

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 652
94TH GENERAL ASSEMBLY

Reported from the Committee on Education, April 5, 2007, with recommendation that the Senate Committee Substitute do pass.

TERRY L. SPIELER, Secretary.

2547S.06C

AN ACT

To repeal sections 160.254, 162.081, 162.626, 162.1100, 167.031, 167.034, 167.051, and 167.052, RSMo, and to enact in lieu thereof thirteen new sections relating to education, with an effective date for certain sections.

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

Section A. Sections 160.254, 162.081, 162.626, 162.1100, 167.031, 167.034, 167.051, and 167.052, RSMo, are repealed and thirteen new sections enacted in lieu thereof, to be known as sections 160.254, 162.079, 162.081, 162.626, 162.1100, 162.1159, 162.1165, 167.031, 167.034, 167.051, 168.700, 168.702, and 1, to read as follows:

160.254. 1. There is hereby established a joint committee of the general assembly, which shall be known as the "Joint Committee on Education", which shall be composed of seven members of the senate and seven members of the house of representatives. The senate members of the committee shall be appointed by the president pro tem of the senate and the house members by the speaker of the house.

2. The committee may meet and function in any year that the president pro tem of the senate and the speaker of the house of representatives appoint members to serve on the committee. In the event of three consecutive absences on the part of any member, such member may be removed from the committee.

3. The committee shall select either a chairman or cochairmen, one of whom shall be a member of the senate and one a member of the house. A majority of the members shall constitute a quorum. Meetings of the committee may be called at such time and place as the chairman or chairmen designate.

4. The committee shall:

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

16 (1) Review and monitor the progress of education in the state's public
17 schools;

18 (2) Receive reports from the commissioner of education concerning the
19 public schools;

20 (3) Conduct a study and analysis of the public school system;

21 (4) Make recommendations to the general assembly for legislative action;
22 [and]

23 (5) Conduct an in-depth study concerning all issues relating to the equity
24 and adequacy of the distribution of state school aid, teachers' salaries, funding
25 for school buildings, and overall funding levels for schools and any other
26 education funding-related issues the committee deems relevant; and

27 **(6) Study and analyze the issues and challenges of the**
28 **educational system in those school districts classified as "provisionally**
29 **accredited" or "unaccredited" by the state board of education. The**
30 **committee shall analyze issues, including but not limited to, retaining**
31 **and recruiting quality educators and administrators, meeting test score**
32 **standards as required by law, eliminating chronic absenteeism,**
33 **obtaining higher graduation rates, increasing the percentage of**
34 **graduating students pursuing higher education, reducing drop out**
35 **rates, and providing quality job training and continuing education for**
36 **educators.**

37 5. The committee may make reasonable requests for staff assistance from
38 the research and appropriations staffs of the house and senate and the committee
39 on legislative research, as well as the department of elementary and secondary
40 education, the department of higher education, the coordinating board for higher
41 education, the state tax commission, all school districts and other political
42 subdivisions of this state, teachers and teacher groups, business and other
43 commercial interests and any other interested persons.

44 6. Members of the committee shall receive no compensation but may be
45 reimbursed for reasonable and necessary expenses associated with the
46 performance of their official duties.

162.079. 1. Whenever any school district in this state attains a
2 **score on its annual performance review that indicates a score**
3 **consistent with the classification of "unaccredited", the state board of**
4 **education shall, within ninety days, study all of the pertinent, current**
5 **data from the district and shall either classify the district as**

6 "unaccredited" or issue a report to the general assembly and the
7 governor delineating the factors considered and the reasons for not
8 classifying the district as "unaccredited".

9 2. Whenever any school district in this state is classified as
10 unaccredited by the state board of education, there shall be established
11 within sixty days a school district to be known as the "Transitional
12 School District of (name of political subdivision)", which shall be a body
13 corporate and politic and a subdivision of the state. The boundaries of
14 the transitional school district shall be the same as those for the
15 unaccredited school district.

16 3. Prior to or at the time any school district in this state shall
17 lapse, but after the school district has been classified as unaccredited,
18 the department of elementary and secondary education shall conduct
19 a public hearing at a location in the unaccredited school district. The
20 purpose of the hearing shall be to:

21 (1) Review any plan by the district to return to accredited status;
22 or

23 (2) Offer any technical assistance that can be provided to the
24 district.

25 4. The governing board of the transitional school district shall
26 consist of three individuals:

27 (1) One person shall be appointed by the governor of this state,
28 with the advice and consent of the senate; and

29 (2) One person who shall have a demonstrated background in
30 elementary and secondary education and shall be appointed by the
31 local board of education, provided that the local board shall not
32 appoint a sitting member of said board; and

33 (3) One person shall be appointed by the following:

34 (a) For each metropolitan school district, the mayor shall make
35 said appointment;

36 (b) For each urban district containing most or all of a city with
37 a population great than three hundred fifty thousand inhabitants, the
38 mayor of the city shall make said appointment;

39 (c) For any other district, the headquarters of which are located
40 in a city, town, or village, the mayor shall make said appointment;

41 (d) For any other district with the headquarters not located in
42 a city, town, or village, the presiding commissioner of the county

43 commission of the county in which the district headquarters is located
44 shall make the appointment.

