

SECOND REGULAR SESSION

SENATE BILL NO. 697

91ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR CAUTHORN.

Pre-filed December 1, 2001, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

2397S.021

AN ACT

To repeal sections 148.360 and 160.011, RSMo, relating to rural school districts, and to enact in lieu thereof three new sections relating to the same subject.

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

Section A. Sections 148.360 and 160.011, RSMo, are repealed and three new sections enacted in lieu thereof, to be known as sections 148.360, 160.011 and 168.225, to read as follows:

148.360. On or before the first day of October of each year, the commissioner of education shall apportion to the school districts of the state all of the moneys to the credit of the county foreign insurance tax fund, and warrants shall be issued in favor of the treasurers of the school districts. The moneys shall be apportioned to each school district in the state in the same proportion that the September membership of the district, determined as provided in (1) of subdivision (8) of section 163.011, RSMo, bears to the sum of the September membership of all districts in the state; **provided that, for the purposes of this section, the September membership of a rural school district, as defined in section 160.011, RSMo, shall be equal to the sum of two times that portion of the district's actual September membership count not in excess of one hundred pupils plus eighty percent of the remainder of the district's actual September membership count.**

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

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

(2) "Elementary school", a public school giving instruction in a grade or grades not higher

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

than the eighth grade;

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

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

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

(6) **"Rural school district", any school district which:**

(a) Contains any portion of a county of the third classification or any portion of a county of the fourth classification, or both;

(b) Has a current assessed valuation which is less than thirty million dollars;
and

(c) Has a current membership which is less than or equal to six hundred pupils;

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

[(7)] **(8)** "School board", the board of education having general control of the property and affairs of any school district;

[(8)] **(9)** "School term", a minimum of one hundred seventy-four school days, as that term is defined in section 160.041, and one thousand forty-four hours of actual pupil attendance as scheduled by the board pursuant to section 171.031, RSMo, during a twelve-month period in which the academic instruction of pupils is actually and regularly carried on for a group of students in the public schools of any school district. A "school term" may be within a school year or may consist of parts of two consecutive school years, but does not include summer school. A district may choose to operate two or more terms for different groups of children;

[(9)] **(10)** "Secretary", the secretary of the board of a school district;

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

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

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

[(13)] **(14)** "Urban school district", any district which includes more than half of the population or land area of any city which has not less than seventy thousand inhabitants, other

than a city which is not within a county.

168.225. 1. The state board of education shall establish a program of signing bonuses for newly-hired teachers in rural school districts. A signing bonus of two thousand dollars shall be given each year of the five-year period commencing in the school year in which the teacher is a newly-hired teacher, provided that the teacher satisfies all eligibility requirements established pursuant to this section.

2. Any signing bonus received pursuant to this section shall be in addition to the base salary to which the teacher would otherwise be entitled. Teachers receiving the signing bonus shall receive any pay and benefits received by teachers of similar training, experience, and duties. The signing bonus shall be provided no later than one month following the commencement of employment as a newly-hired teacher.

3. Signing bonuses authorized pursuant to this section shall be paid only during those school years in which the teacher is employed with a rural school district in a full-time teaching position.

4. As used in this section, the term "newly-hired teacher" shall mean a teacher employed by a rural school district in the current school year with employment beginning no later than February first in a full-time teaching capacity and employed for the first time in such capacity by that rural school district in the current school year and shall not include any substitute teacher nor any teacher who has been a newly-hired teacher in a previous school year.

5. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.