

SENATE BILL NO. 1189

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR CIERPIOT.

5776S.01I

ADRIANE D. CROUSE, Secretary

AN ACT

To amend chapter 163, RSMo, by adding thereto one new section relating to residency of children in state custody.

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

Section A. Chapter 163, RSMo, is amended by adding thereto
2 one new section, to be known as section 163.063, to read as
3 follows:

163.063. 1. Notwithstanding any other provision of
2 law to the contrary, for the purpose of determining state
3 and local funding for a child's education, the residency of
4 a child who is in state custody under state law shall be the
5 location where the child resides.

6 2. For the purpose of determining state and local
7 funding for a child's education, if the child resides in a
8 residential treatment facility or other facility and is
9 unable to attend in the public school district where the
10 child resides, either because the child may be a safety risk
11 or the child has behavioral conditions that support the need
12 to educate the child on such facility's site or campus, the
13 school district shall pass through to such facility at least
14 eighty percent of any state or local moneys paid to the
15 district on a per-pupil basis for such child in addition to
16 any other moneys available to the school district through
17 the department of elementary and secondary education for
18 such child.

19 3. If the school district provides a teacher or other
20 educational resources to such residential treatment facility
21 or other facility, the district may use moneys provided
22 under subsection 2 of this section to offset the cost of
23 such teacher or other educational resources that are
24 directly attributable to such child in state custody at such
25 facility's site or campus. Such facility shall be afforded
26 reasonable costs associated with such child's education up
27 to the average per-pupil cost. No such facility shall be
28 required to offset the costs to the child's school district
29 for the education of such child as long as such costs of
30 education do not exceed the average per-pupil spending on an
31 annual basis within the school district.

32 4. The school district shall provide an annual
33 accounting to the residential treatment facility or other
34 facility and shall either support or approve the facility's
35 education plan for such child or provide for the child's
36 education on such facility's site or campus.

37 5. The provisions of this section shall not apply to
38 school boards authorized under sections 162.670 to 162.999.

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