45 5. The transitional school district shall retain authority until
46 such time as the school district becomes classified as accredited by the
47 state board of education or until the state board takes action under
48 section 162.081. If the state board of education classifies the school
49 district as accredited, authority over the school district shall be
50 immediately returned from the transitional school district to the local
51 board of education and the transitional school district shall be
52 dissolved.

53 6. The local board of education of the school district shall remain
54 in existence during the time in which the transitional school district
55 has authority and shall operate in an advisory capacity to the
56 transitional school district. Elections for seats on the local board of
57 education shall continue to be held during the time in which the
58 transitional school district has authority.

59 7. The transitional school district may be dissolved as provided
60 in section 162.081.

61 8. The transitional school district shall assume any powers and
62 duties held by the local board of education from which it gained
63 authority so long as the transitional school district exists.

64 9. The powers and duties of the transitional school district shall
65 include, but not be limited to:

66 (1) The power to increase the length of the school day,
67 notwithstanding the provisions of section 171.031, RSMo;

68 (2) Supervising the financial operations, maintain and preserve
69 the financial assets, or, if warranted, continue operation of the
70 educational programs within the district or what provisions might
71 otherwise be made in the best interest of the education of the children
72 of the district;

73 (3) Creating an academic accountability plan, taking corrective
74 action in underperforming schools, and seeking relief from state-
75 mandated programs;

76 (4) Exploration of alternative forms of governance for the
77 district;

78 (5) Authority to contract with nonprofit corporations to provide
79 for the operation of schools;

80 **(6) Oversight of facility planning, construction, improvement,**
81 **repair, maintenance, and rehabilitation;**

82 **(7) Authority to establish school site councils to facilitate site-**
83 **based school management and to improve the responsiveness of the**
84 **schools to the needs of the local geographic attendance region of the**
85 **school.**

86 **10. The governing board of the transitional school district**
87 **established in this section shall develop, implement, monitor, and**
88 **evaluate a comprehensive school improvement plan, and such plan**
89 **shall be subject to review and approval of the state board of**
90 **education. The plan shall ensure that all students meet or exceed**
91 **grade-level standards established by the state board of education**
92 **pursuant to section 160.514, RSMo.**

93 **11. The transitional school district shall establish student**
94 **performance standards consistent with the standards established by the**
95 **state board of education pursuant to section 160.514, RSMo, for**
96 **preschool through grade twelve in all skill and subject areas, subject**
97 **to review and approval of the state board of education for the purpose**
98 **of determining whether the standards are consistent with standards**
99 **established by the state board of education pursuant to section 160.514,**
100 **RSMo.**

 162.081. 1. Whenever any school district in this state fails or refuses in
2 any school year to provide for the minimum school term required by section
3 163.021, RSMo, or is classified unaccredited for two successive school years by the
4 state board of education, its corporate organization shall lapse. The corporate
5 organization of any school district that is classified as unaccredited shall lapse
6 on June thirtieth of the second full school year of such unaccredited classification
7 after the school year during which the unaccredited classification is initially
8 assigned. The territory theretofore embraced within any district that lapses
9 pursuant to this section or any portion thereof may be attached to any district for
10 school purposes by the state board of education; but no school district, except a
11 district classified as unaccredited pursuant to section 163.023, RSMo, and section
12 160.538, RSMo, shall lapse where provision is lawfully made for the attendance
13 of the pupils of the district at another school district that is classified as
14 provisionally accredited or accredited by the state board of education.

15 2. [Prior to or at the time any school district in this state shall lapse, but

16 after the school district has been classified as unaccredited, the department of
17 elementary and secondary education shall conduct a public hearing at a location
18 in the unaccredited school district. The purpose of the hearing shall be to:

19 (1) Review any plan by the district to return to accredited status; or

20 (2) Offer any technical assistance that can be provided to the district.

21 3. Except as otherwise provided in section 162.1100, in a metropolitan
22 school district or an urban school district containing most or all of a city with a
23 population greater than three hundred fifty thousand inhabitants and in any
24 other school district if the local board of education does not anticipate a return
25 to accredited status, the state board of education may appoint a special
26 administrative board to supervise the financial operations, maintain and preserve
27 the financial assets or, if warranted, continue operation of the educational
28 programs within the district or what provisions might otherwise be made in the
29 best interest of the education of the children of the district. The special
30 administrative board shall consist of two persons who are residents of the school
31 district, who shall serve without compensation, and a professional administrator,
32 who shall chair the board and shall be compensated, as determined by the state
33 board of education, in whole or in part with funds from the district.

34 4.] Upon lapse of the district, the state board of education may:

35 (1) **Allow the transitional school district created in section**
36 **162.079 to continue to operate the school district; or**

37 (2) **Dissolve the transitional school district created in section**
38 **162.079, and do one of the following:**

39 (a) Appoint a special administrative board, if such a board has not
40 already been appointed, and authorize the special administrative board to retain
41 the authority granted to a board of education for the operation of all or part of the
42 district. **The special administrative board shall consist of two persons**
43 **who are residents of the school district, who shall serve without**
44 **compensation, and a professional administrator, who shall chair the**
45 **board and shall be compensated, as determined by the state board of**
46 **education, in whole or in part with funds from the district;**

47 [(2)] (b) Attach the territory of the lapsed district to another district or
48 districts for school purposes; or

49 [(3)] (c) Establish one or more school districts within the territory of the
50 lapsed district, with a governance structure consistent with the laws applicable
51 to districts of a similar size, with the option of permitting a district to remain

52 intact for the purposes of assessing, collecting, and distributing property taxes,
53 to be distributed equitably on a weighted average daily attendance basis, but to
54 be divided for operational purposes, which shall take effect sixty days after the
55 adjournment of the regular session of the general assembly next following the
56 state board's decision unless a statute or concurrent resolution is enacted to
57 nullify the state board's decision prior to such effective date.

