

SENATE SUBSTITUTE  
 FOR  
 SENATE BILL NO. 199  
 AN ACT

To repeal sections 160.2705, 160.2720, and 160.2725, RSMo, and to enact in lieu thereof three new sections relating to adult high schools.

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

Section A. Sections 160.2705, 160.2720, and 160.2725, RSMo, are repealed and three new sections enacted in lieu thereof, to be known as sections 160.2705, 160.2720, and 160.2725, to read as follows:

160.2705. 1. [The department of elementary and secondary education shall authorize before January 1, 2018, a] The department of social services shall authorize Missouri-based nonprofit [organization] organizations meeting the criteria [under subsection 2] of this section to establish and operate up to five [four] adult high schools, with:

(1) One adult high school to be located in a city not within a county;

(2) One adult high school to be located in a county of the third classification without a township form of government and with more than forty-one thousand but fewer than forty-five thousand inhabitants or a county contiguous to that county;

(3) One adult high school to be located in a county of the first classification with more than two hundred sixty thousand but fewer than three hundred thousand inhabitants or a county contiguous to that county; [and]

19 (4) One adult high school to be located in a county of  
20 the first classification with more than one hundred fifty  
21 thousand but fewer than two hundred thousand inhabitants; and

22 (5) One adult high school to be located in a county  
23 with more than seven hundred thousand but fewer than eight  
24 hundred thousand inhabitants, or a contiguous county.

25 2. [The department of elementary and secondary  
26 education shall grant the authorization described under  
27 subsection 1 of this section based on a bid process  
28 conducted in accordance with the rules and regulations  
29 governing purchasing through the office of administration.

30 The successful bidder shall:] The department of social  
31 services shall administer funding to adult high schools,  
32 subject to appropriations. The department shall be  
33 responsible for granting and maintaining authorization for  
34 adult high schools. For adult high schools in operation  
35 prior to January 1, 2023, the department shall maintain  
36 authorization for the nonprofit organization to operate the  
37 schools, subject to compliance with this section. No more  
38 than one organization may be authorized to operate an adult  
39 high school at each location described in subsection 1 of  
40 this section. An organization may establish satellite  
41 campuses for any adult high school it is authorized to  
42 operate. The department shall administer funding for  
43 satellite campuses subject to appropriations.

44 3. On or before January 1, 2024, the department of  
45 social services shall select an eligible Missouri-based  
46 nonprofit organization to operate in a location described in  
47 subdivision (5) of subsection 1 of this section. An  
48 eligible organization shall:

49 (1) Demonstrate the ability to establish, within  
50 twenty-one months of the receipt of the authorization,  
51 [four] an adult high [schools] school offering high school

52 diplomas, an industry certification program or programs, and  
53 child care for children of the students attending the high  
54 schools;

55 (2) [Commit at least two million dollars in investment  
56 for the purpose of establishing the necessary infrastructure  
57 to operate four adult high schools] Demonstrate the ability  
58 to commit at least five hundred thousand dollars for the  
59 purpose of establishing the necessary infrastructure at the  
60 adult high school;

61 (3) Demonstrate substantial and positive experience in  
62 providing services, including industry certifications and  
63 job placement services, to adults twenty-one years of age or  
64 older whose educational and training opportunities have been  
65 limited by educational disadvantages, disabilities,  
66 homelessness, criminal history, or similar circumstances;

67 (4) Establish a partnership with a state-supported  
68 postsecondary education institution or more than one such  
69 partnership, if a partnership or partnerships are necessary  
70 in order to meet the requirements for an adult high school;

71 (5) Establish a comprehensive plan that sets forth how  
72 the adult high schools will help address the need for a  
73 sufficiently trained workforce in the surrounding region for  
74 each adult high school;

75 (6) Establish partnerships and strategies for engaging  
76 the community and business leaders in carrying out the goals  
77 of each adult high school;

78 (7) Establish the ability to meet quality standards  
79 through certified teachers and programs that support each  
80 student in such student's goal to find a more rewarding job;

81 (8) Establish a plan for assisting students in  
82 overcoming barriers to educational success including, but  
83 not limited to, educational disadvantages, homelessness,

84 criminal history, disability, including learning disability  
85 such as dyslexia, and similar circumstances;

86 (9) Establish a process for determining outcomes of  
87 the adult high school, including outcomes related to a  
88 student's ability to find a more rewarding job through the  
89 attainment of a high school diploma and job training and  
90 certification; and

91 (10) ~~[Bids shall not include an]~~ Limit the  
92 administrative fee to no more than ~~[greater than]~~ ten  
93 percent.

94 ~~[3.]~~ 4. (1) The department of elementary and  
95 secondary education shall establish academic requirements  
96 for students to obtain high school diplomas.

97 (2) Requirements for a high school diploma shall be  
98 based on an adult student's prior high school achievement  
99 and the remaining credits and coursework that would be  
100 necessary for the student to receive a high school diploma  
101 if such student were in a traditional high school setting.  
102 The adult student shall meet the requirements with the same  
103 level of academic rigor as would otherwise be necessary to  
104 attain such credits.

105 (3) The adult high school authorized under this  
106 section shall award high school diplomas to students who  
107 successfully meet the established academic requirements.  
108 The adult high school authorized under this section shall  
109 confer the diploma as though the student earned the diploma  
110 at a traditional high school. The diploma shall have no  
111 differentiating marks, titles, or other symbols.

112 (4) Students at adult high schools may complete  
113 required coursework at their own pace and as available  
114 through the adult high school. They shall not be required  
115 to satisfy any specific number of class minutes. The adult  
116 high school may also make classes available to students

117 online as may be appropriate. However, students shall not  
118 complete the majority of instruction of the school's  
119 curriculum online or through remote instruction. For the  
120 purposes of this subsection, synchronous instruction  
121 connecting students to a live class conducted in a Missouri  
122 adult high school shall be treated the same as in-person  
123 instruction.

124 (5) The department of elementary and secondary  
125 education shall not create additional regulations or burdens  
126 on the adult high school or the students attending the adult  
127 high schools beyond certifying necessary credits and  
128 ensuring that students have sufficiently mastered the  
129 subject matter to make them eligible for credit.

130 [4.] 5. An adult high school shall be deemed a  
131 secondary school system for the purposes of subdivision (15)  
132 of subsection 1 of section 210.211.

160.2720. The nonprofit organization who receives the  
2 authorization described under section 160.2705 shall submit  
3 to the department of elementary and secondary education, the  
4 department of social services, the joint committee on  
5 education, and the offices of the governor, speaker of the  
6 house of representatives, and president pro tempore of the  
7 senate an annual report concerning evaluations of the adult  
8 high schools, including the impact the adult high schools  
9 have had in meeting industry needs in the state before  
10 December first of each year.

160.2725. The department of [elementary and secondary  
2 education] social services may promulgate rules to implement  
3 the provisions of sections 160.2700 to 160.2720. Any rule  
4 or portion of a rule, as that term is defined in section  
5 536.010, that is created under the authority delegated in  
6 this section shall become effective only if it complies with  
7 and is subject to all of the provisions of chapter 536 and,

8 if applicable, section 536.028. This section and chapter  
9 536 are nonseverable and if any of the powers vested with  
10 the general assembly pursuant to chapter 536 to review, to  
11 delay the effective date, or to disapprove and annul a rule  
12 are subsequently held unconstitutional, then the grant of  
13 rulemaking authority and any rule proposed or adopted after  
14 August 28, 2017, shall be invalid and void.