and education.**

59 **4. The department shall maintain an adequate number of full-time employees,**
60 **certified in agricultural education and distributed regionally throughout the state, to**
61 **provide accountability for program delivery of agricultural education, to continue to**
62 **develop and maintain pertinent agricultural education instructional models and standards,**
63 **to assist local school districts on matters related to agricultural education, and to**
64 **coordinate regional and state-wide activities supporting K-12 agricultural education**
65 **programming.**

66 **5. Nothing in this section shall be construed to require public elementary schools**
67 **to participate in the pilot program.**

210.110. As used in sections 210.109 to 210.165, and sections 210.180 to 210.183, the
2 following terms mean:

3 (1) "Abuse", any physical injury, sexual abuse, or emotional abuse inflicted on a child
4 other than by accidental means by those responsible for the child's care, custody, and control,
5 except that discipline including spanking, administered in a reasonable manner, shall not be
6 construed to be abuse. Victims of abuse shall also include any victims of sex trafficking or
7 severe forms of trafficking as those terms are defined in 22 U.S.C. 78 Section 7102(9)-(10);

8 (2) "Assessment and treatment services for children", an approach to be developed by
9 the children's division which will recognize and treat the specific needs of at-risk and abused or
10 neglected children. The developmental and medical assessment may be a broad physical,
11 developmental, and mental health screening to be completed within thirty days of a child's entry
12 into custody and in accordance with the periodicity schedule set forth by the American Academy
13 of Pediatrics thereafter as long as the child remains in care. Screenings may be offered at a
14 centralized location and include, at a minimum, the following:

15 (a) Complete physical to be performed by a pediatrician familiar with the effects of abuse
16 and neglect on young children;

17 (b) Developmental, behavioral, and emotional screening in addition to early periodic
18 screening, diagnosis, and treatment services, including a core set of standardized and recognized
19 instruments as well as interviews with the child and appropriate caregivers. The screening
20 battery may be performed by a licensed mental health professional familiar with the effects of
21 abuse and neglect on young children, who will then serve as the liaison between all service
22 providers in ensuring that needed services are provided. Such treatment services may include
23 in-home services, out-of-home placement, intensive twenty-four-hour treatment services, family
24 counseling, parenting training and other best practices.

25

26 Children whose screenings indicate an area of concern may complete a comprehensive, in-depth
27 health, psychodiagnostic, or developmental assessment within sixty days of entry into custody;

28 (3) "Central registry", a registry of persons where the division has found probable cause
29 to believe prior to August 28, 2004, or by a preponderance of the evidence after August 28, 2004,
30 or a court has substantiated through court adjudication that the individual has committed child
31 abuse or neglect or the person has pled guilty or has been found guilty of a crime pursuant to
32 section 565.020, 565.021, 565.023, 565.024, 565.050, 566.030, 566.060, or 567.050 if the victim
33 is a child less than eighteen years of age, or any other crime pursuant to chapter 566 if the victim
34 is a child less than eighteen years of age and the perpetrator is twenty-one years of age or older,
35 a crime under section 568.020, 568.030, 568.045, 568.050, 568.060, 568.080, 568.090, 573.023,
36 573.025, 573.035, 573.037, 573.040, 573.200, or 573.205, or an attempt to commit any such
37 crimes. Any persons placed on the registry prior to August 28, 2004, shall remain on the registry
38 for the duration of time required by section 210.152;

39 (4) "Child", any person, regardless of physical or mental condition, under eighteen years
40 of age;

41 (5) "Children's services providers and agencies", any public, quasi-public, or private
42 entity with the appropriate and relevant training and expertise in delivering services to children
43 and their families as determined by the children's division, and capable of providing direct

44 services and other family services for children in the custody of the children's division or any
45 such entities or agencies that are receiving state moneys for such services;

46 (6) "Director", the director of the Missouri children's division within the department of
47 social services;

48 (7) "Division", the Missouri children's division within the department of social services;

49 (8) "Family assessment and services", an approach to be developed by the children's
50 division which will provide for a prompt assessment of a child who has been reported to the
51 division as a victim of abuse or neglect by a person responsible for that child's care, custody or
52 control and of that child's family, including risk of abuse and neglect and, if necessary, the
53 provision of community-based services to reduce the risk and support the family;

54 (9) "Family support team meeting" or "team meeting", a meeting convened by the
55 division or children's services provider in behalf of the family and/or child for the purpose of
56 determining service and treatment needs, determining the need for placement and developing a
57 plan for reunification or other permanency options, determining the appropriate placement of the
58 child, evaluating case progress, and establishing and revising the case plan;

59 (10) "Investigation", the collection of physical and verbal evidence to determine if a
60 child has been abused or neglected;

61 (11) "Jail or detention center personnel", employees and volunteers working in any
62 premises or institution where incarceration, evaluation, care, treatment or rehabilitation is
63 provided to persons who are being held under custody of the law;

64 (12) "Neglect", failure to provide, by those responsible for the care, custody, and control
65 of the child, the proper or necessary support, education as required by law, nutrition or medical,
66 surgical, or any other care necessary for the child's well-being. Victims of neglect shall also
67 include any victims of sex trafficking or severe forms of trafficking as those terms are defined
68 in 22 U.S.C. 78 Section 7102(9)-(10);

69 (13) "Preponderance of the evidence", that degree of evidence that is of greater weight
70 or more convincing than the evidence which is offered in opposition to it or evidence which as
71 a whole shows the fact to be proved to be more probable than not;

72 (14) "Probable cause", available facts when viewed in the light of surrounding
73 circumstances which would cause a reasonable person to believe a child was abused or
74 neglected;

75 (15) "Report", the communication of an allegation of child abuse or neglect to the
76 division pursuant to section 210.115;

77 (16) "Those responsible for the care, custody, and control of the child", includes, but is
78 not limited to:

79 (a) The parents or legal guardians of a child;

80 (b) Other members of the child's household;

81 (c) Those exercising supervision over a child for any part of a twenty-four-hour day;

82 (d) Any **adult** person who has access to the child based on relationship to the parents of
83 the child or members of the child's household or the family; [ø]

84 (e) Any person who takes control of the child by deception, force, or coercion; **or**

85 **(f) School personnel, contractors, and volunteers, if the relationship with the child**
86 **was established through the school or through school related activities, even if the alleged**
87 **abuse or neglect occurred outside of school hours or off school grounds.**

✓