58 The special administrative board may retain the authority granted to a board of
59 education for the operation of the lapsed school district under the laws of the
60 state in effect at the time of the lapse.

61 [5.] 3. The authority of the special administrative board shall expire at
62 the end of the third full school year following its appointment, unless extended
63 by the state board of education. If the lapsed district is reassigned, the special
64 administrative board shall provide an accounting of all funds, assets and
65 liabilities of the lapsed district and transfer such funds, assets, and liabilities of
66 the lapsed district as determined by the state board of education.

67 [6.] 4. Upon recommendation of the special administrative board, the
68 state board of education may assign the funds, assets and liabilities of the lapsed
69 district to another district or districts. Upon assignment, all authority of the
70 special administrative board shall transfer to the assigned districts.

71 [7.] 5. Neither the special administrative board nor any district or other
72 entity assigned territory, assets or funds from a lapsed district shall be
73 considered a successor entity for the purpose of employment contracts,
74 unemployment compensation payment pursuant to section 288.110, RSMo, or any
75 other purpose.

76 [8.] 6. If additional teachers are needed by a district as a result of
77 increased enrollment due to the annexation of territory of a lapsed or dissolved
78 district, such district shall grant an employment interview to any permanent
79 teacher of the lapsed or dissolved district upon the request of such permanent
80 teacher.

81 [9.] 7. (1) The governing body of a school district, upon an initial
82 declaration by the state board of education that such district is provisionally
83 accredited, may, and, upon an initial declaration by the state board of education
84 that such district is unaccredited, shall develop a plan to be submitted to the
85 voters of the school district to divide the school district if the district cannot
86 attain accreditation within three years of the initial declaration that such district
87 is unaccredited. In the case of such a district being declared unaccredited, such

88 plan shall be presented to the voters of the district before the district lapses. In
89 the case of such a district being declared provisionally accredited, such plan may
90 be presented before the close of the current accreditation cycle.

91 (2) The plan may provide that the school district shall remain intact for
92 the purposes of assessing, collecting and distributing taxes for support of the
93 schools, and the governing body of the district shall develop a plan for the
94 distribution of such taxes equitably on a per-pupil basis if the district selects this
95 option.

96 (3) The makeup of the new districts shall be racially balanced as far as
97 the proportions of students allow.

98 (4) If a majority of the district's voters approve the plan, the state board
99 of education shall cooperate with the local board of education to implement the
100 plan, which may include use of the provisions of this section to provide an orderly
101 transition to new school districts and achievement of accredited status for such
102 districts.

103 [10.] 8. In the event that a school district with an enrollment in excess
104 of five thousand pupils lapses, no school district shall have all or any part of such
105 lapsed school district attached without the approval of the board of the receiving
106 school district.

162.626. 1. There is hereby established in the metropolitan school district
2 a pilot program of multiyear teacher-student groupings. The program shall be
3 implemented in [no fewer than] ten schools in the district and shall be
4 implemented for no less than five consecutive years in each of such schools and
5 in [at least six] classrooms in each of such schools. Pupil-teacher ratios in such
6 classrooms shall not exceed twenty-five to one. The program shall seek to
7 improve student learning by providing a long-term relationship between the
8 student and a particular teacher. [The board shall develop a plan for grade-level
9 groups throughout which participating classes shall maintain the same group of
10 students with the same teacher for multiyear periods. The grade-level groups
11 shall include at least two grade levels and shall not exceed four grade levels in
12 the same group.] **The board shall develop a plan for five of the schools to
13 provide for grade-level groups of kindergarten through second grade,
14 third through fifth grade, and sixth through eighth grade throughout
15 which classes shall maintain the same group of students with the same
16 teacher for three-year periods. The board shall develop a plan for the
17 remaining five schools to provide for grade-level groups of**

18 kindergarten through first grade, second through third grade, fourth
19 through fifth grade, sixth grade, and seventh through eighth grade
20 throughout which classes shall maintain the same group of students
21 with the same teacher for two-year periods, except for sixth grade. The
22 plan shall provide for voluntary participation by students. The board shall
23 establish a policy and a procedure to review and act upon requests by a student
24 or the parent of a student that the student be transferred to a different class with
25 a different teacher. All policies and plans established by the board pursuant to
26 this section shall be subject to review and approval of the state board of
27 education.

28 **2. Beginning four years after the implementation of the pilot**
29 **program required by this section, the department of elementary and**
30 **secondary education shall conduct a study of the pilot program in order**
31 **to measure student achievement, parent and teacher satisfaction and**
32 **discipline issues in schools participating in the pilot program. The**
33 **department shall issue a report to the general assembly and the**
34 **governor within thirty days of completing the study.**

162.1100. 1. There is hereby established within each city not within a
2 county a school district to be known as the "Transitional School District of (name
3 of city)", which shall be a body corporate and politic and a subdivision of the
4 state. The transitional school district shall be coterminous with the boundaries
5 of the city in which the district is located. Except as otherwise provided in this
6 section and section 162.621, the transitional school district shall be subject to all
7 laws pertaining to "seven-director districts", as defined in section 160.011,
8 RSMo. The transitional school district shall have the responsibility for
9 educational programs and policies determined by a final judgment of a federal
10 school desegregation case to be needed in providing for a transition of the
11 educational system of the city from control and jurisdiction of a federal court
12 school desegregation order, decree or agreement and such other programs and
13 policies as designated by the governing body of the school district.

14 **2. (1) The governing board of the transitional school district shall consist**
15 **of three residents of the district: one shall be appointed by the governing body**
16 **of the district, one shall be appointed by the mayor of the city not within a county**
17 **and one shall be appointed by the president of the board of aldermen of the city**
18 **not within a county. The members of the governing board shall serve without**
19 **compensation for a term of three years, or until their successors have been**

20 appointed, or until the transitional district is dissolved or terminated. Any tax
21 approved for the transitional district shall be assigned to the governing body of
22 the school district in a city not within a county after dissolution or termination
23 of the transitional district.

24 (2) In the event that the state board of education shall declare the school
25 district of a city not within a county to be unaccredited, the member of the
26 governing board of the transitional district appointed by the governing body of the
27 district as provided in subdivision (1) of this subsection shall, within ninety days,
28 be replaced by a chief executive officer nominated by the state board of education
29 and appointed by the governor with the advice and consent of the senate. The
30 chief executive officer need not be a resident of the district but shall be a person
31 of recognized administrative ability, shall be paid in whole or in part with funds
32 from the district, and shall have all other powers and duties of any other general
33 superintendent of schools, including appointment of staff. The chief executive
34 officer shall serve for a term of three years or until his successor is appointed or
35 until the transitional district is dissolved or terminated. His salary shall be set
36 by the state board of education.

37 3. In the event that the school district loses its accreditation, upon the
38 appointment of a chief executive officer, any powers granted to any existing school
39 board in a city not within a county on or before August 28, 1998, shall be vested
40 with the special administrative board of the transitional school district containing
41 such school district so long as the transitional school district exists, except as
42 otherwise provided in section 162.621.

43 4. The special administrative board's powers and duties shall include:

44 (1) Creating an academic accountability plan, taking corrective action in
45 underperforming schools, and seeking relief from state-mandated programs;

46 (2) Exploration of alternative forms of governance for the district;

47 (3) Authority to contract with nonprofit corporations to provide for the
48 operation of schools;

49 (4) Oversight of facility planning, construction, improvement, repair,
50 maintenance and rehabilitation;

51 (5) Authority to establish school site councils to facilitate site-based school
52 management and to improve the responsiveness of the schools to the needs of the
53 local geographic attendance region of the school;

54 (6) Authority to submit a proposal to district voters pursuant to section
55 162.666 regarding establishment of neighborhood schools;

56 **(7) The power to increase the length of the school day,**
57 **notwithstanding the provisions of section 171.031, RSMo.**

58 5. (1) The provisions of a final judgment as to the state of Missouri and
59 its officials in a school desegregation case which subjects a district in which a
60 transitional district is located in this state to a federal court's jurisdiction may
61 authorize or require the governing body of a transitional school district
62 established under this section to establish the transitional district's operating
63 levy for school purposes, as defined pursuant to section 163.011, RSMo, at a level
64 not to exceed eighty-five cents per one hundred dollars assessed valuation in the
65 district or a sales tax equivalent amount as determined by the department of
66 elementary and secondary education which may be substituted for all or part of
67 such property tax.

68 (2) Any other statute to the contrary notwithstanding, no tax authorized
69 pursuant to this subsection shall:

70 (a) Be subject to any certificate of tax abatement issued after August 28,
71 1998, pursuant to sections 99.700 to 99.715, RSMo; and

72 (b) Effective January 1, 2002, be subject to any new or existing tax
73 increment financing adopted by a city not within a county pursuant to sections
74 99.800 to 99.865, RSMo, except that any redevelopment plan and redevelopment
75 project concerning a convention headquarters hotel adopted by ordinance by a city
76 not within a county prior to August 28, 2003, shall be subject to such tax
77 increment financing.

78 (3) The transitional school district shall not be subject to the provisions
79 of section 162.081, sections 163.021 and 163.023, RSMo, with respect to any
80 requirements to maintain a minimum value of operating levy or any consequences
81 provided by law for failure to levy at least such minimum rate. No operating levy
82 or increase in the operating levy or sales tax established pursuant to this section
83 shall be collected for a transitional school district unless prior approval is
84 obtained from a simple majority of the district's voters. The board of the
85 transitional district shall place the matter before the voters prior to March 15,
86 1999.

87 6. (1) The special administrative board established in this section shall
88 develop, implement, monitor and evaluate a comprehensive school improvement
89 plan, and such plan shall be subject to review and approval of the state board of
90 education. The plan shall ensure that all students meet or exceed grade-level
91 standards established by the state board of education pursuant to section

92 160.514, RSMo;

93 (2) The special administrative board shall establish student performance
94 standards consistent with the standards established by the state board of
95 education pursuant to section 160.514, RSMo, for preschool through grade twelve
96 in all skill and subject areas, subject to review and approval of the state board
97 of education for the purpose of determining whether the standards are consistent
98 with standards established by the state board of education pursuant to section
99 160.514, RSMo;

100 (3) All students in the district who do not achieve grade-level standards
101 shall be required to attend summer school; except that the provisions of this
102 subsection shall not apply to students receiving special education services
103 pursuant to sections 162.670 to 162.999;

104 (4) No student shall be promoted to a higher grade level unless that
105 student has a reading ability at or above one grade level below the student's
106 grade level; except that the provisions of this subsection shall not apply to
107 students receiving special education services pursuant to sections 162.670 to
108 162.999;

109 (5) The special administrative board established in this section shall
110 develop, implement and annually update a professional development plan for
111 teachers and other support staff, subject to review and approval of the state board
112 of education.

113 7. The school improvement plan established pursuant to this section shall
114 ensure open enrollment and program access to all students in the district, and,
115 consistent with the Missouri and United States Constitutions, shall give first
116 priority to residents of the city for admission to magnet schools. The school board
117 shall take all practicable and constitutionally permissible steps to ensure that all
118 magnet schools operate at full capacity. Students who change residence within
119 the district shall be allowed to continue to attend the school in which they were
120 initially enrolled for the remainder of their education at grade levels served by
121 that school, and transportation shall be provided by the district to allow such
122 students to continue to attend such school of initial enrollment.

123 8. To the extent practicable, the special administrative board shall ensure
124 that per pupil expenditures and pupil-teacher ratios shall be the same for all
125 schools serving students at a given grade level.

126 9. The special administrative board shall ensure that early childhood
127 education is available throughout the district.

128 10. The special administrative board shall ensure that vocational
129 education instruction is provided within the district.

130 11. The special administrative board shall establish an accountability
131 officer whose duty shall be to ensure that academically deficient schools within
132 the district are raised to acceptable condition within two years.

133 12. The transitional school district in any city not within a county shall
134 be dissolved on July 1, 2008, unless the state board determines, prior to that
135 date, that it is necessary for the transitional district to continue to accomplish the
136 purposes for which it was created. The state board of education may cause the
137 termination of the transitional school district at any time upon a determination
138 that the transitional district has accomplished the purposes for which it was
139 established and is no longer needed. The state board of education may cause the
140 reestablishment of the transitional school district at any time upon a
141 determination that it is necessary for the transitional district to be reestablished
142 to accomplish the purposes established in this section. The state board of
143 education shall provide notice to the governor and general assembly of the
144 termination or reestablishment of the transitional school district and the
145 termination or reestablishment shall become effective thirty days following such
146 determination. Upon dissolution of a transitional school district pursuant to this
147 section, nothing in this section shall be construed to reduce or eliminate any
148 power or duty of any school district or districts containing the territory of the
149 dissolved transitional school district unless such transitional school district is
150 reestablished by the state board of education pursuant to this section. **The**
151 **provisions of this section shall expire upon notification by the state**
152 **board of education to the revisor of statutes that the school district has**
153 **attained accreditation after August 28, 2007.**

162.1159. Every student enrolled at a school within the
2 **metropolitan school district shall be assessed every six weeks to**
3 **determine the student's proficiency in the knowledge, skills, and**
4 **competencies adopted by the state board of education under subsection**
5 **1 of section 160.514, RSMo. The state board of education shall develop**
6 **assessment tools to be administered by the metropolitan school**
7 **district. Any student that fails to demonstrate the proficiency required**
8 **by this section shall receive remedial tutoring from the school district**
9 **until such time as the student has demonstrated the proficiency**
10 **required by this section.**

162.1165. 1. The metropolitan school district shall establish one
2 or more alternative education schools for students within the district
3 who cannot be adequately served in a traditional classroom because of
4 chronic truancy or behavioral problems. Students of the district who
5 would otherwise be provided alternative education services based on
6 their demonstrated disruptive behavior under section 167.164, RSMo,
7 shall be sent to an alternative education school established by this
8 section.

9 2. The alternative education schools shall be staffed by personnel
10 and teachers who have received training on how to address the needs
11 of students attending the alternative education schools. The
12 curriculum of the schools shall stress the core academic disciplines, as
13 well as activities designed to enable the student to better perform in
14 the traditional classroom and to transition students back to the
15 traditional classroom when merited by their performance.

16 3. The school district shall work with the departments of mental
17 health and social services to evaluate students attending an alternative
18 education school in order to determine the specific needs of each
19 student.

20 4. The school district may apply for an alternative education
21 grant under section 167.335, RSMo.

167.031. 1. Every parent, guardian or other person in this state having
2 charge, control or custody of a child not enrolled in a public, private, parochial,
3 parish school or full-time equivalent attendance in a combination of such schools
4 and between the ages of seven [years and the compulsory attendance age for the
5 district] and seventeen years is responsible for enrolling the child in a program
6 of academic instruction which complies with subsection 2 of this section. Any
7 parent, guardian or other person who enrolls a child between the ages of five and
8 seven years in a public school program of academic instruction shall cause such
9 child to attend the academic program on a regular basis, according to this
10 section. Nonattendance by such child shall cause such parent, guardian or other
11 responsible person to be in violation of the provisions of section 167.061, except
12 as provided by this section. A parent, guardian or other person in this state
13 having charge, control, or custody of a child between the ages of seven [years of
14 age and the compulsory attendance age for the district] and seventeen years
15 shall cause the child to attend regularly some public, private, parochial, parish,

16 home school or a combination of such schools not less than the entire school term
17 of the school which the child attends; except that:

18 (1) A child who, to the satisfaction of the superintendent of public schools
19 of the district in which he resides, or if there is no superintendent then the chief
20 school officer, is determined to be mentally or physically incapacitated may be
21 excused from attendance at school for the full time required, or any part thereof;

22 (2) A child between fourteen **and seventeen** years of age [and the
23 compulsory attendance age for the district] may be excused from attendance at
24 school for the full time required, or any part thereof, by the superintendent of
25 public schools of the district, or if there is none then by a court of competent
26 jurisdiction, when legal employment has been obtained by the child and found to
27 be desirable, and after the parents or guardian of the child have been advised of
28 the pending action; or

29 (3) A child between five and seven years of age shall be excused from
30 attendance at school if a parent, guardian or other person having charge, control
31 or custody of the child makes a written request that the child be dropped from the
32 school's rolls.

33 2. (1) As used in sections 167.031 to 167.071, a "home school" is a school,
34 whether incorporated or unincorporated, that:

35 (a) Has as its primary purpose the provision of private or religious-based
36 instruction;

37 (b) Enrolls pupils between the ages of seven [years and the compulsory
38 attendance age for the district] **and seventeen years**, of which no more than
39 four are unrelated by affinity or consanguinity in the third degree; and

40 (c) Does not charge or receive consideration in the form of tuition, fees, or
41 other remuneration in a genuine and fair exchange for provision of instruction.

42 (2) As evidence that a child is receiving regular instruction, the parent
43 shall, except as otherwise provided in this subsection:

44 (a) Maintain the following records:

45 a. A plan book, diary, or other written record indicating subjects taught
46 and activities engaged in; and

47 b. A portfolio of samples of the child's academic work; and

48 c. A record of evaluations of the child's academic progress; or

49 d. Other written, or credible evidence equivalent to subparagraphs a., b.
50 and c.; and

51 (b) Offer at least one thousand hours of instruction, at least six hundred

52 hours of which will be in reading, language arts, mathematics, social studies and
53 science or academic courses that are related to the aforementioned subject areas
54 and consonant with the pupil's age and ability. At least four hundred of the six
55 hundred hours shall occur at the regular home school location.

56 (3) The requirements of subdivision (2) of this subsection shall not apply
57 to any pupil above the age of sixteen years.

58 3. Nothing in this section shall require a private, parochial, parish or
59 home school to include in its curriculum any concept, topic, or practice in conflict
60 with the school's religious doctrines or to exclude from its curriculum any concept,
61 topic, or practice consistent with the school's religious doctrines. Any other
62 provision of the law to the contrary notwithstanding, all departments or agencies
63 of the state of Missouri shall be prohibited from dictating through rule, regulation
64 or other device any statewide curriculum for private, parochial, parish or home
65 schools.

66 4. A school year begins on the first day of July and ends on the thirtieth
67 day of June following.

68 5. The production by a parent of a daily log showing that a home school
69 has a course of instruction which satisfies the requirements of this section or[, in
70 the case of a pupil over the age of sixteen years who attended a metropolitan
71 school district the previous year,] a written statement that the pupil is attending
72 home school in compliance with this section shall be a defense to any prosecution
73 under this section and to any charge or action for educational neglect brought
74 pursuant to chapter 210, RSMo.

75 6. [As used in sections 167.031 to 167.051, the term "compulsory
76 attendance age for the district" shall mean:

77 (1) Seventeen years of age for any metropolitan school district for which
78 the school board adopts a resolution to establish such compulsory attendance age;
79 provided that such resolution shall take effect no earlier than the school year
80 next following the school year during which the resolution is adopted; and

81 (2) Sixteen years of age in all other cases.

82 The school board of a metropolitan school district for which the compulsory
83 attendance age is seventeen years may adopt a resolution to lower the compulsory
84 attendance age to sixteen years; provided that such resolution shall take effect
85 no earlier than the school year next following the school year during which the
86 resolution is adopted.

87 7.] The provisions of this section shall apply to any parent, guardian, or

88 other person in this state having charge, control, or custody of a child between
89 the ages of fifteen and eighteen if such child has not received a high school
90 diploma or its equivalent and a court order has been issued as to such child under
91 section 211.034, RSMo.

167.034. 1. In any city not within a county where a child under the age
2 of [seventeen] **eighteen** required to attend school under section 167.031
3 accumulates fifteen or more absences during any one school year, the child's
4 school district shall report such absences to the division of family services,
5 children's division, within ten business days of the fifteenth day of absence. Such
6 notification, which shall be in written form and retained in the student's school
7 records, shall include:

- 8 (1) The student's full name and parents' or guardians' full names;
- 9 (2) The addresses and phone numbers of the student and parents or
10 guardians;
- 11 (3) The student's date of birth and age;
- 12 (4) The student's current school and grade level;
- 13 (5) The student's current grades for all classes in which the student is
14 enrolled; and
- 15 (6) The total number of days missed and specific days missed from school.

16 2. Upon receipt of a report of the absences of a child under this section,
17 the children's division shall notify the child's parent or guardian that the child
18 has accumulated fifteen or more absences and such report may be subject to the
19 educational neglect provisions under section 210.145, RSMo. The notification
20 required under this section is required regardless of whether a student's parent
21 or guardian contacted the school and approved of the absences.

167.051. 1. If a school board establishes part-time schools or classes for
2 children under [seventeen] **eighteen** years of age, lawfully engaged in any
3 regular employment, every parent, guardian or other person having charge,
4 control or custody of such a child shall cause the child to attend the school not
5 less than four hours a week between the hours of eight o'clock in the morning and
6 five o'clock in the evening during the school year of the part-time classes.

7 2. All children who are under eighteen years of age, who have not
8 completed the elementary school course in the public schools of Missouri, or its
9 equivalent, and who are not attending regularly any day school shall be required
10 to attend regularly the part-time classes not less than four hours a week between
11 the hours of eight o'clock in the morning and five o'clock in the afternoon during

12 the entire year of the part-time classes.

168.700. 1. This act shall be known, and may be cited, as the
2 "Missouri Teaching Fellows Program".

3 2. As used in this section, the following terms shall mean:

4 (1) "Department", the Missouri department of higher education;

5 (2) "Eligible applicant", a high school senior who:

6 (a) Is a United States citizen;

7 (b) Has a cumulative grade point average ranking in the top ten
8 percentile in their graduating class and scores in the top twenty
9 percentile on either the ACT or SAT assessment; or has a cumulative
10 grade point average ranking in the top twenty percentile in their
11 graduating class and scores in the top ten percentile of the ACT or SAT
12 assessment;

13 (c) Upon graduation from high school, attends a Missouri higher
14 education institution and attains a teaching certificate and either a
15 bachelors or graduate degree with a cumulative grade point average of
16 at least 3.0 on a 4 point scale or equivalent;

17 (d) Signs an agreement with the department in which the
18 applicant agrees to engage in qualified employment upon graduation
19 from a higher education institution for five years; and

20 (e) Upon graduation from the higher education institution,
21 engages in qualified employment;

22 (3) "Qualified employment", employment as a teacher, as such
23 term is defined in section 168.104, in a school located in a school
24 district that is not classified as accredited by the department at the
25 time the eligible applicant signs their first contract to teach in such
26 district. Preference shall be given to a school in such a school district
27 with a higher than the state average of students eligible to receive a
28 reduced lunch price under the National School Act, 42 U.S.C. Section
29 1751 et seq., as amended.

30 3. Within the limits of amounts appropriated therefor, the
31 department shall, upon proper verification to the department by an
32 eligible applicant and the school district in which the applicant is
33 engaged in qualified employment, enter into a one-year contract with
34 eligible applicants to repay the interest and principal on the
35 educational loans of the applicants or provide a stipend to the
36 applicant as provided in subsection 4 of this section. The department

37 may enter into subsequent one-year contracts with eligible applicants,
38 not to total more than five such contracts. The fifth one-year contract
39 shall provide for a stipend to such applicants as provided in subsection
40 4 of this section. If the school district becomes accredited at any time
41 during which the eligible applicant is teaching at a school under a
42 contract entered into pursuant to this section, nothing in this section
43 shall preclude the department and the eligible applicant from entering
44 into subsequent contracts to teach within the school district. An
45 eligible applicant who does not enter into a contract with the
46 department under the provisions of this subsection shall not be eligible
47 for repayment of educational loans or a stipend under the provisions
48 of subsection 4 of this section.

49 4. At the conclusion of each of the first four academic years that
50 an eligible applicant engages in qualified employment, up to one-fourth
51 of the eligible applicant's educational loans, not to exceed five
52 thousand dollars per year, shall be repaid under terms provided in the
53 contract. For applicants without any educational loans, the applicant
54 may receive a stipend of up to five thousand dollars at the conclusion
55 of each of the first four academic years that the eligible applicant
56 engages in qualified employment. At the conclusion of the fifth
57 academic year that an eligible applicant engages in qualified
58 employment, a stipend in an amount equal to one thousand dollars shall
59 be granted to the eligible applicant. The maximum of five thousand
60 dollars per year and the stipend of one thousand dollars shall be
61 adjusted annually by the same percentage as the increase in the
62 general price level as measured by the Consumer Price Index for All
63 Urban Consumers for the United States, or its successor index, as
64 defined and officially recorded by the United States Department of
65 Labor or its successor agency. The amount of any repayment of
66 educational loans or the issuance of a stipend under this subsection
67 shall not exceed the actual cost of tuition, required fees, and room and
68 board for the eligible applicant at the institution of higher education
69 from which the eligible applicant graduated.

70 5. The department shall maintain a "Teach for Missouri"
71 coordinator position, the main responsibility of which shall be the
72 identification, recruitment, and selection of potential students meeting
73 the requirements of paragraph (b) of subdivision (2) of subsection 2 of

74 this section. In selecting potential students, the coordinator shall give
75 preference to applicants that represent a variety of racial backgrounds
76 in order to ensure a diverse group of eligible applicants.

77 6. The department shall promulgate rules to enforce the
78 provisions of this section, including, but not be limited to: applicant
79 eligibility, selection criteria, and the content of loan repayment
80 contracts. If the number of applicants exceeds the number of
81 scholarships or revenues available, priority shall be to those applicants
82 with the highest high school grade point average and highest scores on
83 the ACT or SAT assessments.

84 7. Any rule or portion of a rule, as that term is defined in section
85 536.010, RSMo, that is created under the authority delegated in this
86 section shall become effective only if it complies with and is subject to
87 all of the provisions of chapter 536, RSMo, and, if applicable, section
88 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable
89 and if any of the powers vested with the general assembly pursuant to
90 chapter 536, RSMo, to review, to delay the effective date, or to
91 disapprove and annul a rule are subsequently held unconstitutional,
92 then the grant of rulemaking authority and any rule proposed or
93 adopted after August 28, 2007, shall be invalid and void.

94 8. There is hereby created in the state treasury the "Missouri
95 Teaching Fellows Program Fund". The state treasurer shall be
96 custodian of the fund and may approve disbursements from the fund in
97 accordance with sections 30.170 and 30.180, RSMo. Private donations,
98 federal grants, and other funds provided for the implementation of this
99 section shall be placed in the Missouri teaching fellows program
100 fund. Upon appropriation, money in the fund shall be used solely for
101 the repayment of loans and the payment of stipends under the
102 provisions of this section. Notwithstanding the provisions of section
103 33.080, RSMo, to the contrary, any moneys remaining in the fund at the
104 end of the biennium shall not revert to the credit of the general
105 revenue fund. The state treasurer shall invest moneys in the fund in
106 the same manner as other funds are invested. Any interest and moneys
107 earned on such investments shall be credited to the fund.

108 9. Subject to appropriations, the general assembly shall include
109 an amount necessary to properly fund this section, not to exceed one
110 million dollars in any fiscal year. The maximum of one million dollars

111 in any fiscal year shall be adjusted annually by the same percentage as
112 the increase in the general price level as measured by the Consumer
113 Price Index for All Urban Consumers for the United States, or its
114 successor index, as defined and officially recorded by the United States
115 Department of Labor or its successor agency.

168.702. Pursuant to section 23.253, RSMo, of the Missouri Sunset
2 Act:

3 (1) Any new program authorized under section 168.700 shall
4 automatically sunset six years after the effective date of this act unless
5 reauthorized by an act of the general assembly; and

6 (2) If such program is reauthorized, the program authorized
7 under section 168.700 shall automatically sunset twelve years after the
8 effective date of the reauthorization of this act; and

9 (3) Section 168.700 shall terminate on September first of the
10 calendar year immediately following the calendar year in which a
11 program authorized under section 168.700 is sunset.

Section 1. 1. There is hereby created within the department of
2 elementary and secondary education a task force on assisting school
3 districts to meet compulsory attendance requirements. The task force
4 shall be comprised of the following members:

5 (1) One senator appointed by the president pro tem of the senate;

6 (2) One representative appointed by the speaker of the house of
7 representatives;

8 (3) The commissioner of the department of elementary and
9 secondary education or his or her designee;

10 (4) Seven members appointed by the governor, with the advice
11 and consent of the senate, including: one law enforcement officer, two
12 school administrators, two teachers, and two school counselors.

13 The members shall elect a chair from among their
14 membership. Members shall receive no compensation for the
15 performance of their duties pursuant to this section, but each member
16 shall be reimbursed by the department for actual and necessary
17 expenses incurred in carrying out duties pursuant to this section.

18 2. The task force shall meet no less than twice each calendar
19 year with additional meetings called by the chair upon the request of
20 at least two members. A majority of the appointed members shall
21 constitute a quorum.

22 3. The task force shall address, but not be limited to, the
23 following issues:

24 (1) Making recommendations on flexibility that the department
25 of elementary and secondary education shall grant to school districts
26 that establish innovative programs to meet the needs of students at risk
27 of dropping out of school;

28 (2) Establishing a grant program to help districts that want to
29 establish programs to meet the needs of students at risk of dropping
30 out of school;

31 (3) Making recommendations on additional funding to implement
32 additional programs to meet the needs of students at risk of dropping
33 out of school;

34 (4) Researching successful programs in this state and in other
35 states that have been successful in reducing the drop out rate;

36 (5) Establishing one location for school districts that are
37 searching for programs to help reduce the drop out rate;

38 (6) Engaging representatives of the juvenile justice system,
39 including the Missouri Bar Association, to look at other changes in law,
40 rules, and regulations, or procedures that would need to be changed
41 because of a change in the compulsory attendance.

42 4. The task force shall update the state board of education
43 periodically concerning its work and shall report its final findings and
44 recommendations by July 1, 2010, to the state board of education and
45 the general assembly.

 [167.052. The provisions of sections 167.031 and 167.051
2 affecting a metropolitan school district shall be effective for the
3 school year beginning 2007-08 and shall terminate after the school
4 year ending 2011-12.]

 Section B. The repeal of section 167.052, and the repeal and reenactment
2 of sections 167.031, 167.034, and 167.051, shall become effective on July 1, 2013.

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